

7,501	-	8,000 tons	3,469
8,001	-	8,500 tons	3,693
8,501	-	9,000 tons	3,917
9,001	-	9,500 tons	4,141
9,501	-	10,000 tons	4,363
10,001	+	tons	4,587

For purposes of this section, consumable debris is the amount of debris that the department determines will be consumed by the proposed burning.

(3) Written burning permits are not considered valid unless all of the following conditions apply:

(a) The written permit has been signed by the applicant agreeing to follow all requirements of chapter 332-24 WAC, the smoke management plan in effect at the time of the burning, and any additional terms and conditions specified by the department in writing; and

(b) The required permit fee has been secured or paid according to approved department procedures; and

(c) The person doing the burning has the permit in possession while burning and is complying with all terms and conditions of such permit, the smoke management plan in effect at the time of the burning, and all applicable portions of chapter 332-24 WAC.

(4) Permits are written only for the burn site and fuel quantity that is presented at the time of the inspection. Addition of fuel, or changing the burn site after the site inspection has been made, is prohibited unless a new inspection is made and an added permit fee is paid, if required.

[Statutory Authority: RCW 70.94.660. 95-12-023 (Order 629), § 332-24-221, filed 5/31/95, effective 7/1/95; 94-14-063 (Order 619), § 332-24-221, filed 7/1/94, effective 8/1/94. Statutory Authority: RCW 76.04.015, 76.04.205 and 70.94.660. 92-14-096 (Order 599), § 332-24-221, filed 6/30/92, effective 7/31/92. Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-221, filed 5/8/87.]

## Title 352 WAC PARKS AND RECREATION COMMISSION

### Chapters

<b>352-11</b>	<b>SEPA procedures.</b>
<b>352-12</b>	<b>Moorage and use of marine facilities.</b>
<b>352-16</b>	<b>Naming of state park areas and the land classification system.</b>
<b>352-28</b>	<b>Tree, plant and fungi cutting, removal and/or disposal.</b>
<b>352-32</b>	<b>Public use of state park areas.</b>
<b>352-37</b>	<b>Ocean beaches.</b>
<b>352-68</b>	<b>Water trail programs.</b>
<b>352-74</b>	<b>Filming within state parks.</b>

## Chapter 352-11 WAC SEPA PROCEDURES

### WAC

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352-11-040	Additional definitions.
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352-11-665	Policies and procedures for conditioning or denying permits or other approvals.
352-11-905	Responsibilities of individuals and work units within the agency.
352-11-908	Critical areas.
352-11-910	Designation of responsible official.

**WAC 352-11-020 Adoption by reference.** The Washington state parks and recreation commission adopts the following sections or subsections of chapter 197-11 WAC by reference.

### WAC

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- 197-11-635 Incorporation by reference—Procedures.
- 197-11-640 Combining documents.
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- 197-11-655 Implementation.
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- 197-11-930 Lead agency for private projects with one agency with jurisdiction.
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- 197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
- 197-11-936 Lead agency for private projects requiring licenses from more than one state agency.
- 197-11-938 Lead agencies for specific proposals.
- 197-11-940 Transfer of lead agency status to a state agency.
- 197-11-942 Agreements on lead agency status.
- 197-11-944 Agreements on division of lead agency duties.
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- 197-11-948 Assumption of lead agency status.
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- 197-11-965 Adoption notice.
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- 197-11-980 Determination of significance and scoping notice (DS).
- 197-11-985 Notice of assumption of lead agency status.
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[Statutory Authority: RCW 43.21C.120. 96-01-029, § 352-11-020, filed 12/11/95, effective 1/11/96. Statutory Authority: Chapter 43.21C RCW. 84-20-112 (Order 84), § 352-11-020, filed 10/3/84.]

**WAC 352-11-040 Additional definitions.** In addition to the definitions contained in WAC 197-11-700 through 197-11-799, the following terms shall have the listed meanings:

(1) "Agency" means the entire staff and appointed commission members constituting the Washington state parks and recreation commission.

(2) "Authorized public use" means that a particular parcel of real property has developed facilities which have been subject to public use or has been specifically designated and classified for such public use without developed facilities. No "authorized public use" shall be construed to have occurred on parcels of real property being held for future use and development nor on portions of existing park lands remote from existing public use facilities, including developed trail systems.

(3) "Commission" means the Washington state parks and recreation commission.

(4) "Director" means the director of the Washington state parks and recreation commission.

(5) "Program" means any of the headquarters' sections or divisions of the Washington state parks and recreation commission that administers a program, such as, but not limited to, boating safety, winter recreation, and youth programs.

(6) "Regions" means any of the regional offices of the Washington state parks and recreation commission.

(7) "Section" means any section within the divisional structure of the Washington state parks and recreation commission.

[Statutory Authority: RCW 43.21C.120. 96-01-029, § 352-11-040, filed 12/11/95, effective 1/11/96. Statutory Authority: Chapter 43.21C RCW. 84-20-112 (Order 84), § 352-11-040, filed 10/3/84.]

**WAC 352-11-055 Timing of the SEPA process.** (1) Integrating SEPA and agency activities. The SEPA process shall be integrated with agency activities at the earliest possible time to ensure that planning and decisions reflect environmental values, to avoid delays later in the process, and to seek to resolve potential problems.

(2) Timing of review of proposals. The agency shall prepare its threshold determination and environmental impact statement (EIS), if required, at the earliest possible point in the planning and decision-making process, when the principal features of a proposal and its environmental impacts can be reasonably identified.

