



## Shoreline Master Program updates: Coordinating with DNR

As manager and steward of more than 2.6 million acres of state-owned aquatic lands, the Washington State Department of Natural Resources (DNR) must manage state-owned aquatic lands to achieve a balance of public benefits for the citizens of Washington that:

- Encourage public use and access.
- Foster water-dependent uses.
- Ensure environmental protection.
- Use renewable resources.
- Generate revenue when consistent with the above four mandates.

To help achieve this balance, DNR's Aquatic Resources Division seeks opportunities to coordinate with and provide support to local governments that are updating and implementing shoreline master programs.

By working together, we can avoid management conflicts and adverse effects on aquatic resources and state-owned aquatic lands. DNR brings a land management perspective to the planning process, offering recommendations on specific issues and providing technical and policy expertise to local governments related to state-owned aquatic lands.

In most cases, anyone wishing to use state-owned aquatic lands must obtain an authorization from DNR. Examples of uses include:

- Docks
- Marinas
- Piers
- Shipping terminals
- Aquaculture
- Commercial shellfish harvesting operations
- Dredged material disposal
- Mooring buoys
- Restoration projects
- Easements for bridges and utility crossings, including outfalls

DNR's responsibility for state-owned aquatic lands falls under the Aquatic Lands Act ([RCW 79.105](#)), which directs the agency to manage state-owned aquatic lands and the resources attached to and embedded in them for the benefit of all present and future residents of Washington.



16th Street Pier Esplanade, Tacoma.  
Photo: DNR



The confluence of the Snake and Palouse rivers. Photo courtesy of Battelle Marine Science Laboratory.

### CONTACTS:

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DNR's aquatic lands management and stewardship responsibilities share common goals with the general policies of the Shoreline Management Act (SMA):

- Protect the public trust.
- Facilitate water-dependent uses and public use and access.
- Protect the shoreline environment and its resources.

### How can DNR support shoreline master program planning?

DNR's Aquatic Resources Division can suggest ways to incorporate and balance statewide values and offer recommendations on uses and activities within local shoreline jurisdictions, including identifying aquatic lands suitable for:

- Public access.
- Habitat conservation and restoration.
- Water-dependent uses.
- Renewable resources.
- Specific uses in harbor areas and waterways.

DNR seeks to establish long-term working relationships that will benefit local governments and the public, including ongoing communication and information sharing. DNR can support local governments through:

- Consistent and accurate information on the agency's role and responsibilities, and state-owned aquatic lands within the planning area.
- Updates on forthcoming policy and technical issues, including our Aquatic Lands Habitat Conservation Plan, which is under development.
- Identification of potential areas for planning and cooperation.

### For more information

#### Olympia office:

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#### District offices:

##### Orca-Straits District

360-856-3500

Clallam, Jefferson, San Juan, Skagit, Snohomish, and Whatcom counties

##### Shoreline District

360-825-1631

Kitsap, King, Pierce, and Mason counties

##### Rivers District

360- 577-2025

Adams, Asotin, Benton, Chelan, Clark, Columbia, Cowlitz, Douglas, Ferry, Garfield, Grant, Grays Harbor, Kittitas, Klickitat, Lewis, Lincoln, Okanogan, Pacific, Pend Oreille, Spokane, Stevens, Thurston, Wahkiakum, Walla Walla, Whitman, Yakima counties

### What are state-owned aquatic lands?

Aquatic lands are part of the public lands of the state of Washington. These lands include tidelands, shorelands of navigable rivers and lakes, beds of marine and freshwaters, lands in harbor areas and waterways, and even some filled aquatic lands, which now look like uplands.

The state's ownership of aquatic (or submerged) lands is based on whether a specific water body is or was navigable or is influenced by tides.

In some cases, identifying which aquatic lands are owned by the state can be complicated. More information is available on our brochure, "Boundaries of State-owned Aquatic Lands." ([bit.ly/aqr\\_boundaries](http://bit.ly/aqr_boundaries))

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## Glossary of key terms related to the management of State-owned Aquatic Lands

The following definitions are based on Washington state rules (WACs) and statutes (RCWs) and may be of help as you make planning decisions for state-owned aquatic lands in your jurisdiction. Many of these definitions have been summarized. For more detail on each term, follow the corresponding link.

