

Chapter 332-52 WAC

PUBLIC ACCESS AND RECREATION

WAC

INTRODUCTION, PURPOSE AND DEFINITIONS

- 332-52-001 Introduction.
- 332-52-002 Purpose.
- 332-52-010 Definitions.

GENERAL RULES

- 332-52-100 Managing recreation and public use.
- 332-52-105 Capacity.
- 332-52-110 Destruction of property.
- 332-52-115 Removal of plants, soils, rocks, and other valuable materials.
- 332-52-120 Sanitation.
- 332-52-125 Posting.
- 332-52-130 Peace and quiet.
- 332-52-135 Campfires.
- 332-52-140 Pets, service animals, and livestock.
- 332-52-145 Firearms and target shooting.
- 332-52-150 Fireworks.
- 332-52-155 Anchorage.

RESERVATIONS AND PERMITS

- 332-52-200 Reservations.
- 332-52-205 Recreation permits.

CAMPGROUNDS, CAMPSITES, AND DAY-USE FACILITIES

- 332-52-300 Campground and campsite use and occupancy.
- 332-52-305 Water recreation facilities.
- 332-52-310 Day-use areas and facilities.

ROADS AND TRAILS

- 332-52-400 Managing road and trail use.
- 332-52-405 Construction and maintenance of trails and structures.
- 332-52-410 Traffic rules.
- 332-52-415 Parking.
- 332-52-420 Snowmobiles.

MILWAUKEE ROAD CORRIDOR

- 332-52-500 Specific rules for Milwaukee Road Corridor only.

NOTICE AND SIGNS

- 332-52-600 Notice of rules.
- 332-52-605 Compliance with signs.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 332-52-020 Applicability and scope. [Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-020, filed 8/27/87; 84-21-038 (Order 435), § 332-52-020, filed 10/11/84; Order 29, § 332-52-020, filed 4/17/70, effective 5/20/70.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.
- 332-52-030 General rules. [Order 29, § 332-52-030, filed 4/17/70, effective 5/20/70.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.
- 332-52-040 Public behavior—Recreation sites. [Order 29, § 332-52-040, filed 4/17/70, effective 5/20/70.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.
- 332-52-050 Vehicles. [Order 29, § 332-52-050, filed 4/17/70, effective 5/20/70.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.
- 332-52-055 Capital forest—Organized events—Prohibited without prior written approval. [Statutory Authority: RCW 46.09.180 and chapter 77.68 RCW. 79-06-039 (Order 313), § 332-52-055, filed 5/18/79.] Repealed by 09-05-

034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.

Use of fire. [Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-060, filed 8/27/87; 84-21-038 (Order 435), § 332-52-060, filed 10/11/84; Order 29, § 332-52-060, filed 4/17/70, effective 5/20/70.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.

Milwaukee Road Corridor—Recreational use. [Statutory Authority: RCW 79.08.277, 79.08.279 and 79.08.281. 99-24-029A (Order 701), § 332-52-065, filed 11/23/99, effective 12/24/99. Statutory Authority: RCW 79.08.277 and 79.08.279. 92-05-036 (Order 577), § 332-52-065, filed 2/11/92, effective 3/13/92; 87-18-035 (Order 516), § 332-52-065, filed 8/27/87; 84-21-038 (Order 435), § 332-52-065, filed 10/11/84.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.

Milwaukee Road Corridor—Permits. [Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-066, filed 8/27/87; 84-21-038 (Order 435), § 332-52-066, filed 10/11/84.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.

Milwaukee Road Corridor—Restrictions on use. [Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-067, filed 8/27/87; 84-21-038 (Order 435), § 332-52-067, filed 10/11/84.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.

Milwaukee Road Corridor—Protection of adjoining property. [Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-068, filed 8/27/87; 84-21-038 (Order 435), § 332-52-068, filed 10/11/84.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.

Milwaukee Road Corridor—Penalties. [Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-069, filed 8/27/87; 84-21-038 (Order 435), § 332-52-069, filed 10/11/84.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.

Penalties. [Order 29, § 332-52-070, filed 4/17/70, effective 5/20/70.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.

Enforcement. [Order 29, § 332-52-080, filed 4/17/70, effective 5/20/70.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.

Effective dates. [Order 29, § 332-52-090, filed 4/17/70, effective 5/20/70.] Repealed by 09-05-034, filed 2/11/09, effective 3/14/09. Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065.

INTRODUCTION, PURPOSE AND DEFINITIONS

WAC 332-52-001 Introduction. The department of natural resources recognizes recreation on department-managed lands as an important component of the quality of life in Washington state. The department must balance the public interest in recreation with its trust and other land management obligations consistent with its habitat conservation plans and the multiple use statutes. Good stewardship of department-managed land, water and natural resources is

essential for the benefit of future generations. The department's primary recreation focus is to provide a primitive experience in a natural setting through trails, water access, trailhead facilities and rustic camping facilities. The department currently manages campgrounds and day-use facilities such as picnic areas, boat launches and interpretive areas. In addition to water access, trails and developed recreation sites, the department also manages forest roads primarily designed and maintained for forest management purposes that provide considerable access for dispersed recreation activities such as hunting, fishing, bird watching, and sightseeing. It is the practice of the department of natural resources to encourage responsible public use of roads and trails, land and water under its jurisdiction consistent with its obligations as a trust manager and other land management responsibilities. Therefore, the following rules shall apply to all department-managed lands and roads.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-001, filed 2/11/09, effective 3/14/09.]

WAC 332-52-002 Purpose. (1) What is the purpose of these rules? The purpose of this chapter is to set standards for public use on lands managed by the department of natural resources (DNR). These rules promote public health and safety and protect department-managed lands, property, and resources.

(2) Do these rules apply to all department-managed lands? These rules apply to all lands of the state of Washington administered by the department of natural resources. These lands include but are not limited to:

(a) State lands, state forest lands, and state-owned aquatic lands.

(b) Natural area preserves as defined in chapter 79.70 RCW or natural resources conservation areas as defined in chapter 79.71 RCW.

(c) Lands leased from DNR by another public agency when the agency has no public use rules or the agency requests the department rules apply.

(d) Other city, county, state and federal lands under DNR management.

(3) To whom do these rules apply?

(a) These rules apply to any person using department-managed lands with the exceptions noted below.

(b) These rules do not apply to any person engaged in commercial or other activities conducted under sale, lease, permit or other authority from the department if such rules are inconsistent with the department's legal obligations to the person engaged in the authorized activity.

