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Director

STATE OF WASHINGTON
WASHINGTON STATE PARKS AND RECREATION COMMISSION

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Item E-4: Boating Program Update - Report

EXECUTIVE SUMMARY: This item provides the Washington State Parks and Recreation Commission with an overview of the Washington State Boating Program, which includes the federally funded Recreational Boating Safety and the Clean Vessel Act Grant programs. This item advances the Commission's strategic plan goal: Customer Experience – Provide exceptional recreation, cultural and interpretive opportunities that all visitors enjoy and support.

SIGNIFICANT BACKGROUND INFORMATION

Recreational Boating Safety Program

All 50 states and six territories have recreational boating safety programs under authority delegated by the U.S. Coast Guard through memoranda of agreement. Federal law supports and encourages state participation through financial support (46 US Code 13102). In 1984, the Legislature authorized and directed the Commission to administer Washington's Recreational Boating Safety Program (RCW 79A.06.310). Washington was the 49th state to establish a boating safety program and the Commission adopted rules stipulated in the legislation to initiate the legal foundation for the program. Once legal requirements were set, the U.S. Coast Guard signed a memorandum of understanding with State Parks, recognizing the Commission's role as the designated agency eligible to receive and expend federal funds for recreational boating safety and education.

Future Washington Administrative Code Updates

The US Coast Guard has adopted rule changes concerning safety requirements for recreational vessels. These newly adopted requirements should now be reflected in rules at the state level to ensure consistent regulations regardless of jurisdictional control of a particular waterway. This will enable consistent safety education and enforcement by state and local marine law enforcement officers.

Later this year, staff anticipates developing a requested action for the Commission to revise the following sections of Washington Administrative Code to conform with newly adopted federal rules:

352-60-020 Definitions

Staff will ask the Commission to adopt four new definitions in this section for the following:

- Engine Cut Off Switch
- Engine Cut Off Switch Link
- Mechanically Propelled Personal Hydrofoil (MPPH)
- Motorized Surfboard (MSB)

352-60-080 Fire extinguisher required

Staff will ask the Commission to adopt language identifying two types of fire extinguishers.

352-60-150 Engine Cut Off Switch - new section

Staff will ask the Commission to adopt a new section regarding when and how to use Engine Cut-off switches.

352-60-160 Mechanically Propelled Personal Hydrofoils (MPPH) & Motorized Surfboards (MSB) - new section

Staff will ask the Commission to adopt a new section regarding the classification of MPPHs and MSBs as vessels.

Clean Vessel Act Grant Program

The Clean Vessel Act of 1992, 33U.S.C.1322, 106 Stat 5039, Subtitle V(F) of P.L. 102-587, signed November 4, 1992, established a recreational boater sewage disposal program and amends the Federal Aid in Sport Fish Restoration Act (Wallop-Breaux Act; [16 U.S.C. 777](#)) to allow the Secretary of Interior to issue grants to coastal and inland States for pump out stations and waste reception facilities to dispose of recreational boater sewage. The act allows only one state agency to apply for Clean Vessel Act Grant funds and in 1994 Governor Mike Lowry designated Washington State Parks as the administering agency for Washington state.

Legislative Appropriation

In 2023, the Washington State Legislature appropriated \$1 million to the Clean Vessel Act Grant Program. \$500,000 to conduct a needs assessment of recreational marine pump out facilities and \$500,000 to assist facilities that might otherwise experience hardship paying the federal matching requirements. Makers, an architecture, planning and urban design firm out of Seattle, was awarded the contract for the assessment and a report is due back to the Legislature later in 2025.

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Reviewer(s):

Owen Rowe, Policy & Government Affairs Director

Van Church, Fiscal Impact Statement: Report only, no fiscal impact.

Kira Swanson, SEPA Review: Pursuant to WAC 197-11-704, staff have determined that this Commission agenda item is a report and therefore is not subject to State Environmental Policy Act (SEPA) review.

Andy Woo, Assistant Attorney General:

Approved for Transmittal to Commission



Diana Dupuis, Director