

a decision to withdraw, sell, or assign such shorelands to a public agency:

(1) Make a formal finding that the body of water adjacent to such shorelands is navigable;

(2) Find that the state or the public has an overriding interest inconsistent with a sale or exclusive lease to a private person, and specifically identify such interest and the factor or factors amounting to such inconsistency; and

(3) Provide for the review of said decision in accordance with the procedures prescribed by RCW 34.04.

Notwithstanding the above provisions, the (~~commissioner of public lands~~) department may cause any of such shorelands ((7)) to be platted as is provided for the platting of shorelands of the first class, and when so platted such lands shall be sold or leased in the manner (~~in this chapter~~) provided for the sale or lease of shorelands of the first class.

NEW SECTION. Sec. 2. This 1969 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate April 1, 1969  
Passed the House March 29, 1969  
Approved by the Governor April 8, 1969  
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CHAPTER 55  
[Engrossed Senate Bill No. 492]  
WASHINGTON STATE SEASHORE  
CONSERVATION AREA

AN ACT Relating to seashore conservation area; amending sections 2, 3, 4, 5, 6 and 8, chapter 120, Laws of 1967 and RCW 43.51.655, 43.51.660, 43.51.665, 43.51.670, 43.51.675 and 43.51.685; adding a new section to chapter 120, Laws of 1967 and to chapter 43.51 RCW; and repealing sections 9, 11, 12 and 13, chapter 120, Laws of 1967 and RCW 43.51.690, 43.51.695, 43.51.700 and 43.51.705.

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

Section 1. Section 2, chapter 120, Laws of 1967 and RCW 43.51-.655 are each amended to read as follows:

There is established for the recreational use and enjoyment of the public the Washington State Seashore Conservation Area. It shall include all lands now or hereafter under state ownership or control lying between Cape Disappointment and Leadbetter Point; between Toke Point and the South jetty on Point Chehalis; and between Damon Point and the Makah Indian Reservation and occupying the area between the ((present)) line of ordinary high tide and the line of extreme low tide, as ((this-line-now-is)) these lines now are or may hereafter be located, and, where applicable, between the Seashore Conservation Line, as established by survey of the Washington state parks and recreation commission and the line of extreme low tide, as these lines now are or may hereafter be located; and shall also include all state-owned nontrust accreted lands along the ocean: PROVIDED, That no such conservation area shall include any lands within the established boundaries of any Indian Reservation.

Sec. 2. Section 3, chapter 120, Laws of 1967 and RCW 43.51.660 are each amended to read as follows:

Except as otherwise provided in RCW 43.51.650 through ((43.51-705)) 43.51.685, the Washington State Seashore Conservation Area shall be under the jurisdiction of the Washington state parks and recreation commission, which shall administer RCW 43.51.650 through ((43.51-705)) 43.51.685 in accordance with the powers granted it herein and under the appropriate provisions of chapter 43.51 RCW.

Sec. 3. Section 4, chapter 120, Laws of 1967 and RCW 43.51.665 are each amended to read as follows:

The Washington state parks and recreation commission shall administer the Washington State Seashore Conservation Area in harmony with the broad principles set forth in RCW 43.51.650. Where feasible, the area shall be preserved in its present state; everywhere it shall be maintained in the best possible condition for public use. All forms of public outdoor recreation shall be permitted and encouraged

in the area, unless specifically excluded or limited by the commission. While the primary purpose in the establishment of the area is to preserve the coastal beaches for public recreation, other uses shall be allowed as provided in RCW 43.51.650 through ((43-51-705)) 43.51.685, or when found not inconsistent with public recreational use by the Washington state parks and recreation commission.

Sec. 4. Section 5, chapter 120, Laws of 1967 and RCW 43.51.670 are each amended to read as follows:

In administering the Washington State Seashore Conservation Area, the Washington state parks and recreation commission shall seek the cooperation and assistance of federal agencies, other state agencies, and local political subdivisions. All state agencies, and the governing officials of each local subdivision shall cooperate with the commission in carrying out its duties. Except as otherwise provided in RCW 43.51.650 through ((43-51-705)) 43.51.685, and notwithstanding any other provision of law, other state agencies and local subdivisions shall perform duties in the Washington State Seashore Conservation Area which are within their normal jurisdiction, except when such performance clearly conflicts with the purposes of RCW 43.51.650 through ((43-51-705)) 43.51.685.