(c) These rules do not apply to any person using the waters above state-owned aquatic lands for navigation and other uses associated with the right of navigation under the Public Trust Doctrine, except to the extent that the rules control anchorage. The right of navigation is subject to rules and regulations administered by other public agencies including, but not limited to, the U.S. Coast Guard, counties, and cities.

(4) Who is responsible for knowing and following these rules? All persons who use department-managed land must know and follow the department's rules.

(5) What happens if one of these rules is held invalid? If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter

or the application of the provision to other persons or circumstances is not affected.

(6) What types of activities will the department allow on department-managed lands? The department may allow activities on department-managed lands that meet all of the following criteria:

(a) Consistent with this chapter and other state laws and regulations.

(b) Consistent with land management objectives.

(c) Consistent with trust obligations on applicable trust lands.

(d) Authorized or permitted by the department.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-002, filed 2/11/09, effective 3/14/09.]

WAC 332-52-010 Definitions. When used in this chapter, the following terms are defined as follows:

"Applicant" means a person who applies for a permit, reservation, or other written authorization from the department.

"Authorized" means written approval given by the department.

"Business hours" means 8:00 a.m. until 4:30 p.m. Pacific Time, Monday through Friday, except holidays.

"Campfire" means any open flame using wood as a fuel source as well as fuel made from materials such as manufactured fireplace logs.

"Campground" means a developed area consisting of more than one campsite used for the purposes of camping.

"Camping" means erecting a tent or shelter or arranging bedding, or both, or parking a vehicle for the purpose of remaining overnight on land.

"Camping party" means an individual or a group of two or more people who are equipped and capable of camping activity.

"Commissioner" means the commissioner of public lands.

"Contact" means via telephone, e-mail, mail, in person, fax, or other electronic methods as allowed by the department unless otherwise noted.

"Corridor" means that portion of the Milwaukee Road Corridor under the jurisdiction of the department.

"Day-use" means use during the period of one-half hour before sunrise until one-half hour after sunset.

"Day-use areas and facilities" means any department-managed lands, trailhead, picnic area, viewpoint, and designated parking areas for vehicles, boat launch or other facility that is designated for day-use only.

"Department" or "DNR" means the Washington state department of natural resources.

"Department-managed lands" means lands of the state of Washington administered by the department including but not limited to state lands, state forest lands, state-owned aquatic lands, natural area preserves, natural resources conservation areas, other city, county, state and federal lands under department management and department-managed roads.

"Department-managed roads" or "roads" when used in the context of department-managed roads means all roads designated as such and under DNR jurisdiction and all access

roads across private lands through which the department has acquired the right of public use.

"Designated" means any facility, trail, or location that has been approved by the department for public use.

"Developed recreation facility" means any designated site or location built or improved for recreation on department-managed land such as a trailhead, vista, parking area, boat launch, picnic area, campground, or water trail site.

"Dispersed recreation" means recreation that occurs on department-managed lands outside of a developed recreation facility.

"Firearm" means a loaded or unloaded pistol, rifle, shotgun, or other weapon that is designed to, or may be readily converted to, expel a bullet or pellets by the ignition of a propellant.

"Livestock" means any animal used for agriculture, riding, pulling, or packing purposes.

"Motor vehicle or motorized vehicle" means any device that is moved or propelled by an internal combustion engine or electrically powered motor. It shall include, but not be limited to automobiles, trucks, motorcycles, all-terrain vehicles, motor bikes, motor-scooters and off-road vehicles, whether or not they can be licensed to operate on public roads. The term does not include vessels or personal mobility assistive devices, such as wheelchairs.

"Nonmotorized vehicles" means any device that is moved or propelled by means other than an internal combustion engine or electrically powered motor, including but not limited to bicycles, roller blades, mountain boards, animal drawn carriages or conveyances, excluding vessels and personal mobility assistive devices, such as wheelchairs.

"Off-road vehicle (ORV)" or "off-highway vehicle (OHV)" means any street or nonstreet licensed vehicle when used for recreational purposes on nonhighway roads, trails, or a variety of other natural terrain. Such vehicles include, but are not limited to, all-terrain vehicles, motorcycles, four-wheel drive vehicles, and dune buggies.

"Organized event" means: (a) Any planned activity on department-managed lands involving more than twenty-five people, unless otherwise posted; (b) conducted at an agreed upon date and place, such as events advertised to the general public or as a nonprofit club or group event; and (c) sponsored by any person. An organized event does not include informal small groups who use facilities and/or trails for their ordinary intended use.

"Parking" means the standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.

"Person" means all individuals, firms, partnerships, public or private corporations, limited liability companies, clubs, and all associations or combinations of persons when acting for themselves, by an agent, servant or employee.

"Pet" means a dog, cat, or any animal that has been domesticated; livestock and service animals are specifically excluded from this definition.

"Posted" means information displayed on any signs, information boards, kiosks, web sites, maps, or other medium that either allows or prohibits access or specific activities on department-managed lands.

"Public trust doctrine" means the legal principle as recognized by Washington courts under which navigable waters are subject.

"Recreation permit" means a nontransferable, revocable written document, which the department issues to allow a person to engage in activities specifically authorized at such times and in such locations as identified in the document, such as a land use license.

"Refuse or waste" means discarded material from any person, trailer, camper, automobile, other motorized vehicle, or vessel, including but not limited to bottles, broken glass, spent ammunition casings, ashes, waste paper, cans, garbage, or human bodily waste.

"Region" means a geographical administrative unit of the department of natural resources.

"Reservation" means setting aside department-managed recreation facilities or lands for a specific use at a defined location(s) for a specified time period.

"Service animal" means an animal that is trained for the purposes of assisting or accommodating a disabled person's sensory, mental, or physical disability.

"Snowmobile" means any self-propelled vehicle capable of traveling over snow or ice, which utilizes as its means of propulsion an endless belt tread, or cleats, or any combination of these or other similar means of contact with the surface upon which it is operated, and which is steered wholly or in part by skis or sled type runners, and which is not otherwise registered as, or subject to the motor vehicle excise tax in the state of Washington.

"Trail" means a route on department-managed land, other than a road that is suitable for travel by motorized or nonmotorized means.

"Vessel" means every description of watercraft used or capable of being used as a means of transportation on the water, other than a seaplane. However, it does not include inner tubes, air mattresses, and small rafts or flotation devices or toys customarily used by swimmers.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-010, filed 2/11/09, effective 3/14/09. Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-010, filed 8/27/87; 84-21-038 (Order 435), § 332-52-010, filed 10/11/84. Statutory Authority: RCW 46.09.180 and chapter 77.68 RCW. 79-06-039 (Order 313), § 332-52-010, filed 5/18/79; Order 29, § 332-52-010, filed 4/17/70, effective 5/20/70.]

