
SENATE BILL 5818

State of Washington

68th Legislature

2024 Regular Session

By Senators Van De Wege, Mullet, Nguyen, Salomon, Liias, Randall, Hasegawa, Kauffman, Dhingra, and Stanford

Prefiled 12/08/23.

1 AN ACT Relating to authorizing an exemption to the seashore
2 conservation area for a qualified infrastructure project; amending
3 RCW 79A.05.630; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 79A.05.630 and 2011 c 184 s 1 are each amended to
6 read as follows:

7 (1) Lands within the Seashore Conservation Area shall not be
8 sold, leased, or otherwise disposed of, except as provided in this
9 section.

10 ~~((1))~~ (2) The commission may, under authority granted in RCW
11 79A.05.175 and 79A.05.180, exchange state parklands in the Seashore
12 Conservation Area for lands of equal value to be managed by the
13 commission consistent with this chapter. Only state parklands lying
14 east of the Seashore Conservation Line, as it is located at the time
15 of exchange, may be so exchanged.

16 ~~((2))~~ (3) The commission may, under authority granted in RCW
17 79A.05.178, directly dispose of up to five contiguous acres of real
18 property, without public auction, to resolve trespass, property
19 ownership disputes, and boundary adjustments with adjacent property
20 owners. Real property to be disposed of under this subsection may be
21 disposed of only after appraisal and for at least fair market value,

1 and only if the transaction is in the best interest of the state. All
2 conveyance documents shall be executed by the governor. All proceeds
3 from the disposal of the property shall be paid into the parkland
4 acquisition account and proceeds received pursuant to any sale under
5 this subsection shall be reinvested in real property located inside
6 or within one mile of the Seashore Conservation Area.

7 ~~((3))~~ (4) The department of natural resources may lease the
8 lands within the Washington State Seashore Conservation Area as well
9 as the accreted lands along the ocean in state ownership for the
10 exploration and production of oil and gas except that oil drilling
11 rigs and equipment shall not be placed on the Seashore Conservation
12 Area or state-owned accreted lands.

13 (5) Sale of sand from accretions shall be made to supply the
14 needs of cranberry growers for cranberry bogs in the vicinity and
15 shall not be prohibited if found by the commission to be reasonable,
16 and not generally harmful or destructive to the character of the
17 land. The commission may grant leases and permits for the removal of
18 sands for construction purposes from any lands within the Seashore
19 Conservation Area if found by the commission to be reasonable and not
20 generally harmful or destructive to the character of the land. Net
21 income from such leases shall be deposited in the state parks renewal
22 and stewardship account.

23 (6) (a) The commission and the department of natural resources
24 shall, upon request from a qualified infrastructure project owner,
25 grant a permit for access to lands managed under this chapter and an
26 easement for a qualified infrastructure project. The easement must be
27 granted for an initial term of 50 years and is renewable thereafter
28 upon request from a qualified infrastructure project owner.

29 (b) The definitions in this subsection (6) (b) apply throughout
30 this subsection unless the context clearly requires otherwise.

31 (i) "Qualified infrastructure project" means the construction of
32 utilities related to the deployment of a telecommunications
33 infrastructure that occurs in part in a distressed area, as defined
34 in RCW 43.168.020, that is located on the coast of Washington. The
35 infrastructure may include, but is not limited to, buried utility
36 connections and extension and any related equipment that will add
37 broadband capacity and infrastructure to the area.

38 (ii) "Qualified infrastructure project owner" means a wholly
39 owned subsidiary of a federally recognized tribe located in a county

1 that borders the Pacific Ocean that is developing a qualified
2 infrastructure project.

3 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of
5 the state government and its existing public institutions, and takes
6 effect immediately.

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