(a) A proposal exists when the agency is presented with an application or has a goal and is actively preparing to make a decision on one or more alternative means of accomplishing that goal and the environmental effects can be meaningfully evaluated.

(i) The fact that proposals may require future agency approvals or environmental review shall not preclude current

consideration, as long as proposed future activities are specific enough to allow some evaluation of their probable environmental impacts.

(ii) Preliminary steps or decisions are sometimes needed before a proposal is sufficiently definite to allow meaningful environmental analysis.

(b) Environmental reviews will normally begin when sufficient information is available for agency staff to make preliminary decisions. The agency may also organize environmental review in phases, as specified in WAC 197-11-060(5).

(c) Appropriate consideration of environmental information shall be completed before the agency commits to a particular course of action under WAC 197-11-070.

(3) Applications and rule making. The timing of environmental review for applications and for rule making shall be as follows:

(a) At the latest, the agency shall begin environmental review, if required, when an application is complete. The agency may initiate review earlier and may have informal conferences with applicants. A final threshold determination or final environmental impact statement (FEIS) shall normally precede or accompany the final staff recommendation, if any, in a quasi-judicial proceeding on an application. The substance of an ex parte communication of parties with any member of the commission concerning the decision of action will be placed on the record and subject to public announcement and opportunity for rebuttal at public hearings as required by RCW 42.36.060.

(b) For rule making, the DNS or DEIS shall normally accompany the proposed rule. A FEIS, if any, shall be issued at least seven days before adoption of a final rule under WAC 197-11-460(4).

(4) Additional timing considerations.

(a) Commission staff receiving a completed application and environmental checklist shall forward such application and checklist to the responsible official who will determine whether the commission or another agency is the SEPA lead agency under WAC 197-11-050 and 197-11-922 through 197-11-940 within five working days. If the commission is not the lead agency, the responsible official shall send the completed environmental checklist and a copy of the application, together with an explanation of the determination to the identified lead agency.

(b) Commission staff receiving an application will forward it to the responsible official who will determine whether the proposal is an "action" and, if so, whether it is "categorically exempt" from SEPA. If the proposal is an "action" and is not exempt, the responsible official will ask the applicant to complete an environmental checklist. A checklist is not needed if the responsible official and applicant agree that an EIS is required, SEPA compliance has been completed, SEPA compliance has been initiated by another agency, or a checklist is included with the application.

(c) If the only nonexempt action is commission approval of detailed project plans and specifications, an applicant may request that the commission complete SEPA compliance before the applicant submits the detailed plans and specifications.

(d) The commission staff and applicants may hold preliminary discussions or exploration of ideas and options

prior to commencing formal environmental review, under provisions of this chapter and chapter 197-11 WAC, subject to RCW 42.36.060.

(5) An overall decision to proceed with a course of action may involve a series of actions or decisions by one or more agencies. If several agencies have jurisdiction over a proposal, they shall coordinate their SEPA processes wherever possible. The agencies shall comply with lead agency determination requirements in WAC 197-11-050 and 197-11-922 through 197-11-948.

(6) To meet the requirement to insure that environmental values and amenities are given appropriate consideration along with economic and technical considerations, environmental documents and analysis shall be circulated and reviewed with other planning documents to the fullest extent possible.

(7) For its own public proposals, the responsible official may extend the time limits prescribed in this chapter.

(8) When the commission staff has prepared a commission agenda item for approval by the commission, the FEIS, DNS, or exemption statement shall accompany the agenda item to the commission for its review.

[Statutory Authority: RCW 43.21C.120. 96-01-029, § 352-11-055, filed 12/11/95, effective 1/11/96. Statutory Authority: Chapter 43.21C RCW. 84-20-112 (Order 84), § 352-11-055, filed 10/3/84.]

#### **WAC 352-11-665 Policies and procedures for conditioning or denying permits or other approvals.**

(1)(a) The overriding policy of the Washington state parks and recreation commission is to avoid or mitigate adverse environmental impacts which may result from the agency's decisions.

(b) The commission shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

(i) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(ii) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

(iii) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(iv) Preserve important historic, cultural, and natural aspects of our national heritage;

(v) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(vi) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(vii) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The agency recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

(d) The agency shall ensure that presently unquantified environmental amenities and values will be given appropriate

consideration in decision making along with economic and technical considerations.

(2) Policies - specific. The commission is responsible for the following approvals, permits, or rulemaking and for the acquisition of land suitable for parks, for repair, maintenance and new construction of park facilities which have potential to impact the environment and which are subject to the provisions of this chapter:

(a) Authority to acquire and develop parks and parkways (chapter 43.51 RCW);

(b) Grant concessions or leases in state parks and parkways (RCW 43.51.040(5));

(c) Grant franchises and easements for any legitimate purpose on parks and parkways (RCW 43.51.060(5));

(d) Enter into agreements whereby individuals or companies may rent undeveloped parks or parkway land for grazing, agricultural, or mineral development (RCW 43.51.060(7));

(e) Lease park land for television stations (RCW 43.51.062 and 43.51.063);

(f) Grant permits for improvement of parks (RCW 43.51.130 through 43.51.160);

(g) Administer the seashore conservation area including:

(i) Establish reasonable regulations for the use and control of vehicular traffic on or along the ocean beach highways (RCW 43.51.680, 79.94.340 and 79.94.360);

(ii) Sale of sand from accretions to supply the needs of cranberry growers (RCW 43.51.685); and or

(iii) Grant leases and permits for the removal of sands for construction purposes (RCW 43.51.685).