GENERAL RULES

WAC 332-52-100 Managing recreation and public use. (1) Can DNR limit recreational activities and public use on department-managed land?

(a) The department may limit any recreation activity or public use on department-managed lands to:

(i) Protect public safety, natural resources, or other property.

(ii) Execute its management and administrative obligations if any recreation activities or public use unreasonably interferes with the department's ability to carry out those obligations.

(b) All persons shall comply with any department-posted restrictions that limit recreational activities.

(2) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-100, filed 2/11/09, effective 3/14/09.]

WAC 332-52-105 Capacity. (1) Can the department limit the number of individuals and/or motorized or nonmotorized vehicles at developed recreation facilities on department-managed land?

(a) The department may establish or limit the number of individuals and vehicles allowed in any given developed recreation facility on department-managed lands at any given time or period for the reasons set forth in WAC 332-52-100. The capacity of developed trailheads and campgrounds will be determined by the number of parking spaces or campsites designated for such purposes.

(b) Persons shall not enter any developed recreation facility or bring in any motorized or nonmotorized vehicle, which would exceed the established capacity set by the department for the maximum number of individuals or vehicles.

(2) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-105, filed 2/11/09, effective 3/14/09.]

WAC 332-52-110 Destruction of property. (1) May property or resources be removed, defaced, damaged or destroyed on department-managed lands?

(a) Absent normal wear and tear from an authorized use, a person shall not damage, remove, or destroy department-managed resources, or property to include but not be limited to locks, gates, traffic barriers, earthen berms, notices, signs, markers, facilities, or equipment.

(b) Absent normal wear and tear from an authorized use, a person shall not damage a trail or road, including boardwalks, bridges, water bars, or any other related improvements.

(2) Any violation of this section is a misdemeanor.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-110, filed 2/11/09, effective 3/14/09.]

WAC 332-52-115 Removal of plants, soils, rocks, and other valuable materials. (1) Can soil, plants, rocks, or other valuable materials be removed on department-managed lands?

(a) A person shall not remove soil, rocks, plants, natural features, or valuable materials on department-managed lands without written authorization from the department except when already authorized by law.

(b) Information about what written authorization is required for the removal of soil, rocks, plants, natural features, or valuable materials may be obtained by contacting a region office during business hours.

(2) Any violation of this section is a misdemeanor.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-115, filed 2/11/09, effective 3/14/09.]

WAC 332-52-120 Sanitation. (1) How and where can refuse or waste be disposed on department-managed lands?

(a) Where toilet or sewage facilities are provided, no person shall dispose of human waste except in those facilities.

(b) Persons shall not deposit an individual's solid human waste within two hundred feet of any campsite, trail, or body of water. An individual's solid human waste shall be disposed of by burying to a depth of at least six inches.

(c) Where the department has provided receptacles, persons shall deposit bottles, cans, waste paper, garbage and other appropriate refuse in designated receptacles. If no receptacle is provided, persons shall take such refuse with them for disposal off-site.

(d) Persons shall not use department-provided receptacles for the disposal of personal or commercial refuse, garbage, debris or waste not associated with recreational activities on department-managed lands.

(e) Persons shall not leave or burn refuse or waste of any kind on department-managed lands, nor pollute or contaminate department-managed lands, including but not limited to any stream, river, lake, marine waters, or other body of water running in, through, or adjacent to department-managed lands, except as authorized by these rules.

(f) DNR may establish controlled discharge areas in order to prohibit discharge of waste from vessels in designated water recreation facilities as referred to in WAC 332-52-305(1). Refuse or waste from vessels does not include the discharge of greywater.

(2) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-120, filed 2/11/09, effective 3/14/09.]

WAC 332-52-125 Posting. (1) Can the public post advertisements, signs, or posters on department-managed lands?

(a) Persons shall not erect bills, notices, posters, signs, markers, advertising devices or matter of any kind on department-managed lands without advance written authorization from the department.

(b) A person must contact the region office during business hours to obtain advance written authorization prior to posting advertisements, signs, or posters on department-managed land.

(2) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-125, filed 2/11/09, effective 3/14/09.]

WAC 332-52-130 Peace and quiet. (1) What is unacceptable behavior on department-managed lands?

(a) Persons shall not engage in disorderly conduct on department-managed lands.

(b) For the purposes of this subsection, "disorderly conduct" means conduct that unreasonably disturbs the repose of other persons using department-managed lands; or is of a loud, threatening, insulting, boisterous, or abusive nature towards other persons, creating a risk of assault, fight, or riot; or by its indifference to or disregard for public safety, warrants alarm for the safety or well-being of others.

(2) When are quiet hours on department-managed land? Quiet hours are the hours after 10:00 p.m. and before 7:00 a.m. every day of the week.

(3) What is prohibited during quiet hours?

(a) Persons shall not:

(i) Unreasonably disturb any person during quiet hours.

(ii) Operate engine-driven electrical generators in designated campgrounds during quiet hours (except when medically required).

(b) A person accompanied by children or pets must ensure that children and pets maintain reasonable quiet during quiet hours.

(4) What types of noise or sounds are prohibited at any time on department-managed land? A person shall not engage in loud and boisterous conduct or the playing of radios, musical instruments, sound, or music systems, or the activation of sound producing electronic or mechanical devices such as generators, in such a manner, and at such times, so as to unreasonably disturb other persons. Any such sound that can be heard at a volume that unreasonably disturbs other recreational users is prohibited.

(5) Any violation of this section is an infraction under chapter 7.84 RCW except violation of subsection (1) of this section is a misdemeanor.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-130, filed 2/11/09, effective 3/14/09.]

WAC 332-52-135 Campfires. (1) Where are recreational campfires permitted?

(a) Within department-designated campgrounds or day-use facilities, persons may have campfires only in the department-provided campfire enclosures.

(b) On department-managed lands outside of designated campgrounds or day-use facilities, campfires are not allowed without advance written authorization from the department unless otherwise posted.

(2) Can the department impose additional restrictions for fires? The department may impose or post additional restrictions related to the use of fire on department-managed lands for the protection of people, public resources, and other property.