<b>Aquatic lands</b>	All state-owned tidelands, shorelands, harbor areas, and the beds of navigable waters. ( <a href="#">RCW 79.105.060</a> ) Aquatic lands are part of Washington state's public lands and are managed directly by DNR or indirectly through management agreements with other governmental entities, such as port authorities. ( <a href="#">RCW 79.105.210</a> )
<b>Beds of navigable waters / Bedlands</b>	Submerged lands lying waterward of the line of extreme low tide in navigable tidal waters and waterward of the line of navigability in navigable lakes, rivers, and streams. ( <a href="#">RCW 79.105.060</a> , <a href="#">WAC 332-30-106</a> )
<b>Extreme low tide</b>	The line as estimated by the federal government below which it might reasonably be expected that the tide would not ebb. The definition varies in the different water bodies (Puget Sound, Pacific Ocean, and Strait of Juan de Fuca). ( <a href="#">WAC 332-30-106(18)</a> )
<b>Floating house</b>	Any floating structure that is: <ul style="list-style-type: none"> <li>• Designed, remodeled, or has been substantially and structurally remodeled or redesigned to serve primarily as a residence. Includes houseboats, house barges, or any floating structures that do not qualify as a <a href="#">vessel</a>.</li> <li>• Used as a residence and capable of navigation, but not designed primarily for navigation, nor normally capable of self-propulsion.</li> </ul> ( <a href="#">WAC 332-30-106</a> )
<b>Harbor area</b>	The area of navigable waters as provided in the Washington State Constitution ( <a href="#">§ 1 Article XV</a> ), which shall be forever reserved for landings, wharves, streets, and other conveniences of navigation and commerce ( <a href="#">RCW 79.105.060(5)</a> ). Harbor areas exist between the inner and outer harbor lines as established by the Washington State Harbor Line Commission. ( <a href="#">WAC 332-30-106</a> )
<b>Line of navigability</b>	A measured line at that depth sufficient for ordinary navigation as determined by the <a href="#">Board of Natural Resources</a> . ( <a href="#">WAC 332-30-106</a> )
<b>Meander line</b>	Fixed, determinable lines run by the federal government along the banks of all navigable bodies of water and other important rivers and lakes for the purpose of defining the curves and bends of the shore or bank and as a means of confirming the areas of fractional subdivisions of the public lands bordering them. ( <a href="#">WAC 332-30-106</a> )
<b>Moorage facility</b>	A marina, open water moorage, and anchorage area, pier, dock, mooring buoy, or any other similar fixed moorage site. ( <a href="#">WAC 332-30-106</a> )
<b>Multiple-use management</b>	Insures that several uses or activities can occur at the same place at the same time. ( <a href="#">WAC 332-30-106</a> )
<b>Navigability or navigable</b>	A body of water capable of having been or being used to transport commerce. The state of Washington considers all bodies of water meandered by government surveyors as navigable, unless otherwise declared by a court. ( <a href="#">WAC 332-30-106</a> )
<b>Nonwater-dependent use</b>	Does not require a waterfront location. Examples include: hotels, condominiums, apartments, restaurants, retail stores, and warehouses not part of a marine terminal or transfer facility. ( <a href="#">RCW 79.105.060</a> )
<b>Open water moorage and anchorage areas</b>	Areas of state-owned aquatic lands leased for moorage and anchorage that do not abut nor include a built connection to uplands. Generally located in the center of a waterbody. ( <a href="#">WAC 332-30-106</a> )

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<b>Ordinary high tide</b>	The same as mean high tide or the average height of high tide in Puget Sound. ( <a href="#">WAC 332-30-106</a> (47))
<b>Ordinary high water</b>	For the purpose of asserting state ownership, the line of permanent upland vegetation along the shores of non-tidal navigable waters. In the absence of vegetation, the line of mean high water. ( <a href="#">WAC 332-30-106</a> (48))
<b>Public benefit</b>	All citizens of the state may derive a direct benefit from DNR actions regarding state-owned aquatic lands. (See page 1 of this fact sheet.) ( <a href="#">WAC 332-30-106</a> )
<b>Public place</b>	A part of the aquatic lands set aside for public access through platted tidelands, shorelands, and/or harbor areas to the beds of navigable waters. ( <a href="#">WAC 332-30-106</a> )
<b>Public tidelands</b>	Lands belonging to or held in trust by the state, which are not devoted to or reserved for a particular use by law, and include state lands, tidelands, shorelands, harbor areas, and the beds of navigable waters belonging to the state. ( <a href="#">RCW 79.02.010</a>   <a href="#">WAC 332-30-106</a> )
<b>Public use</b>	To be made available daily to the general public on a first-come, first-served basis, and may not be leased to private parties on any more than a day-use basis. ( <a href="#">WAC 332-30-106</a> )
<b>Public use beach</b>	A state-owned beach available for free public use but may also be leased for other compatible uses. ( <a href="#">WAC 332-30-106</a> )
<b>Residential use</b>	Noncommercial habitation of a <a href="#">floating house</a> or a <a href="#">vessel</a> under the conditions defined in <a href="#">WAC 332-30-106</a> .
<b>Shorelands</b>	DNR defines "shorelands" as the state-owned shores of a navigable lake or river, not subject to tidal flow, lying between the line of ordinary high water and the line of navigability. ( <a href="#">RCW 79.105.060</a> )  "Shorelands" or "shoreland areas" under the SMA means those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters ( <a href="#">WAC 173-26</a> ).
<b>State-owned aquatic lands</b>	Aquatic lands and waterways administered by DNR or managed by an agreement with DNR and a port district. Does not include aquatic lands owned in fee by, or withdrawn for the use of, state agencies other than DNR ( <a href="#">RCW 79.105.060</a> (20)   <a href="#">WAC 332-30-106</a> )
<b>Statewide value</b>	Aquatic land uses and natural resources whose use, management, or intrinsic nature have statewide implications. Aquatic land uses of statewide value provide major statewide public benefits through activities or from environmental protection. ( <a href="#">WAC 332-30-106</a> )
<b>Vessel</b>	A floating structure designed primarily for navigation and normally capable of self-propulsion and use as a means of transportation. ( <a href="#">WAC 332-30-106</a> )
<b>Water-dependent use</b>	Requires a water location for business, recreation, and/or public use. ( <a href="#">RCW 79.105.060</a> )
<b>Water-oriented use</b>	Historically required a waterfront location but, with existing technology, can now be located away from the waterfront. Examples include: wood products manufacturing, watercraft sales, fish processing, petroleum refining, sand and gravel processing, log storage, and houseboats. ( <a href="#">RCW 79.105.060</a> )

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