(h) Stewardship, management and development of resources, including land acquisition in accordance with the State Wildlife and Recreation Lands Management Act (chapter 43.98B RCW);

(i) Administration, acquisition, development, operation and maintenance of snowmobile facilities (RCW 46.10.080);

(j) Acquisition, development and maintenance of scenic and recreational highways, and rest areas, including landscaping and signing (chapter 47.39 RCW);

(k) Review and approval or disapproval of plans for acquisition and operation of parks and recreation facilities by any port district (RCW 53.08.270);

(l) Acquisition, development, operation and maintenance of recreational trails (chapter 67.32 RCW);

(m) Development of a state-wide scenic rivers program plan, including proposals for acquisition and development of public access sites and facilities (chapter 79.72 RCW);

(n) Grant approvals for the construction, operation and maintenance of winter recreational devices, including but not limited to ski lifts, ski tows, j-bars, t-bars, ski mobiles, chair lifts and similar devices and equipment (RCW 70.88.010 through 70.88.040).

(o) Any other approval authority which may be granted to the commission in the future.

(3)(a) SEPA procedures. When the environmental document for a proposal for approval by the agency shows it will cause significant adverse impacts that the proponent does not plan to mitigate, the responsible official shall consider whether:

(i) The environmental document identified mitigation measures that are reasonable and capable of being accomplished;

(ii) Other local, state, or federal requirements and enforcement would mitigate the significant adverse environmental impacts; and

(iii) Reasonable mitigation measures are sufficient to mitigate the significant adverse impacts.

(b) The responsible official may:

(i) Condition the approval for a proposal if mitigation measures are reasonable and capable of being accomplished and the proposal is inconsistent with the policies in subsection (1) of this section.

(ii) Deny the permit or approval for a proposal if reasonable mitigation measures are insufficient to mitigate significant adverse environmental impacts and the proposal is inconsistent with the policies in subsection (1) of this section.

(c) The procedures in WAC 197-11-660 must also be followed when conditioning or denying permits or other approvals.

[Statutory Authority: RCW 43.21C.120. 96-01-029, § 352-11-665, filed 12/11/95, effective 1/11/96. Statutory Authority: Chapter 43.21C RCW. 84-20-112 (Order 84), § 352-11-665, filed 10/3/84.]

**WAC 352-11-905 Responsibilities of individuals and work units within the agency.** (1) The environmental programs section of the agency shall be responsible for the following:

(a) Coordinating agency activities to comply with SEPA, encouraging consistency in SEPA compliance among all regions, sections, and programs.

(b) Providing information and guidance on SEPA and the SEPA rules to commission, staff, agencies, groups, and citizens.

(c) Receiving all SEPA documents sent to the commission for review and comment, distributing documents and coordinating review with appropriate regions, programs and sections, preparing the agency's response, ensuring a timely response, and requesting extensions to the comment period of an EIS, when needed.

(d) Maintaining the agency's files for EISs, DNSs, scoping notices, and notices of action prepared for commission approvals and other agency actions and which are sent to the department of ecology under SEPA and the SEPA rules.

(e) Maintaining files for the city/county SEPA procedures designating critical areas and flexible thresholds and making the information available to agency staff.

(f) Writing and/or coordinating EIS preparation, including scoping and the scoping notice, making sure to work with appropriate regions, programs, and sections.

(g) Preparing the agency's SEPA rules and amendments to the SEPA rules as necessary.

(h) Fulfilling the agency's other general responsibilities under SEPA and the SEPA rules.

(i) Determining whether a decision on a permit or other approval, program, policy, plan, or regulation is an "action" under SEPA and, if so, whether it is exempt from SEPA's requirements.

(j) Determining whether the commission or another agency is SEPA lead agency.

(k) Making the threshold determination. This shall be made by the responsible official under WAC 352-11-910.

(1) Issuing a determination of nonsignificance, if appropriate (issued by responsible official) and ensuring compliance with the public notice requirements of WAC 352-11-510;

(2) Other staff of the commission in regions, programs, and sections shall be responsible for the following:

(a) Reviewing SEPA documents and submitting comments to the environmental programs section in a timely fashion, recognizing that SEPA and the SEPA rules impose strict time limits on commenting.

(b) Working with the environmental programs section on preparation of EISs, DNSs, and environmental checklists.

(c) Ensuring that permit decisions are consistent with the final EIS and DNS.

[Statutory Authority: RCW 43.21C.120. 96-01-029, § 352-11-905, filed 12/11/95, effective 1/11/96. Statutory Authority: Chapter 43.21C RCW. 84-20-112 (Order 84), § 352-11-905, filed 10/3/84.]

**WAC 352-11-908 Critical areas.** (1) The agency's responsible official shall obtain maps of all designated "critical areas" on existing state park lands which have been prepared by counties/cities under WAC 197-11-908.

(2) In determining whether a proposal is exempt from SEPA, the agency shall respect "critical area" designations made by counties/cities under WAC 197-11-908.

[Statutory Authority: RCW 43.21C.120. 96-01-029, § 352-11-908, filed 12/11/95, effective 1/11/96. Statutory Authority: Chapter 43.21C RCW. 84-20-112 (Order 84), § 352-11-908, filed 10/3/84.]