(3) What are the responsibilities of the person constructing, igniting, maintaining or utilizing the campfire where campfires are permitted? The person responsible for the campfire shall ensure that:

(a) All of the requirements in subsection (1) of this section are met;

(b) All flammable material shall be cleared for a sufficient distance adequate to prevent the escape of fires;

(c) The campfire is made only from a pile of natural untreated wood materials, including manufactured fire logs, no larger than four feet in diameter with flames kept at a safe height for the circumstances;

(d) The campfire is not prohibited in the particular location or at the time of ignition as determined by the department or other authority;

(e) A person capable of extinguishing the campfire must attend the campfire at all times;

(f) The fire is burning only during periods of calm to very light winds when wind will not scatter loose flammable materials, such as dry leaves and clippings; and

(g) The fire is completely extinguished before leaving it unattended.

(4) Can firewood from department-managed lands be gathered and used for a campfire?

(2/11/09)

(a) Yes. Persons may gather firewood for their personal use while camping or using department-managed lands, except where posted or otherwise prohibited in these rules.

(b) No person shall gather firewood within the boundaries of any developed recreation facility.

(c) Firewood shall be collected only from dead and down material that is twelve inches or less in diameter at its largest point.

(d) No standing trees, living or dead, may be felled for use as firewood.

(e) Persons shall not remove firewood for their personal use from department-managed lands without a valid firewood permit.

(f) Persons shall not gather or use any live, dead, or downed wood or vegetation from streams or rivers.

(5) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-135, filed 2/11/09, effective 3/14/09.]

WAC 332-52-140 Pets, service animals, and livestock. (1) Where are pets and service animals allowed on department-managed lands?

(a) Pets are allowed on department-managed lands, except in areas that are closed to pets or animals for the protection of wildlife, sensitive natural systems, special cultural areas, or for other purposes.

(b) Persons may bring service animals to assist or accommodate persons with disabilities on all department-managed land.

(2) Must pets be on a leash when on department-managed lands? In all developed recreation facilities and in other areas posted by the department, persons shall keep pets on leashes no longer than eight feet or otherwise restrained from free movement and under physical control at all times. Pets accompanying livestock with riders may be under voice control.

(3) What are the requirements of the person responsible for the pet?

(a) The person responsible for the pet shall not allow the pet to:

(i) Dig or otherwise disturb or damage the natural or cultural features of department-managed lands.

(ii) Bite or unreasonably interfere with or annoy persons or animals.

(iii) Bark in a manner that disturbs the peace and tranquility of others.

(iv) Disturb or harass wildlife.

(v) Be in an area where pets are not allowed.

(b) The person responsible for the pet shall:

(i) Pick up the animal's feces in developed recreation facilities, along designated recreation trails, and where posted by the department.

(ii) Dispose of feces into a designated receptacle or take feces with them for disposal off-site.

(4) Where are livestock allowed in developed recreation facilities?

(a) In recreation facilities designated for such use.

(b) Persons with livestock may travel through developed recreation facilities, but shall not stay overnight with live-

stock unless the facility has been built to accommodate such animals.

(5) What are the requirements of the person responsible for livestock? In developed recreation facilities, persons shall pick up and either dispose of the livestock's feces in a designated receptacle or off-site.

(6) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-140, filed 2/11/09, effective 3/14/09.]

WAC 332-52-145 Firearms and target shooting. (1)

What is recreational target shooting? Recreational target shooting is the use of a firearm or bow and arrow on targets and the sighting in of rifles or other firearms on department-managed lands. The department regulates and enforces target shooting on department-managed lands.

(a) The department may restrict target shooting for the reasons set forth in WAC 332-52-100.

(b) Persons shall not target shoot carelessly, recklessly, or without regard for the safety of any person, or in a manner that endangers, or is likely to endanger, any person, pet, livestock, wildlife or property.

(c) Persons shall not discharge tracer or incendiary ammunition or projectile devices on department-managed lands. For purposes of this subsection, "incendiary" means causing or designed to cause fires, such as certain substances or bombs. "Tracer ammunition" means a bullet, projectile, or shell that traces its own course in the air with a trail of smoke, chemical incandescence, or fire, so as to facilitate adjustment of the aim.

(2) Does recreational target shooting include hunting? No. This section does not apply to hunting activities, which are subject to the rules and regulations administered by the Washington state department of fish and wildlife.

(3) Where is target shooting permitted?

(a) Persons may target shoot in:

(i) Developed recreation facilities specifically designed for target shooting; or

(ii) Areas with an unobstructed, earthen backstop capable of stopping all projectiles and debris in a safe manner.

Persons shall not target shoot in any other location.

(b) Persons shall not shoot within, from, along, across, or down roads or trails.

(c) Persons shall not shoot on, at, across, along, down, from, or within five hundred feet, of:

(i) Recreational facilities that are not specifically designed for target shooting;

(ii) Residences;

(iii) Businesses;

(iv) Structures;

(v) Other areas as restricted;

(vi) Areas designated or posted as no shooting.

(4) What may be used as a target?

(a) Items that are commercially manufactured for the specific purpose of target shooting or similar targets privately manufactured by the person(s) engaging in target shooting that are consistent with this section.

(b) Unauthorized targets include but are not limited to:

(i) Natural features, except earthen berms or banks used as backstops for target shooting;

(ii) Vegetation;

(iii) Structures;

(iv) Gates;

(v) Vehicles;

(vi) Signs;

(vii) Other department improvements;

(viii) Appliances;

(ix) Furniture;

(x) Glass;

(xi) Privately owned or occupied structures;

(xii) Pets, service animals or livestock;

(xiii) Wildlife;

(xiv) Explosive and incendiary items;

(xv) Garbage of any kind.

Persons shall not target shoot at unauthorized targets.

(5) When is target shooting permitted? Unless otherwise posted, persons shall not target shoot one-half hour after sunset to one-half hour before sunrise.

(6) Is possession of a loaded firearm in or on a motor vehicle permitted on department-managed lands? Persons shall not possess a loaded firearm in or on a motor vehicle, except as provided by state law.

(7) Who is responsible for disposing of spent items resulting from target shooting? Persons who target shoot shall dispose of spent items and remove all shell casings, targets, ammunition packaging, or target fragments resulting from their activity, with the exception of biodegradable clay targets. Failure to remove any such debris is prohibited.

(8) Any violation of this section is a misdemeanor except a violation of subsection (7) of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-145, filed 2/11/09, effective 3/14/09.]

WAC 332-52-150 Fireworks. May fireworks be used on department-managed lands? No. Except for legal firearms, persons shall not discharge or possess fireworks, model rockets, or other devices containing any explosive or flammable compounds on or into any department-managed lands. For purposes of this section, "fireworks" means any composition or device designed to produce a visible or audible effect by combustion, deflagration, or detonation, and which meets the definition of pyrotechnic articles or consumer fireworks or display fireworks.

