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Subject: [EXTERNAL] Acquiring privately-owned “wet sand” beach property
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Councilmembers,

It is a travesty that more than 60% of “wet sand” beach property in Washington is privately owned.

Local governments to the rescue! By acquiring privately-owned “wet sand” beach property, local governments can make such beach property available to the public.

Below is a comparative overview of rules governing the ownership of “wet sand” beach property in Washington and Oregon:

Washington has perhaps the most unusual public beach access rules of any Western state. Where most states define the boundary of lands available for private ownership at the high tideline, Washington allows for private ownership of lands down to the low water mark. This is a holdover from the early days of the state, when loggers and shellfish farmers were allowed to purchase tidelands from the government. While the state no longer permits people to purchase tidelands, many areas of the beach have been passed down through generations and remain private property. ...

Oregon prizes its public beaches, and maintains ownership over “wet sand” areas. ... Oregon has public beach-access laws which are more typical of the U.S. in general. Oregon upholds the Public Trust Doctrine, which is a common law principle that dictates the responsibility of the state to protect and manage public lands. Private property on Oregon beaches begins at the high water mark, and “dry sand” is generally considered to be within private property boundaries. However, Oregon’s law allows for a perpetual easement, or public path, across dry sand between the high water mark and the vegetation line. Be respectful of beachfront property owners, but know your rights to passage across beaches.” Source: <https://smea.uw.edu/currents/public-beach-access/>

Thank you.

Tom McCormick

“Safe beach access for everyone, forever.”