**WAC 352-11-910 Designation of responsible official.**

(1) The ultimate responsible official is the commission. Normally, the operational responsibility shall be delegated via the director to the (manager), environmental programs. The manager, environmental programs may delegate this authority to the assistant manager, environmental programs and to the regional environmental specialists.

(2) Depending upon the size and scope of the proposed action, consideration may be given to establishing the responsible official at the level of assistant director, resources development, Washington state parks and recreation commission, or at the level of director.

[Statutory Authority: RCW 43.21C.120. 96-01-029, § 352-11-910, filed 12/11/95, effective 1/11/96. Statutory Authority: Chapter 43.21C RCW. 84-20-112 (Order 84), § 352-11-910, filed 10/3/84.]

## Chapter 352-12 WAC

### MOORAGE AND USE OF MARINE FACILITIES

#### WAC

352-12-020	Moorage fees.
352-12-030	Annual moorage permits.
352-12-040	Use of onshore campsites.

**WAC 352-12-020 Moorage fees.** (1) Vessels moored between 3 p.m. and 8 a.m. at those facilities designated by the director shall be charged the nightly moorage fee published by state parks during the period May 1 through

September 30, inclusive: *Provided, however,* This fee shall be applicable all year at Blake Island, Cornet Bay, Fort Worden, Jarrell Cove, and Mystery Bay State Parks: *Provided further,* Vessels properly displaying a valid annual permit shall not be charged a nightly moorage fee: *Provided further,* There shall be no moorage fee for any vessel riding on its own anchor: *Provided further,* There shall be no charge for temporary moorage for the purpose of loading or unloading a vessel, such temporary moorage shall be limited to thirty minutes.

(2) A vessel rafted to another vessel shall be charged the appropriate moorage fee based on that vessel's own length.

(3) Except as provided in WAC 352-12-060, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-12-020, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. 93-08-025, § 352-12-020, filed 3/30/93, effective 5/1/93. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-020, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. 91-09-001, § 352-12-020, filed 4/4/91, effective 5/15/91; 90-07-062, § 352-12-020, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. 88-07-074 (Order 103), § 352-12-020, filed 3/18/88, effective 5/15/88; 87-08-008 (Order 100), § 352-12-020, filed 3/23/87, effective 5/15/87. Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. 85-08-003 (Order 88), § 352-12-020, filed 3/22/85, effective 5/15/85. Statutory Authority: RCW 43.51.040 and 43.51.060. 84-09-045 (Order 77), § 352-12-020, filed 4/16/84; 82-08-027 (Order 59), § 352-12-020, filed 3/31/82.]

**WAC 352-12-030 Annual moorage permits.** (1) Annual moorage permits may be obtained for the period January 1 through December 31, inclusive. Application for such permits may be obtained from most state park managers, or by writing to the Commission Headquarters, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, WA 98504-2650.

(2) Annual moorage permits will be issued for a particular vessel. The charge for such permits will be based upon the length of the vessel for which the permit is issued and will be published by state parks.

(3) Annual permits shall be visible from outside the vessel, and permanently affixed to the lower left corner of the vessel's left (port) forward windshield, or if not equipped with a windshield, to the left (port) outside transom, or if a sailboat, on the forward portion of the left (port) cabin trunk.

(4) Except as provided in WAC 352-12-060, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-12-030, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. 93-08-025, § 352-12-030, filed 3/30/93, effective 5/1/93. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-030, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. 91-09-001, § 352-12-030, filed 4/4/91, effective 1/1/92; 90-07-062, § 352-12-030, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. 82-08-027 (Order 59), § 352-12-030, filed 3/31/82.]

**WAC 352-12-040 Use of onshore campsites.** If any person or persons from a vessel moored at a state park marine facility also occupies any designated campsite onshore, the appropriate fee for such campsite(s) shall be

paid in addition to any moorage fee charged pursuant to this chapter as published by state parks. Except as provided in WAC 352-12-060, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-12-040, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-040, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. 82-08-027 (Order 59), § 352-12-040, filed 3/31/82.]

## Chapter 352-16 WAC

### NAMING OF STATE PARK AREAS AND THE LAND CLASSIFICATION SYSTEM

#### WAC

352-16-010	Naming and classification of state park areas—Commission action.
352-16-020	Land classification system.
352-16-030	Management within land classifications.

**WAC 352-16-010 Naming and classification of state park areas—Commission action.** (1) All areas dedicated for public park purposes, excluding separately located administrative areas, and under the ownership and/or management of the Washington state parks and recreation commission, shall be defined as state park areas.

(2) The official name of any state park area shall generally include in it the term "state park."

(3) The official naming of any state park area shall be the function of the commission: *Provided,* That the commission may not change any name established by the legislature, including specified conservation areas, seashore conservation areas and other recreation and open space areas.

(4) The official land classification, or reclassification, of any state park area, pursuant to WAC 352-16-020, shall be the function of the commission: *Provided,* That the director shall have authority to manage, on an interim basis, state park areas in accordance with any appropriate land classification prior to final commission action.

(5) Any named or unnamed state park area may have one or more land classifications within its boundary.

(6) Land classifications defined in this chapter shall apply throughout Title 352 WAC.

[Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. 96-01-078, § 352-16-010, filed 12/18/95, effective 1/18/96; Order 7, § 352-16-010, filed 4/1/70.]