Any violation of this section is a misdemeanor.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-150, filed 2/11/09, effective 3/14/09.]

WAC 332-52-155 Anchorage. (1) What is the length of time that a vessel may be moored or anchored on state-owned aquatic lands? Persons shall not moor or anchor a vessel in the same area on state-owned aquatic lands for periods longer than thirty consecutive days or for more than a total of ninety days in any three hundred sixty-five day period. For purposes of WAC 332-52-155, "in the same area" means within a radius of five miles of any location where the vessel was previously moored or anchored.

(2) Are there places where the time limit does not apply? Subsection (1) of this section does not apply where the federal government, a county, a city, a state agency, including DNR, a port, or any other public entity with authority has

posted, enacted, or adopted different anchorage or moorage restrictions. Persons shall observe restrictions specific to the locality. Additionally, persons may exceed this time limit if:

(a) Granted express consent by either DNR or the lessee of the state-owned aquatic lands where the vessel is moored or anchored; and

(b) Anchorage or moorage does not violate any other law or rule.

(3) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-155, filed 2/11/09, effective 3/14/09.]

RESERVATIONS AND PERMITS

WAC 332-52-200 Reservations. (1) Are reservations required for developed recreation facilities on department-managed lands? No. Except where posted by the department, persons do not need reservations to use developed recreation facilities.

(2) If required, how do I make a reservation? Persons must contact the region office during business hours at least seventy-two hours prior to the use of the recreational facility.

(3) How will reservation requests be processed?

(a) The region will process reservation requests in the order of their arrival.

(b) The region will contact the requestor of the approval or denial of the reservation request prior to the desired reservation date.

(4) How do I cancel a reservation? Persons must notify the region in person, via phone, or e-mail during business hours at least twenty-four hours prior to the scheduled use of the facility to cancel the reservation.

(5) Can the department revoke a reservation? The department may revoke the rights of a reservation holder, and remove any or all persons from the site, at any time, if:

(a) The person is in violation of these rules or any other applicable state law.

(b) The person's behavior is detrimental to the health and safety of any person.

(c) The person's behavior unreasonably interferes with the recreational enjoyment of any other person.

(d) The department's management activities conflict with the purpose of the reservation.

(6) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-200, filed 2/11/09, effective 3/14/09.]

WAC 332-52-205 Recreation permits. (1) Are recreation permits required for organized events on department-managed lands? Persons are required to obtain recreation permits for organized events and as otherwise indicated in this chapter.

(2) May I charge a fee at an organized event? Yes. A person shall obtain a recreation permit if a fee is charged at an organized event on department-managed lands.

(3) May I use department-managed lands for commercial purposes? A person who uses department-managed lands for commercial purposes shall obtain a contract, lease, permit or other written authorization from the department.

(2/11/09)

For the purposes of this subsection and in the context of public use, "commercial purposes" means charging a fee of any type for access to department-managed lands or any use or activity on department-managed lands where the primary purpose is the sale or barter of a good or service, regardless of whether the use or activity is intended to produce a profit.

(4) How do I obtain a recreation permit? Persons must contact the region office during business hours prior to the proposed organized event use to request a recreation permit application. The completed recreation permit application must be submitted via fax, e-mail, mail, or in person to the region office during business hours at least sixty days prior to the proposed organized event.

(5) How are recreation permit applications processed? The region will process recreation permit applications in order of their arrival.

(6) Is the department required to issue a recreation permit?

(a) The region may approve or deny the application for a recreation permit for the reasons set forth in WAC 332-52-100.

(b) The region will notify the applicant if the permit application is denied.

(7) If the permit application is approved, when will the permit be issued? If approved, the region will issue the permit within thirty days of receipt of the permit application.

(8) How do I cancel a permit? Persons must notify the region office of the cancellation at least seventy-two hours prior to the scheduled organized event.

(9) Can the department revoke a permit? The department may revoke a permit, and remove any or all persons from the site, if:

(a) The person is in violation of these rules or any other applicable state law.

(b) The person's behavior is detrimental to the health and safety of any person.

(c) The person's behavior unreasonably interferes with the recreational enjoyment of any other person.

(d) The department's management activities conflict with either the purpose or the conditions of the permit.

(10) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-205, filed 2/11/09, effective 3/14/09.]

CAMPGROUNDS, CAMPSITES, AND DAY-USE FACILITIES

WAC 332-52-300 Campground and campsite use and occupancy. (1) Do these rules apply to all department-managed lands?

(a) These rules apply to all persons using department-managed lands for overnight use which includes:

(i) Campgrounds and individual campsites;

(ii) Group campgrounds and group campsites (for the purposes of this subsection, "group campgrounds and group campsites" means any designated areas with an established capacity for camping use by groups);

(iii) Water trail camping facilities and sites (for purposes of this subsection, "water trail camping sites or facilities"

[Ch. 332-52 WAC—p. 7]

means specially designated camping facilities identified with signs that are near water ways); and

(iv) Developed, designated or dispersed campsites.

(b) The department may approve exceptions to these rules on a case-by-case basis.

(2) Are reservations required for campgrounds or campsites? No. Except where posted by the department, persons do not need reservations to use campgrounds or campsites. All campgrounds and campsites for which the department does not require reservations are on a first-come, first-served basis.

(3) What is the maximum total length of stay while camping on department-managed lands? The department may determine the maximum length of stay for camping.

(a) If the department has posted the maximum length of stay, persons shall not stay longer than the maximum length of stay posted.

(b) If the department has not posted the maximum length of stay, persons shall not stay longer than ten days in a thirty-day time period on any or all department-managed lands. The ten and thirty-day count begins on the date of the first night's camping and applies to the total overnight stays on all department-managed lands during that thirty-day time period.

(c) Persons shall vacate campsites by removing all personal property from the campsite no later than 1:00 p.m. on the day the time limit for occupancy expires.

(4) May a campsite in a campground be held for another party for current or future camping dates? Persons shall not hold or attempt to hold campsite(s) for another camping party.

(5) When may persons occupy a campsite in a campground? Persons may occupy a campsite when persons:

(a) Find the campsite unoccupied and not already posted as reserved; or

(b) Hold a reservation for the campsite for the period of occupation.

Persons shall not occupy a campsite under any other circumstances.

(6) How many people are permitted to stay in a campsite in a campground? The department may determine the number of occupants per campsite. A group exceeding the predetermined capacity of the campsite shall not use the site overnight.

(a) If the department posts the maximum number of occupants per campsite, the number of persons shall not exceed the maximum number per campsite per night as posted.

