



Recreational Boating Association of Washington (RBAW) Key 2023 Legislative & Regulatory Priorities

State Legislative Priorities

- **Lakebay Marina:** RBAW will partner with the Department of Natural Resources (DNR) on three funding 'asks' related to continued redevelopment and renovation work at the Lakebay Marina: 1) a Boating Facilities Program (BFP) competitive grant application for \$1.7 million, led by DNR; 2) a request for an earmark of about \$1 million in the "Local and Community Projects" section of the 2023-25 Capital Budget, to be led by RBAW; and 3) a \$1 million request for the removal of underground storage tanks and contaminated soils, to be led by DNR.
- **Funding to expand mobile pump-out service on key waterways:** RBAW, the Northwest Marine Trade Association (NMTA) and environmental organizations are poised to partner on a 2023-25 State Capital Budget request to supplement the federal "Clean Vessel Act" pass-through funding that goes to Washington State and add to it as much as \$2 million for the expansion of recreational and commercial vessel pump-out capacity. RBAW's top focus is to expand recreational pump-out capacity – particularly mobile capacity.
- **Continued funding for the Lake Union Water Safety Initiative – AKA #MindTheZone:** RBAW successfully partnered with other stakeholders on a \$300,000 allocation in the 2022 Operating Budget for education and awareness work on Lake Washington, with RBAW receiving ½ of that allocation for the on-shore initiative that was branded as #MindTheZone. That funding lapses in June 2023 and RBAW is seeking funds to keep the initiative going beyond Summer 2023. The City of Seattle is contributing \$122,000 even in the face of major 'hits' to its budget, and RBAW will look for an additional \$100,000 from the State Legislature in 2023.
- **DNR Request bill -- \$20 million package around removal and cleanup of derelict structures and incentivize funds for marina operators:** RBAW is prepared to support this package, but with key refinements that include a recommendation to increase incentive funds in the bill (currently pegged for \$2 million), a request to enable non-profit organizations (*such as the RBAW Marine Parks Conservancy*) should be able to

partner with DNR on acquiring derelict structures, and an ask that more explicit mitigation assistance be woven into the package. RBAW is pleased that a revised bill now includes explicit language regarding mitigation credits and partnering with non-profits – and the Association will work with DNR on additional adjustments going forward.

- **Watercraft Excise Tax (WET):** RBAW will continue its longstanding policy of actively opposing *any* proposals that would increase the Watercraft Excise Tax – as it did in 2021 by successfully heading off a proposal to *double* the WET. Additionally, fresh off a successful 2022 initiative to re-direct 25 percent of the WET dollars from the General Fund into the Derelict Vessel Removal Program (DVRP), RBAW has initiated conversations with key state agencies and state agency leaders regarding future initiatives that could be put in place to set aside additional WET monies for RBAW Marine Parks Conservancy acquisition projects.
- **Refresh Dec. 2010 JLARC study on “Activities Supporting Recreational Boating In Washington”:** In December 2010, the Joint Legislative Audit and Review Committee (JLARC) completed a report for the Legislature demonstrating that the state collected \$70.9 million in boating-related revenue during the 2007-09 biennium while spending only \$54 million on recreational boating services and activities. The report is here ([10-12.pdf \(wa.gov\)](#)). RBAW believes that after a dozen years, it is appropriate to update and refresh this report so that current-day legislators can have an updated understanding of the revenue in vs. services delivered for recreational boating. RBAW will work with State Sen. John Braun (20th Dist.) and others on Operating Budget funding to update this report.
- **Boating safety:** RBAW will continue to promote increased awareness of and education on the importance of boater safety. The Association will monitor action in the 2023 Legislature to see whether any lawmakers propose an expansion of requirements to wear Personal Flotation Devices (PFDs). RBAW will want to be at the table to ensure any such proposals are limited and targeted, such as a bill in 2022 that would have added requirements for a narrowly defined class of human powered vessels.

Regulatory Matters and Work on Agency & Budget Initiatives at the Federal, State, and Local Levels

- **Watercraft Excise Tax Depreciation Schedule:** Over the last two years, as Department of Revenue has made annual updates to the WET Depreciation Schedule that it is statutorily allowed to set through rulemaking, RBAW has led formation of a broad-based coalition to push for the fairest schedule possible. While the Association has had some success in pushing for adjustments to the schedule for newer boats, RBAW continues to have strong concerns that the Depreciation Schedule for older vessels (purchased 14

years ago or more) is artificially high and leads to higher-than-necessary annual assessments. Further, RBAW believes the whole system – based on a fair market value tied to purchase prices – is badly in need of an overhaul. RBAW will continue to fight for a fairer schedule for boaters and has successfully worked to initiate high-level meetings with the Department of Revenue that will focus on crafting a mutually acceptable change to the state law governing the Depreciation Schedule (RCW 82.49.040).