**WAC 352-16-020 Land classification system.** State park areas are of state-wide natural, cultural and/or recreational significance and/or outstanding scenic beauty. They provide varied facilities serving low-intensity, medium-intensity, and high-intensity outdoor recreation activities, areas reserved for preservation, scientific research, education, public assembly, and/or environmental interpretation, and support facilities. They may be classified in whole or part as follows:

(1) **Recreation areas** are suited and/or developed for high-intensity outdoor recreational use, conference, cultural and/or educational centers, or other uses serving large numbers of people.

(2) **Resource recreation areas** are suited and/or developed for natural and/or cultural resource-based medium-intensity and low-intensity outdoor recreational use.

(3) **Natural areas** are designated for preservation, restoration, and interpretation of natural processes and/or features of significant ecological, geological or paleontological value while providing for low-intensity outdoor recreation activities as subordinate uses.

(4) **Heritage areas** are designated for preservation, restoration, and interpretation of unique or unusual archaeological, historical, scientific, and/or cultural features, and traditional cultural properties, which are of state-wide or national significance.

(5) **Natural forest areas** are designated for preservation, restoration, and interpretation of natural forest processes while providing for low-intensity outdoor recreation activities as subordinate uses, and which contain:

(a) Old-growth forest communities that have developed for one hundred fifty years or longer and have the following structural characteristics: Large old-growth trees, large snags, large logs on land, and large logs in streams; or

(b) Mature forest communities that have developed for ninety years or longer; or

(c) Unusual forest communities and/or interrelated vegetative communities of significant ecological value.

(6) **Natural area preserves** are designated for preservation of rare or vanishing flora, fauna, geological, natural historical or similar features of scientific or educational value and which are registered and committed as a natural area preserve through a cooperative agreement with an appropriate natural resource agency pursuant to chapter 79.70 RCW and chapter 332-60 WAC.

[Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. 96-01-078, § 352-16-020, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040 and 43.51.045. 84-08-016 (Resolution No. 74), § 352-16-020, filed 3/27/84; Order 31, § 352-16-020, filed 3/28/77; Order 18, § 352-16-020, filed 2/1/74; Order 7, § 352-16-020, filed 4/1/70.]

**WAC 352-16-030 Management within land classifications.** (1) The director shall develop management guidelines for each land classification listed in WAC 352-16-020. The guidelines shall provide specific direction for each classification, outlining the philosophy of each classification, its appropriate physical features, location, allowed and prohibited activities, and allowed and prohibited developments.

(2) Nothing in this section shall be construed to allow uses that are otherwise prohibited, nor prohibit uses that are otherwise expressly allowed, by the commission, this code or by statute.

[Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. 96-01-078, § 352-16-030, filed 12/18/95, effective 1/18/96.]

## Chapter 352-28 WAC

### TREE, PLANT AND FUNGI CUTTING, REMOVAL AND/OR DISPOSAL

#### WAC

352-28-005

Definitions.

352-28-010

Cutting and removal criteria.

[1996 WAC Supp—page 1184]

**WAC 352-28-005 Definitions.** When used in this chapter the following words and phrases shall have the meanings designated in this section unless a different meaning is expressly provided or unless the context clearly indicates otherwise.

(1) "Catastrophic forest event" means a natural or accidental devastation of major proportions that results in drastic alteration of the natural environment by, but not limited to, wind, fire, insect infestation, forest disease, flooding, or landslide.

(2) "Commission" means the Washington state parks and recreation commission.

(3) "Director" means the director of the Washington state parks and recreation commission.

(4) "Endangered species" means each plant, fungus and lichen species identified as endangered on the list of such species prepared by the department of natural resources Washington natural heritage program and each wildlife species identified as endangered by the Washington department of fish and wildlife in WAC 232-12-014.

(5) "Sensitive species" means each plant, fungus and lichen species identified as sensitive on the list of such species prepared by the department of natural resources Washington natural heritage program and each wildlife species identified as sensitive on the list of such species prepared by the Washington department of fish and wildlife.

(6) "Threatened species" means each plant, fungus and lichen species identified as threatened on the list of such species prepared by the department of natural resources Washington natural heritage program and each wildlife species identified as threatened on the list of such species prepared by the Washington department of fish and wildlife.

[Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. 96-01-078, § 352-28-005, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040. 94-10-012, § 352-28-005, filed 4/25/94, effective 5/26/94. Statutory Authority: RCW 43.51.040 and 43.51.045. 84-08-017 (Resolution No. 76), § 352-28-005, filed 3/27/84.]

**WAC 352-28-010 Cutting and removal criteria.** (1) **Significant trees:**

(a) Significant trees in any area under the jurisdiction and/or management of the commission shall, except in fire, weather, or other natural emergencies, be cut or removed only upon the written approval of the director or the assistant directors of the operations and resources development divisions when so designated by the director. Except in emergencies and when feasible, significant trees shall be removed only after they have been marked or appraised by a professional forester. Significant trees include all old-growth trees, mature trees, and all other younger trees of ten inches or greater in diameter at four and one-half feet in height. In case of fire, weather, or other natural emergencies, the director or the designee of the director may declare that an emergency exists and thereby authorize the cutting or removal of damaged or down significant trees that are an imminent threat to persons and/or property.

(b) The cutting or removal of any significant trees in a natural area, natural forest area or a natural area preserve shall, except in emergencies as defined in subsection (1)(a) of this section, be approved only by the director and only after consultation with the Washington department of fish



and wildlife and the department of natural resources Washington natural heritage program, the preparation of a mitigation plan for affected resources, and a public hearing on each such proposed cutting or removal conducted in the county/ counties in which the cutting or removal is to take place as determined by the director. Prior notice of a hearing shall be published in a newspaper of general circulation in the county/counties in which the park is located. Any person who requests notification of such proposed cutting or removal shall be sent prior notice of a hearing by mail. A summary of the testimony presented at a hearing or received in writing shall be presented to the director.