(b) If the department has not posted the maximum campsite capacity, a maximum of eight people are permitted to camp overnight.

(7) How many tents are allowed in each campsite in a campground? The department may determine the number of tents allowed in each campsite.

(a) If the department posts the maximum number of tents per campsite, the number of tents shall not exceed the maximum number posted.

(b) In developed campsites, the number of tents is limited to the number that will fit entirely on the tent pad.

(c) Persons shall not expand a tent pad, or clear or alter the vegetation in the vicinity around the tent pad.

(8) How many passenger vehicles are allowed at each campsite in a campground? The department may determine the number of passenger vehicles allowed at each campsite. Camping parties of one or more persons shall not occupy a campsite with more than two passenger vehicles unless otherwise posted.

(9) May personal property be left unattended overnight in a campground, campsite, or lands managed by the department?

(a) Persons must not leave personal property unattended overnight without permission from the department.

(b) The department will presume unattended personal property has been abandoned and may remove and dispose of the property as authorized in chapter 63.21 RCW or as otherwise determined by the department.

(10) May a person occupy a residence camp on department-managed lands?

(a) Persons shall not occupy a residence camp on department-managed lands without the written authorization of the department. A residence camp is an encampment, occupancy, or presence on department-managed lands that is the principal place of residence for the person or occupant.

(b) A residence camp on department-managed lands is declared to be a public nuisance and may be abated by the department without prior notice or process.

(11) May firearms be discharged in a campground? Persons shall not discharge a firearm in, adjacent to, from, or within five hundred feet of campgrounds.

(12) Are campfires permitted in campgrounds or campsites? Persons may have campfires in campgrounds and campsites as authorized in WAC 332-52-135.

(13) Are pets allowed in campgrounds? Persons may bring pets into campgrounds as authorized in WAC 332-52-140.

(14) Is camping permitted outside of developed recreation facilities? Yes, except persons shall not camp:

(a) In a manner that requires more than incidental removal or damage to vegetation.

(b) In a manner that unreasonably removes or disturbs soil.

(c) Where camping is restricted to designated campsites only.

(d) Within five hundred feet of a developed recreation facility.

(e) In areas designated or posted day-use only.

(15) How do I know when the campgrounds are open or closed? Information about seasonal or temporary closures may be obtained by contacting the region office, on-line and/or may be posted on-site. If the department has closed and locked the gates or posted the campground as closed, persons shall not use the campground.

(16) Can campsites be designated for specific recreational activity?

(a) The department may designate campgrounds or individual campsites for a specific recreational activity, e.g., horses, hike in only, four-wheel vehicle use, ORV use.

(b) Persons shall comply with the posted recreational use in campgrounds and individual campsites.

(17) Any violation of this section is an infraction under chapter 7.84 RCW except violations of subsections (3), (10), and (11) of this section are misdemeanors.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-300, filed 2/11/09, effective 3/14/09.]

WAC 332-52-305 Water recreation facilities. (1)

What are water recreation facilities? Water recreation facilities include recreational floats, piers, mooring buoys, docks, pilings, linear moorage facilities, and other similar structures managed by the department for recreational use.

(2) Are reservations required for moorage at water recreation facilities?

(a) Moorage at water recreation facilities is on a first-come, first-served basis.

(b) Persons are not required to reserve moorage at water recreation facilities, unless otherwise posted. Any required reservations must be made in accordance with WAC 332-52-200.

(3) What is the maximum length of stay at a water recreation facility? The department may determine the maximum length of stay at each moorage facility.

(a) Unless posted otherwise, continuous moorage by the same vessel is limited to three consecutive nights, after which time the vessel must vacate the water recreation facility for twenty-four hours. The three-night count begins on the date of the first night's moorage.

(b) Persons must vacate water recreation facilities by removing their vessel and all personal property from the moorage facility no later than 1:00 p.m. on the day the time limit for occupancy expires.

(4) May a water recreation facility be held with a floating marker or other method for current or future moorage dates? A person shall not hold a water recreation facility with a floating marker such as a buoy or dinghy or by any other method other than occupying the facility with the vessel to be moored.

(5) May water recreation facilities be used by commercial recreation providers?

(a) Water recreation facilities may be used by commercial recreation providers only to:

(i) Unload and load passengers transported for recreation purposes.

(ii) Moor overnight as authorized by the department.

(b) Except as stated above, use of water recreation facilities by commercial recreation providers is prohibited.

(6) What size vessel may I moor at water recreation facilities? The maximum length of a vessel moored at a water recreation facility shall not exceed thirty-two feet unless otherwise posted.

(7) May I raft vessels at water recreation facilities? Rafting of vessels is prohibited unless otherwise posted.

(8) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-305, filed 2/11/09, effective 3/14/09.]

WAC 332-52-310 Day-use areas and facilities. (1)

Is overnight camping permitted on or in day-use areas and facilities? No. Persons shall not camp on or in day-use areas and facilities.

(2) What types of activities are permitted on or in day-use areas or facilities? The department determines which types of activities are permitted on or in day-use areas and

(2/11/09)

facilities. Only designated activities are permitted on or in day-use areas and facilities. Information about day-use areas and facilities may be obtained by contacting the region office, on-line and/or may be posted on-site.

(3) Are campfires permitted on or in day-use areas and facilities? Persons may have campfires on or in day-use areas and facilities as authorized in WAC 332-52-135.

(4) Are pets allowed on or in day-use areas and facilities? Persons may bring pets onto or into day-use areas and facilities, as authorized in WAC 332-52-140.

(5) Are reservations required for day-use facilities? Persons do not need reservations to use developed day-use facilities except where posted.

(6) Are permits required to use day-use areas or facilities? Persons must obtain a permit as described in WAC 332-52-205 for organized events.

(7) How do I know when day-use areas or facilities are open or closed? Information about seasonal or temporary closures may be obtained by contacting the region office, on-line and/or may be posted on-site. If the department has closed and locked the gates or posted the day-use area or facility as closed, persons shall not use the day-use area or facility.

(8) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-310, filed 2/11/09, effective 3/14/09.]

ROADS AND TRAILS

WAC 332-52-400 Managing road and trail use. (1)

Who manages road and trail use on department-managed lands? The department manages road and trail use on department-managed lands. The department, or lessee of state land in consultation with the department, may close all of, or portions of, a road or trail for the reasons set forth in WAC 332-52-100.

(2) What types of recreation uses are permitted on roads or trails?

