



Washington State Department of Natural Resources

Management of Residential Use of State- Owned Aquatic Lands

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What are aquatic lands?

- “Aquatic lands” are the tidelands, shorelands, and bedlands lying below the ordinary high water mark on rivers and lakes, and below mean high tide on marine waters
- The Washington State Department of Natural Resources (DNR) manages approximately 2.6 million acres of aquatic lands



DNR's Proprietary Role

- Ensure Environmental Protection
- Encourage Public Use and Access
- Renewable Resource Use
- Foster Water Dependent Use



Why DNR Adopted New WACs on Residential Use

- Politically charged issue which needed resolution.
- Existing statutes and regulations (WACs) lacked definitions, clarity and guidance.
- No specific guidance on residential use of vessels in RCWs or WACs.
- Lack of certainty for marinas, residential uses and the general public.



Types of Residential Use

- Floating Homes – a structure that has been designed or remodeled to serve primarily as a residence over water; includes house barges, house boats; non-water dependent
- Vessels – any vessel not meeting the definition of floating home, used as a residence; water-dependent

















Summary of Rules

- Provide balance of public benefits for all citizens.
- Fulfill requirements of the Aquatic Lands Act.
- Ensure local government input on planning issues.
- Provide certainty for marinas, residential users and the public.



Highlights of Residential Use Rules

- Definitions
- Sewage waste
- Best Management Practices
- Limits
- Open water moorage areas



New Definitions

- Floating House
- Vessel
- Residential Use



Sewage and Gray Water

- All treated and untreated sewage must be disposed of upland.
- Marinas must adopt Best Management Practices for gray water.
- All other waste must be disposed of in accordance with federal, state and local laws.



Ten Percent Limit

- Limits residential use to ten percent of available slips in a marina.
- Allows local government to alter limit.
- No existing residential users will be evicted, as long as they are in compliance.



Open Water Moorage Areas

- Defines open water moorage areas.
- Authorizes such areas if local government leases and manages the areas.
- Local government must amend SMP within five years to be eligible.

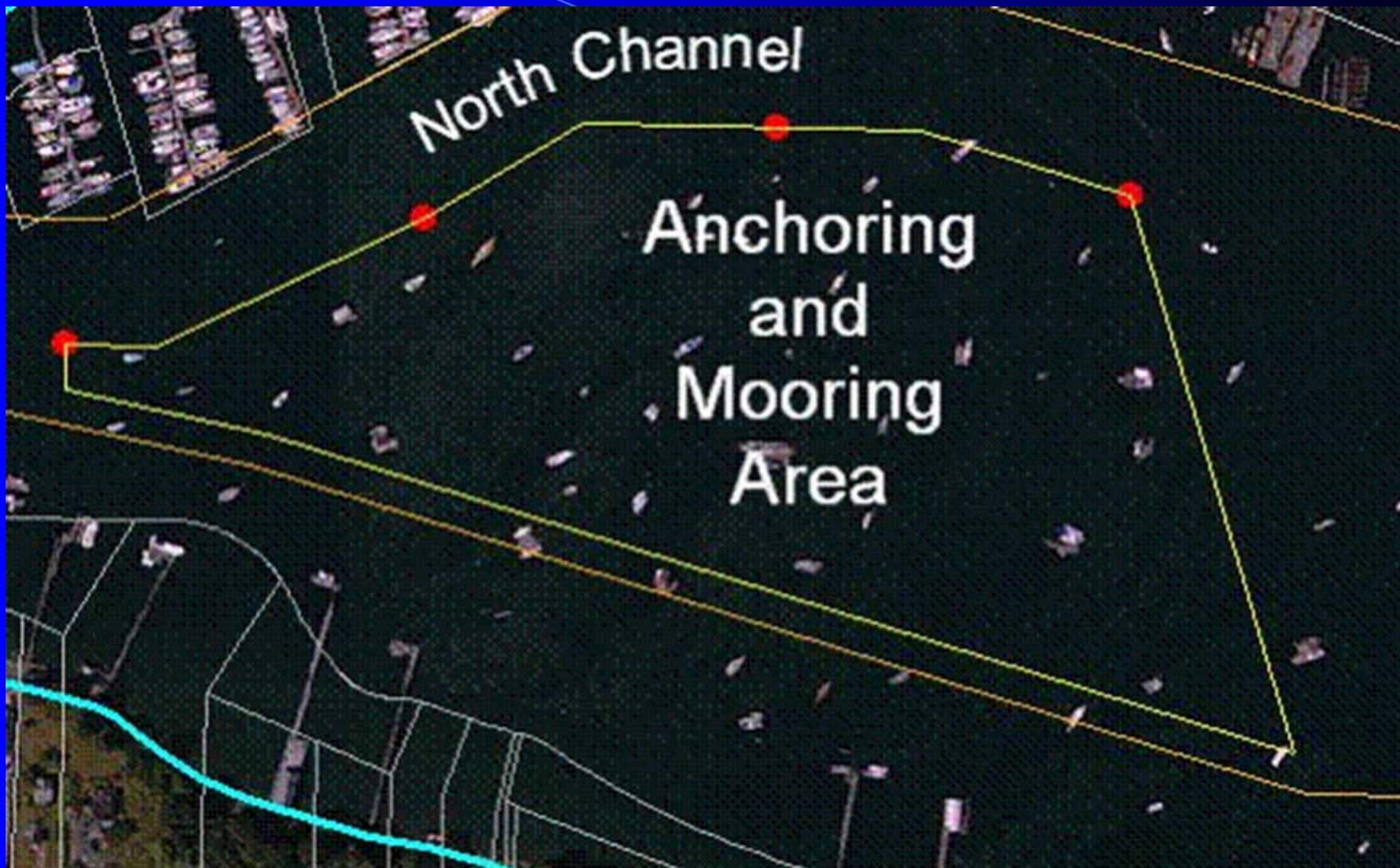


Bainbridge Island

Harbour Marina

Bainbridge Ferry





Residential Use Rules: A Solution to a Difficult Issue.

- Provide for a balance of uses.
- Ensure environmental protection.
- Include local government participation.
- Provide certainty to marina operators and the public.



Ongoing Challenges

- Compliance with 10%
- Open Water Moorage Areas



Conclusion

We feel these rules represent a good balance - they protect our resources, provide for a balance of uses, and address long standing questions on residential use of state-owned aquatic lands.