(2) **Protected species:** The cutting or removal of trees, other plants, or dead organic matter in any area known to be inhabited by endangered, threatened, or sensitive species shall, except in emergencies as defined in subsection (1)(a) of this section, follow requirements of the department of fish and wildlife for animals and of the department of natural resources for plants and be approved only by the director after consultation with those agencies, and the preparation of a mitigation plan for affected species.

(3) **Land classification criteria:** Trees or other plants may be cut and/or removed from the areas listed below for the following reasons only:

(a) Natural area preserves:

(i) Maintenance or construction of service roads, boundary fences, or trails, or modification of conditions only as may be required to maintain a native plant community, species population, or ecological process as specified in a natural area preserve management plan prepared in consultation with the department of natural resources Washington natural heritage program.

(ii) Correction of conditions hazardous to persons, properties, and/or facilities on or adjacent to park land.

(iii) Control of forest diseases and insect infestations where adjacent forests are severely jeopardized or where a drastic alteration of the natural environment is expected to occur, after consultation with the natural heritage program and other agencies and groups with expertise in forest health as deemed appropriate by the director.

(iv) Prevent the deterioration or loss of historical/ cultural resources.

(v) Maintenance or construction of fire lanes for abatement of fires.

(b) Natural areas and natural forest areas:

(i) Maintenance or construction of trails, trail structures, trail head facilities, interpretive sites, or service roads.

(ii) Correction of conditions hazardous to persons, properties, and/or facilities on or adjacent to park land.

(iii) Control of forest diseases and insect infestations where adjacent forests are severely jeopardized or where a drastic alteration of the natural environment is expected to occur, after consultation with the natural heritage program and other agencies and groups with expertise in forest health as deemed appropriate by the director.

(iv) Prevent the deterioration or loss of historical/ cultural resources.

(v) Maintenance or construction of service roads for abatement of fires.

(vi) Modification of conditions only as may be required to maintain or restore a native plant community, species population, or ecological process.

(c) Recreation areas, resource recreation areas, and heritage areas:

(i) Area clearing necessary for park maintenance, and/or park development projects for day use and overnight recreation facilities, road and utility easements, and administrative facilities.

(ii) Correction of conditions hazardous to persons, properties, and/or facilities on or adjacent to park land.

(iii) Cleanup of trees fallen, tipped, or damaged by the weather, fire, or other natural causes.

(iv) Creation of diversity of tree size, age, and species to achieve visual aspects that resemble a formal landscape, natural or historical setting, or to improve wildlife habitat.

(v) Daylighting as appropriate to the site.

(vi) Maintenance or creation of a regenerating natural environment that will sustain low ground cover, shrubs, and understory and overstory trees to provide screening, wind, and sun protection.

(vii) Control of forest diseases and insect infestations where adjacent forests are severely jeopardized or where a drastic alteration of the natural environment is expected to occur.

(viii) Prevent the deterioration or loss of historical/ cultural resources.

(ix) Maintenance or construction of service roads for abatement of fires.

(x) Modification of conditions to maintain or restore a desired plant community, species population, or ecological process.

(xi) Grazing, hay removal, or other similar activities when performed under authority of a permit from the commission or director.

(4) **Harvest of edibles:** Nonmarine edible plants and edible fruiting bodies, including fungi, shall be managed in accordance with subsections (1) through (3) of this section, except as follows and solely for the purpose of personal consumption or scientific or educational purposes:

(a) Within a natural area preserve, no harvesting of edible plants or edible fruiting bodies, including fungi, is permitted, other than for scientific or educational purposes.

(b) Within a recreation area, resource recreation area, natural area, natural forest area, or heritage area harvesting of edible plants and edible fruiting bodies, including mushrooms, berries and nuts is permitted: *Provided*, That the director or designee may close, temporarily close or condition such harvesting upon a finding that the activity is degrading or threatens to degrade the park's natural or cultural resources.

(c) Prior to enforcement of any harvest restrictions pursuant to this subsection, state park areas so restricted shall be conspicuously posted with appropriate signs.

(5) **Hazard tree review:** At least two persons, one being a qualified professional in forestry or arboriculture, shall examine potentially hazardous trees and rate such trees in accordance with department of natural resources, report number 42, detection and correction of hazard trees in Washington's recreation areas. The rating of each tree examined shall be recorded on a hazard tree form by each of



the two persons who examine such trees. For trees identified as hazardous and when feasible, action such as, but not limited to, pruning, topping, crown reduction, and relocation of a target facility, shall be taken prior to tree cutting or removal.

(6) **Tree cutting and removal operations:** Tree cutting or removal shall be done by park personnel, unless the personnel lack necessary expertise. If tree cutting or removal work is done by a contractor, park personnel shall provide daily on-site supervision to ensure that work and safety standards are met to prevent harm or damage to persons, trees, shrubbery, soils, and other park resources. When feasible, trees shall be felled in sections with the tops and limbs lowered first by guy wires and ropes in order to protect adjacent old-growth trees and the integrity of the remaining stand. Only skid trails premarked by park personnel may be used and equipment shall be kept on existing roads and parking areas to the fullest extent possible. When feasible, all trees damaged during cutting or removal shall be repaired.