Sec. 5. Section 6, chapter 120, Laws of 1967 and RCW 43.51.675 are each amended to read as follows:

Nothing in RCW 43.51.650 through ((43-51-705)) 43.51.685 shall be construed to interfere with the powers, duties and authority of the department of fisheries to regulate the conservation or taking of food fish and shellfish. Nor shall anything in RCW 43.51.650 through ((43-51-705)) 43.51.685 be construed to interfere with the powers, duties and authority of the state department of game or the state game commission to regulate, manage, conserve, and provide for the harvest of wildlife within such area, notwithstanding the provisions of RCW 9.61.040: PROVIDED, HOWEVER, That no hunting shall be permitted in any state park.

Sec. 6. Section 8, chapter 120, Laws of 1967 and RCW 43.51-

.685 are each amended to read as follows:

~~((Subject to the qualification contained in REW-43-51-690, any accreted lands now or hereafter under the jurisdiction of the department of natural resources shall remain under the jurisdiction of that department;--PROVIDED, That no))~~ Jurisdiction over the accreted non-trust lands in which the state has an interest along the ocean is hereby transferred from the department of natural resources to the state parks and recreation commission. No such accreted lands shall be sold, leased, or otherwise disposed of, except as herein provided. The department of natural resources may lease the lands within the Washington State Seashore Conservation Area as well as the accreted lands along the ocean in state ownership for the exploration and production of oil and gas: PROVIDED, That oil drilling rigs and equipment will not be placed on the seashore conservation area or state-owned accreted lands. Sale of sand from accretions shall be  
((limited)) made to supply the needs of cranberry growers for cranberry bogs in the vicinity and shall not be prohibited if found by the  
(( department of natural resources)) state parks and recreation commission to be reasonable, and not generally harmful or destructive to the character of the land  
((and such sales may be made by the department of natural resources from sands on the Washington State Seashore Conservation Area if approved by the state parks and recreation commission)): PROVIDED FURTHER, That the ((department of natural resources)) state parks and recreation commission may grant mining leases for the removal of "black sands" (minerals) from any state-owned nontrust accreted lands and tidelands between the north jetty at the mouth of the Columbia River and a line due west from the North Head Lighthouse: PROVIDED FURTHER, That the state parks and recreation commission may grant leases and permits for the removal of sands for construction purposes from any lands within the Washington State Seashore Conservation Area: PROVIDED FURTHER, That net income from such leases shall be ((transmitted by the department of natural resources to the state treasurer for deposit in the state parks and

~~parkways-account)) deposited in the general fund ((for-expenditure-by the-state-parks-and-recreation-commission-for-the-development-and-protection-of-the-Washington-State-Seashore-Conservation-Area-and-state park-developments-operated-in-conjunction-therewith:--PROVIDED,The terms-and-conditions-of-such-mining-leases-are-agreeable-to-the-state parks-and-recreation-commission)).~~

NEW SECTION. Sec. 7. Sections 9, 11, 12 and 13, chapter 120, Laws of 1967 and RCW 43.51.690, 43.51.695, 43.51.700, and 43.51.705 are each repealed.

NEW SECTION. Sec. 8. No provision of this 1969 amendatory act shall be construed as affecting any private or public property rights.

Passed the Senate April 1, 1969  
Passed the House March 31, 1969  
Approved by the Governor April 8, 1969  
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CHAPTER 56  
[Engrossed Senate Bill No. 22]  
OBSTRUCTING JUSTICE--  
TAMPERING WITH WITNESS

AN ACT Relating to crimes and punishment; amending section 111, chapter 249, Laws of 1909 and RCW 9.69.080; and prescribing penalties.

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

Section 1. Section 111, chapter 249, Laws of 1909 and RCW 9.69.080 are hereby amended to read as follows:

Every person who shall wilfully prevent or attempt to prevent, or who shall wilfully conspire to prevent, by persuasion, threats, or otherwise, any person from appearing before any court, or officer authorized to subpoena witnesses, as a witness in any action, proceeding, trial, ((or)) investigation, hearing, inquiry, or other proceedings authorized by law, with intent thereby to obstruct the course of justice, shall be guilty of a ~~((gross-misdemeanor))~~ felony and shall be punished by imprisonment in the state penitentiary for a term of five years.

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Passed the House March 29, 1969  
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