(a) The department may designate road and trail use by specific recreation activity, e.g., hiking, horseback riding, mountain biking, all-terrain vehicle, off-road vehicle, four-wheel vehicle, snowmobile, or other over-the-snow vehicles.

(b) Persons shall comply with the posted designated recreational use on roads and trails.

(3) What types of traffic control measures does the department use on a road or trail? The department may, at any time:

(a) Establish one-way traffic flow on any road or trail.

(b) Establish use hours and/or seasonal use on any road or trail.

(c) Restrict or prohibit use of a road or trail for the reasons set forth in WAC 332-52-100.

(d) Persons shall comply with the posted traffic control measures on roads and trails.

(4) What methods does the department use to indicate if a road or trail is closed to motorized vehicle use? In addition to posted traffic control measures, such as signs, the department uses a variety of barriers including but not limited to gates, large berms or trenches, concrete barriers, and large rock or stump piles or other similar large barriers. Motorized

[Ch. 332-52 WAC—p. 9]

vehicular use on or beyond one or more of these barriers is prohibited unless otherwise posted.

(5) When is operating an off-road vehicle permitted beyond a closed gate? A person may operate an off-road vehicle beyond a closed gate when there is a department-managed road or trail on the other side of or around the gate that is posted open for off-road vehicle use.

(6) Where are motorized and nonmotorized vehicles permitted off of a road or trail? Persons shall only operate motorized or nonmotorized vehicles off of a road or trail on lands posted or otherwise designated by the department as open for the designated recreational use. All other off-road or off-trail vehicular use is prohibited.

(7) How do I find out if a road or trail is open or closed? The department will use the following methods to notify the public if a road or trail is open or closed to recreation use: Information displayed on any signs, information boards, kiosks, web sites, maps, or other written form of notice that either allows or prohibits access or specific activities on department-managed lands.

(8) How do vehicle operators enter or leave a developed recreation facility? Motorized or nonmotorized vehicles shall enter or leave a developed recreation facility only on posted roads or trails.

(9) Any violation of this section is an infraction under chapter 7.84 RCW with the exception of subsection (7) of this section which is neither an infraction nor a misdemeanor.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-400, filed 2/11/09, effective 3/14/09.]

WAC 332-52-405 Construction and maintenance of trails and structures. (1) May a person construct, modify, repair or maintain a new or existing recreation trail, structure, or other facility or improvement or cause such activities to occur on department-managed lands? No. With the exceptions noted in subsections (2) and (3) of this section, a person shall not construct, modify, repair or maintain a recreation trail, structure, or other facility or improvement, or cause such activities to occur on department-managed lands, without written authorization from the department.

(2) May a person perform routine maintenance of recreational trails or facilities on department-managed lands? Yes. With an approved department of natural resources volunteer agreement, individuals may conduct routine maintenance of recreational trails or facilities.

(3) May a person perform emergency maintenance of recreational trails without written authorization from the department? Yes. A person may perform emergency maintenance on recreational trails. Emergency maintenance for purposes of this subsection means the reasonable mitigation of immediate safety hazards, and brushing, weeding, windfall removal, clearing drain ditches or culverts, or tread repair to prevent immediate resource damage.

(4) Any violation of this section is an infraction under chapter 7.84 RCW except violation of subsection (1) of this section is a misdemeanor.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-405, filed 2/11/09, effective 3/14/09.]

WAC 332-52-410 Traffic rules. (1) What is the speed limit for a motorized or nonmotorized vehicle on department-

managed roads? The speed limit for persons operating a motorized or nonmotorized vehicle is the basic speed rule on department-managed roads. The basic speed rule means no person shall drive a motorized or nonmotorized vehicle on a road at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards.

(2) What are the responsibilities of persons operating motorized or nonmotorized vehicles on department-managed roads and trails?

(a) Persons operating motorized or nonmotorized vehicles shall:

(i) Use due care and control speed to avoid colliding with any person, animal, motorized or nonmotorized vehicle or other conveyance on or entering the roadway;

(ii) Follow the basic speed rule; and

(iii) Turn on headlights when visibility is less than two hundred feet due to terrain, darkness, dust, smoke, fog or other weather or atmospheric conditions.

(b) Persons operating a motorized or nonmotorized vehicle shall not:

(i) Exceed the basic speed rule.

(ii) Obstruct or hinder the flow of traffic on any road.

(iii) Endanger persons or property or act in a reckless, careless, or negligent manner.

(3) While operating a motorized or nonmotorized vehicle, who has the right of way?

(a) Emergency vehicles. Persons operating a motorized or nonmotorized vehicle shall yield the right of way to all emergency vehicles making use of audible or visual signals.

(b) Log hauling or gravel vehicles. Persons operating a motorized or nonmotorized vehicle, except emergency vehicle operators, must yield the right of way to log hauling, gravel, or other commercial vehicles conducting authorized department business.

(c) Pedestrians.

(i) Persons operating a motorized or nonmotorized vehicle shall yield the right of way to pedestrians.

(ii) Pedestrians must leave the road as soon as possible to allow the vehicle to pass.

(d) Animal-drawn vehicles and/or persons riding animals.

(i) Persons operating a motorized or nonmotorized vehicle shall yield the right of way to animal-drawn vehicles and to persons riding animals.

(ii) Persons operating a motorized or nonmotorized vehicle must make every reasonable effort to avoid frightening or startling such animals.

(iii) Persons in control of an animal or animal-drawn vehicle must remove the animal or animal-drawn vehicle from the road as soon as possible to allow the vehicle to pass.

(e) Livestock. Persons operating a motorized or nonmotorized vehicle who encounter a herd of livestock, where a person is in control of the herd, shall not move through the herd until directed to do so by the person in control of the herd.

(4) What traffic laws govern traffic on department-managed land? In addition to the traffic rules in this section and WAC 332-52-415, all applicable Washington traffic laws in Title 46 RCW apply on any department-managed road unless inconsistent with or superseded by these rules. Violations of

those exceptions identified in RCW 46.63.020 are criminal offenses.

(5) Any violation of this section is a traffic infraction under chapter 46.63 RCW except a violation of subsection (2)(b)(iii) of this section is a misdemeanor.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-410, filed 2/11/09, effective 3/14/09.]

WAC 332-52-415 Parking. (1) Where is a person prohibited from parking a vehicle on department-managed lands?

(a) Persons shall not park on department-managed lands if the vehicle:

(i) Blocks or impedes the passage of normal traffic or commercial activity.

(ii) Blocks, interferes with or obstructs a gate, road, trail, path or other access.

(iii) Is parked in a developed recreation facility unless the area is designed for such use.