(7) **Use of fallen trees:** Except where they may create safety hazards and/or interfere with the normal operation of a park, fallen trees shall be left on the ground when deemed environmentally beneficial or used for park purposes such as, but not limited to, approved building projects, trail mulching, and firewood. In natural forest areas and natural areas first consideration shall be given to leaving trees on the ground for natural purposes.

[Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. 96-01-078, § 352-28-010, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040. 94-10-012, § 352-28-010, filed 4/25/94, effective 5/26/94. Statutory Authority: RCW 43.51.040 and 43.51.045. 84-08-017 (Resolution No. 76), § 352-28-010, filed 3/27/84; Order 7, § 352-28-010, filed 4/1/70.]

## Chapter 352-32 WAC

### PUBLIC USE OF STATE PARK AREAS

#### WAC

352-32-010	Definitions.
352-32-030	Camping.
352-32-035	Repealed.
352-32-036	Repealed.
352-32-037	Environmental learning centers.
352-32-045	Reservations for use of designated group facilities.
352-32-047	Special recreation event permit.
352-32-050	Park periods.
352-32-060	Pets.
352-32-070	Use of horses, llamas, sled dogs or similar animals for recreation.
352-32-075	Use of nonmotorized cycles or similar devices.
352-32-085	Technical rock climbing.
352-32-150	Fishing.
352-32-165	Public assemblies, meetings.
352-32-195	Solicitation.
352-32-200	Penalties.
352-32-250	Standard fees charged.
352-32-25001	Recreational and conference center housing fees and meeting room fees charged.
352-32-25002	Campsite and rally area reservations—Fort Worden State Park.
352-32-252	Off-season senior citizen pass—Fee.
352-32-255	Self-registration.
352-32-280	Applicability of standard fees.
352-32-285	Applicability of standard fees to volunteers in parks.
352-32-290	Wood debris collection permit—Fee.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

352-32-035	Campsite reservation. [Statutory Authority: RCW 43.51.040(2). 95-14-004, § 352-32-035, filed 6/21/95, effective 7/22/95. Statutory Authority: RCW 43.51.040. 93-06-001, § 352-32-035, filed 2/17/93, effective 3/20/93. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-32-035, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. 91-09-001, § 352-32-035, filed 4/4/91, effective 5/15/91. Statutory Authority: RCW 43.51.040 and 43.51.060. 88-07-074 (Order 103), § 352-32-035, filed 3/18/88, effective 5/15/88; 87-08-008 (Order 100), § 352-32-035, filed 3/23/87, effective 5/15/87; 86-24-015 (Order 97), § 352-32-035, filed 11/24/86. Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. 85-08-003 (Order 88), § 352-32-035, filed 3/22/85, effective 5/15/85. Statutory Authority: RCW 43.51.040 and 43.51.060. 84-09-045 (Order 77), § 352-32-035, filed 4/16/84; 81-12-014 (Order 52), § 352-32-035, filed 5/28/81; 80-05-006 (Order 44), § 352-32-035, filed 4/4/80.] Repealed by 95-22-067, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040 and [43.51.]060.
352-32-036	Environmental learning centers. [Statutory Authority: RCW 43.51.040. 80-14-009 (Order 48), § 352-32-036, filed 9/22/80.] Repealed by 95-07-061, filed 3/13/95, effective 4/13/95. Statutory Authority: RCW 43.51.060 and 43.51.395.

**WAC 352-32-010 Definitions.** Whenever used in this chapter the following terms shall be defined as herein indicated:

"Bivouac" shall mean to camp overnight on a vertical rock climbing route on a ledge or in a hammock sling.

"Boat launch" shall mean any facility located in a state park area designated for the purpose of placing or retrieving any vehicle-born or trailer-born watercraft into or out of the water.

"Camping" shall mean erecting a tent or shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

"Camping unit" shall mean a group of people (one or more persons) that is organized, equipped and capable of sustaining its own camping activity.

"Commission" shall mean the Washington state parks and recreation commission.

"Day area parking space" shall mean any designated parking space within any state park area designated for daytime vehicle parking.

"Director" shall mean the director of the Washington state parks and recreation commission.

"Emergency area" is an area in the park separate from the designated overnight camping area, which the park manager decides may be used for camping when no alternative camping facilities are available within reasonable driving distances.

"Environmental interpretation" shall mean the provision of services, materials, publications and/or facilities, including environmental learning centers (ELC), for other than basic access to parks and individual camping, picnicking, and boating in parks, that enhance public understanding, appreciation and enjoyment of the state's natural and cultural heritage through agency directed or self-learning activities.

"Environmental learning centers (ELC)" shall mean those specialized facilities, designated by the director,

designed to promote outdoor recreation experiences and environmental education in a range of state park settings.

"Group camping areas" are designated areas usually primitive with minimal utilities and site amenities and are for the use of organized groups. Facilities and extent of development vary from park to park.

"Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor and a moped.

"Multiple campsite" shall mean a designated and posted camping facility encompassing two or more individual standard, utility or primitive campsites.

"Overflow area" shall mean an area in a park separate from designated overnight and emergency camping areas, designated by the park manager, for primitive camping to accommodate peak camping demands in the geographic region.

"Paraglider" shall mean an unpowered ultralight vehicle capable of flight, consisting of a fabric, rectangular or elliptical canopy or wing connected to the pilot by suspension lines and straps, made entirely of nonrigid materials except for the pilot's harness and fasteners. The term "paraglider" shall not include hang gliders or parachutes.

