



# LEASING STATE AQUATIC LANDS



## CONTACT

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A guide to the policies and expectations of  
the Washington State Department of Natural  
Resources Aquatic Lands leasing program



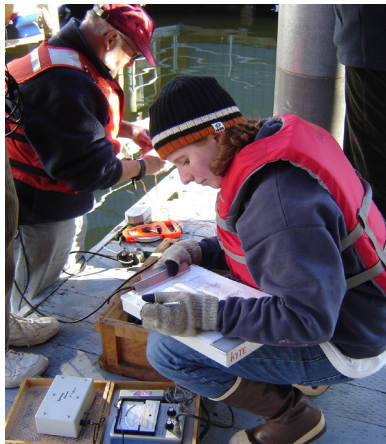
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# A Rich History, a Certain Future

Washington's aquatic lands are the foundation of a complex and inter-dependent ecosystem and economy. For centuries, the people of Washington have used aquatic lands for subsistence, trade and leisure while a vast array of interconnected species rely on the habitat it provides.



As the state's largest landlord of aquatic lands DNR authorizes more than 70 different kinds of uses on more than 2.6 million acres of state-owned aquatic lands. There are more than 5,000 projects authorized on state-owned aquatic lands at any given time.

We are also directed by statute to provide a balance of public benefits for all citizens of the state, and must consider the natural values and best use of aquatic lands.

Our long-term business relationships must consider environmental risks, the risks to public health and safety, and the financial risks for the entire lifetime of the use.

We do that by ensuring uses of aquatic lands avoid and minimize impacts to other uses and habitat needs. The best way to do this is to limit:

- Shade
- Noise
- Compaction of sediments
- Movement of sediment and waves
- Contamination and waste

DNR authorization is required for new projects on the shoreline, over-water or in-water. To ensure your project is appropriate, if the land is available and how to best build it to avoid or lessen impacts to habitat, contact DNR early. Our land managers will work closely with you to determine what will be required in your lease and to help identify permits that might be required by regulatory agencies.

## Step-by-Step Leasing

Uses of Washington's aquatic lands are as varied as local habitats. Because of this, DNR carefully identifies specific measures needed to avoid or reduce impacts from each use. Whether you are proposing a new use or planning to change an existing authorization, below are the five steps all authorization requests must go through. Timeframes also vary, depending on complexity and workload of reviewing and managing thousands of use authorizations.



- Step 1** Contact DNR's Aquatic Resources program. We will determine if your project is on state-owned aquatic lands and make sure you complete the right application.
- Step 2** DNR land managers work with tenants to give applications preliminary reviews. DNR may also contact regulatory agencies to further identify necessary permits.
- Step 3** Your project will undergo more thorough review to identify potential impacts to the aquatic environment.
- Step 4** Land managers work with applicants as permits are processed to negotiate terms and conditions, including amount of rent, survey requirements, insurance, performance security and other site-specific requirements.
- Step 5** Because DNR is a landlord on behalf of Washington's citizens, all land use authorizations are reviewed by a state attorney for legality and compliance. Following that, DNR may offer the lease to the lessee for final authorization.

## Adjusting with Changes



Because of the dynamic nature of nearshore environments and changing conservation regulations, DNR's aquatic lands lessees may need to adjust their projects.

DNR will notify tenants as stewardship measures evolve to ensure they are aware of any changes and have enough time to implement them. Most often, changes will not be required until docks or other structures are due for replacement.

To keep up to date on DNR's stewardship measures, lessees should regularly consult our web page: [www.dnr.wa.gov/programs-and-services/aquatics/stewardship-measures](http://www.dnr.wa.gov/programs-and-services/aquatics/stewardship-measures)

# Stewardship Basics

## Shade

Shadows can rob aquatic vegetation of sunlight needed to grow, and prompt juvenile fish to seek deeper water, exposing them to predators. To reduce these impacts:

- Place structures in deeper water where they will not shade nearshore aquatic vegetation
- Remove unnecessary structures
- Modify existing structures in the nearshore so sunlight can pass through
- Locate new structures away from aquatic vegetation

## Contamination

All operations above, on or near the water risk-usually unintentionally-contaminating water, degrading ecosystems and causing chronic health problems. To reduce these impacts:

- Design facilities so water can freely flow to prevent the buildup of waste and sediment
- Limit in-water repair operations
- Do not work without a National Pollutant Discharge Elimination System (NPDES) permit
- Use tarps to prevent dust, drips, and spills from entering the water
- Provide sewage disposal facilities at marinas
- Prevent contaminated runoff from entering the water
- Implement practices that prevent bark from rubbing off logs when they are in the water

## Compacting Sediment

Floating structures can crush vegetation and animals and compact sediment in low water. Compacted sediment may not be able to support habitat. To reduce these impacts:

- Move to deeper water or design so they cannot “ground out”
- Use embedded anchors and midline floats
- Build landings where boats cannot run aground and propellers don’t disturb the sea floor
- Wash gravel or shell for aquaculture beds upland
- Exclude or limit vehicular and foot traffic in intertidal areas

## Noise

Excess noise can traumatize fish, birds, amphibians, and orca causing them to leave the area or abandon nests. To reduce these impacts, locate new facilities in deeper water, observe species work windows, and exclude or limit traffic in shallow water and intertidal areas.

## Waves

To ensure proper movement of waves and sediment, DNR asks users to avoid designs that require shoreline armoring, to post ‘no wake’ signs, locate projects in deeper water, and design for minimal obstruction of currents.



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