- **Seattle Harbor Patrol:** At a City of Seattle level, RBAW will continue to help lead a maritime coalition seeking to bolster funding, FTEs, and equipment for the Harbor Patrol. RBAW led a recent delegation that met with Seattle’s Mayor and is pleased that the Mayor’s two-year budget puts an additional \$250,000 a year into Harbor Patrol overtime emphasis patrols and equipment replacements. This \$250,000 was in the final budget approved by the City Council. Additionally, RBAW and other coalition partners plan to be directly involved in an upcoming study of Harbor Patrol manpower and equipment needs.
- **Lower Snake River Dam Removal:** While RBAW is not aware of any *current* initiatives or proposals, our organization will continue to track this issue area closely and oppose efforts to remove the four (4) hydropower dams on the Lower Snake River. RBAW was pleased to join numerous other organizations in declaring at least a partial victory with the late-August 2022 release of the *Lower Snake River Dams: Benefits Replacement Study*. U.S. Senator Patty Murray and Governor Jay Inslee, the two elected officials who helped trigger the report, released a statement indicating that breaching the Lower Snake River dams is “not an option right now.”
- **Expansion of buoys, piloting of “Stern Ties,” and other ways to assist recreational boaters in having available capacity:** This has been a priority item for RBAW and there have been *some* success stories, such as the repair and replacement of hundreds of existing buoys by Washington State Parks. That said, RBAW will continue to push State Parks, DNR, and others to put in place a more aggressive game plan to add mooring buoys or stern-tie pilot projects, especially at a time where the establishment of any new marina capacity is almost unheard of.
- **DNR Aquatic Land Leases:** RBAW will continue its work to assure the most expedited and efficient path possible for DNR Aquatics Lands leases and lease renewals. Our organization and NMTA are working with DNR post-COVID to reinstitute quarterly problem-solving meetings among agency and association staff members.
- **Derelict Vessel Removal Program (DVRP):** RBAW led the successful charge to enact **HB 1700** and corollary budget funds during the 2022 Session to greatly expand funding for the DVRP and to make that funding much more sustainable. On the regulatory side, it remains important for RBAW to push for as much of the funding as possible going to the

Vessel Turn-In Program and to bolster the removal of vessels from non-public lands. The Association is pleased that significant progress is being made on use of VTIP resources and that twice as many vessel removals are occurring as in previous years.

- **National Marine Fisheries Service and Army Corps of Engineers permitting of over-water marina projects:** NMTA, RBAW, and others have worked for years to unlock a three-year virtual gridlock on permits. A recently issued “programmatically nearshore permit” issued by NMFS and the Corps sets the stage for enabling permits to be processed – albeit with steep mitigation costs. RBAW plans to seek out multiple avenues and options to help boating clubs and marina operators with mitigation funding and assistance for their projects.
- **Capitol Lake Management Study:** RBAW will continue lending strong support to our members with the Olympia Yacht Club, who are trying to ensure that the ongoing Capitol Lake Management Study and Environmental Impact Statement (EIS) does not decimate its current location or saddle it with new costs stemming from a potential “Estuary Alternative.” While the estuary alternative appears to have momentum in the local community and may be the preferred alternative cited by the Department of Enterprise Services when the full EIS is issued, it is also clear that DES recognizes the important role played by recreational boating and area marinas and would like to avoid the imposition of new cost burdens on that sector.
- **Andrews Bay:** RBAW has invested significant time and energy into promoting safe and responsible boating through a “Responsible Play in the Bay....so we can Stay in the Bay” initiative and ‘ambassadors’ events in Summer 2021 and Summer 2022. RBAW hopes to look at additional ways, through mechanisms such as Harbor Patrol enforcement and a City-run “Volunteer Park Host” initiative, where Andrews Bay good/safe behavior can be maintained and enhanced.
- **Big Tent Outdoor Recreation Coalition and Outdoor Recreation Caucus:** RBAW was one of the original supporters of the “Big Tent” (now 10 years old!) and will continue to actively participate as a member of both the BTORC and as a participant in the Legislature’s “Outdoor Recreation Caucus” during Legislative Sessions.