(b) Persons shall not park vehicles on department-managed roads and lands where posted as no parking.

(c) Subsections (a) and (b) above do not apply to persons operating:

(i) Emergency vehicles;

(ii) Department vehicles;

(iii) Logging or other commercial vehicles (for industrial operations) or other commercial vehicles used in connection with activities performed pursuant to department contracts; and

(iv) As otherwise authorized by the department.

(2) How long may a person park or leave a vehicle on department-managed lands? Persons shall not park or leave a vehicle unattended for more than seventy-two hours on department-managed lands with the exceptions noted in subsection (1)(c)(i) through (iv) of this section or when persons are in designated campgrounds or in trailheads with posted long-term parking.

(3) If a vehicle is found parked in violation of subsection (1) or (2) of this section, may the vehicle be towed? Yes. Any motorized vehicle found parked in violation of subsection (1) or (2) of this section may be impounded by the department at the owner's or operator's expense.

(4) If an infraction is issued under this section, who is responsible for the infraction? In any infraction involving a violation of this section, proof that the particular vehicle described in the notice of infraction was parking in violation of any such provision of this section, together with proof that the person named in the notice of infraction was at the time of the violation the registered owner of the vehicle, shall constitute a prima facie presumption to prove that the registered owner of the vehicle was the person who parked the vehicle at the point where, and for the time during which, the violation occurred.

(5) Any violation of this section is a traffic infraction under chapter 46.63 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-415, filed 2/11/09, effective 3/14/09.]

WAC 332-52-420 Snowmobiles. (1) Where are snowmobiles permitted to travel on department-managed land?

(2/11/09)

(a) Persons may operate snowmobiles on department managed lands only when there is adequate snow cover to prevent resource damage.

(b) Persons operating snowmobiles may only travel over the snow:

(i) On roads, cut banks, fill slopes, ditches, and trails.

(ii) On designated roads that are part of a groomed snowmobile trail.

(iii) Off of designated roads and trails unless the area is designated or posted closed to snowmobile use.

(c) Persons shall not operate snowmobiles on department-managed lands under any other conditions or in any other locations.

(d) No other motorized vehicle is allowed on a groomed snowmobile trail without prior written authorization from the department.

(2) Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-420, filed 2/11/09, effective 3/14/09.]

MILWAUKEE ROAD CORRIDOR

WAC 332-52-500 Specific rules for Milwaukee Road Corridor only. (1) What is the purpose of these rules? The purpose of this section is to set site-specific standards for public use on the Milwaukee Road Corridor managed by the department. These rules promote public safety and protect department-managed lands, property, and resources. Unless otherwise inconsistent with the site-specific rules listed in this section, all other rules of chapter 332-52 WAC apply.

(2) What portions of the Milwaukee Road Corridor do these rules apply to? These rules apply to those portions of Milwaukee Road Corridor of the state of Washington administered by the department from the west bank of the Columbia River east to the westernmost crossing of Highway 21 and the corridor near the town of Lind, Washington.

(3) Are recreation permits required for activities on the corridor? Persons are required to obtain and possess recreation permits for all activities on the corridor.

(4) How do I obtain a recreation permit? Persons must contact the department's southeast region office in Ellensburg during business hours prior to the proposed activity to request a recreation permit application. The completed recreation permit application must be submitted via fax, e-mail, mail, or in person to the region office during business hours at least fifteen days prior to the proposed activity.

(5) How are recreation permit applications processed? The region will process recreation permit applications in order of their arrival.

(6) Is the department required to issue a recreation permit?

(a) The region may approve or deny the application for a recreation permit.

(b) The region will notify the applicant in writing if the permit application is approved or denied.

(7) If the permit application is approved, when will the permit be issued? If approved, the region will issue the permit within five days of receipt of the permit application.

(8) How do I cancel a permit? Persons must notify the region office of the cancellation within seventy-two hours prior to the activity.

(9) How long will the permit be valid? The permit will be valid for not more than one calendar year over the approved route identified in the recreation permit.

(10) Will there be a fee for the permit? A fee may be required based on the costs of processing the application including contacting adjacent landowners when required.

(11) When is the corridor open for use? The corridor is open for use year-round. The corridor may be temporarily closed to reduce fire danger or protect public safety.

(12) Can I have campfires on the corridor? No. Persons shall not ignite fires of any type on the corridor.

(13) When using the corridor, what are my responsibilities to adjacent property owners?

(a) Persons, or their animals, shall not enter onto adjoining property from the corridor without permission of the landowner.

(b) Persons shall leave gates in the condition in which they are found.

(14) Are firearms permitted on the corridor? Persons shall not possess shotguns or rifles on the corridor. Other firearms must be stowed and not loaded while on the corridor.

(15) Where is hunting or target shooting allowed on the corridor? Persons shall not hunt, discharge firearms, tracer or incendiary ammunition or projectile devices, target shoot, or discharge any device capable of killing any animal or person, or damaging or destroying public or private property within, from, along, across, or down the corridor managed by the department, except where portions of the corridor are leased by or covered by an agreement with another public agency which owns or controls adjoining property.

(16) Will adjacent landowners be notified of permits issued for use of the corridor adjacent to their property?

(a) If requested by adjacent landowners, the department will notify them of permits issued for use of the corridor adjacent to their property.

(b) For portions of the corridor where abutting landowners have not asked to be notified about permits and no gates have been built, the department may issue a day-use permit without the fifteen-day advance application requirement. The day-use must be confined to the portions of the corridor described in this subsection. Maps of these day-use areas are available at the southeast region office in Ellensburg.

(17) Any violation of this section is an infraction under chapter 7.84 RCW except a violation of subsection (15) of this section is a misdemeanor.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-500, filed 2/11/09, effective 3/14/09.]

NOTICE AND SIGNS

WAC 332-52-600 Notice of rules. Where can I find the public access and recreation rules? The department will make public access and recreation rules available to the public through such means as:

- (1) Posted on-site on kiosks or signboards;
- (2) Published on the department's internet site;
- (3) Published in a site-specific or programmatic management plan;

(4) In the office of the commissioner of public lands in Olympia; or

(5) In any of the department's region offices.

Notices of permitted or prohibited activities will be posted in such locations as will reasonably bring them to the attention of the public.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-600, filed 2/11/09, effective 3/14/09.]

WAC 332-52-605 Compliance with signs. What is the penalty for not complying with posted restrictions? Persons failing to abide by posted restrictions on department-managed lands are subject to the applicable penalty that governs the restricted activity.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. 09-05-034, § 332-52-605, filed 2/11/09, effective 3/14/09.]