"Person" shall mean all natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.

"Popular destination park" shall mean any state park designated by the director as a popular destination park because, it is typically occupied to capacity by Thursday or Friday night during the high use season and the typical park user plans to stay more than one night.

"Primitive campsite" shall mean a campsite not provided with flush comfort station nearby and which may not have any of the amenities of a standard campsite.

"Public assembly" shall mean a meeting, rally, gathering, demonstration, vigil, picketing, speechmaking, march, parade, religious service, or other congregation of persons for the purpose of public expression of views of a political or religious nature for which there is a reasonable expectation that more than one hundred persons will attend based on information provided by the applicant. Public assemblies must be open to all members of the public, and are generally the subject of attendance solicitations circulated prior to the event, such as media advertising, flyers, brochures, word-of-mouth notification, or other form of prior encouragement to attend.

Alternatively, the agency director may declare an event to be a public assembly in the following cases: Where evidentiary circumstances and supporting material suggest that more than one hundred persons will attend, even where the applicant does not indicate such an expectation; or where there is reason to expect a need for special preparations by the agency or the applicant, due to the nature or location of the event.

"Ranger" shall mean a duly appointed Washington state parks ranger who is vested with police powers under RCW 43.51.170, and shall include the park manager in charge of any state park area.

"Recreation vehicle" shall mean a vehicle/trailer unit, van, pickup truck with camper, motor home, converted bus, or any similar type vehicle which contains sleeping and/or housekeeping accommodations.

"Residence" shall mean the long-term habitation of facilities at a given state park for purposes whose primary character is not recreational. "Residence" is characterized by one or both of the following patterns:

Camping at a given park for more than twenty days within a thirty-day time period May 1 through September 30; or thirty days within a sixty-day time period October 1 through April 30. As provided in WAC 352-32-030(7), continuous occupancy of facilities by the same camping unit shall be limited to ten consecutive nights May 1 through September 30 and fifteen consecutive nights October 1 through April 30 in one park, after which the camping unit must vacate the overnight park facilities for three consecutive nights. The time period shall begin on the date for which the first night's fee is paid.

The designation of the park facility as a permanent or temporary address on official documents or applications submitted to public or private agencies or institutions.

"Special recreation event" shall mean a group recreation activity in a state park sponsored or organized by an individual or organization that requires reserving park areas, planning, facilities, staffing, or other services beyond the level normally provided at the state park to ensure public welfare and safety and facility and/or environmental protection.

"Standard campsite" shall mean a designated camping site which is served by nearby domestic water, sink waste, garbage disposal, flush comfort station and picnic table.

"State park area" shall mean any area under the ownership, management, or control of the commission, including trust lands which have been withdrawn from sale or lease by order of the commissioner of public lands and the management of which has been transferred to the commission, and specifically including all those areas defined in WAC 352-16-020. State park areas do not include the seashore conservation area as defined in RCW 43.51.655 and as regulated under chapter 352-36 WAC.

"Trailer dump station" shall mean any state park sewage disposal facility designated for the disposal of sewage waste from any recreation vehicle, other than as may be provided in a utility campsite.

"Upland" shall mean all lands lying above mean high water.

"Utility campsite" shall mean a standard campsite with the addition of electricity and which may have domestic water and/or sewer.

"Water trail advisory committee" shall mean the twelve-member committee constituted by RCW 43.51.456.

"Water trail camping sites" shall mean those specially designated group camp areas identified with signs, that are near water ways, and that have varying facilities and extent of development.

[Statutory Authority: RCW 43.51.180. 96-02-015, § 352-32-010, filed 12/21/95, effective 1/21/96. Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-010, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060 and 43.51.395. 95-07-061, § 352-32-010, filed 3/13/95, effective 4/13/95. Statutory Authority: RCW 43.51.040. 94-23-024, § 352-32-010, filed 11/7/94, effective 1/1/95. Statutory

Authority: RCW 43.51.060. 94-08-036, § 352-32-010, filed 3/31/94, effective 5/1/94. Statutory Authority: RCW 43.51.040. 94-01-087, § 352-32-010, filed 12/13/93, effective 1/13/94; 93-08-025, § 352-32-010, filed 3/30/93, effective 5/1/93; 93-06-001, § 352-32-010, filed 2/17/93, effective 3/20/93; 91-09-001, § 352-32-010, filed 4/4/91, effective 5/15/91. Statutory Authority: RCW 43.51.040 and 43.51.060. 89-07-020 (Order 89-01), § 352-32-010, filed 3/7/89. Statutory Authority: RCW 46.10.040, 43.51.040 and 43.51.060. 87-24-032 (Order 102), § 352-32-010, filed 11/24/87. Statutory Authority: RCW 43.51.040 and 43.51.060. 87-08-008 (Order 100), § 352-32-010, filed 3/23/87, effective 5/15/87; 86-06-020 (Order 91), § 352-32-010, filed 2/25/86; 81-09-034 (Order 50), § 352-32-010, filed 4/14/81. Statutory Authority: RCW 43.51.040. 80-14-009 (Order 48), § 352-32-010, filed 9/22/80. Statutory Authority: RCW 43.51.040 and 43.51.060. 80-05-007 (Order 45), § 352-32-010, filed 4/4/80; Order 9, § 352-32-010, filed 11/24/70.]

**WAC 352-32-030 Camping.** (1) Camping facilities of the state parks within the Washington state parks and recreation commission system are designed and administered specifically to provide recreational opportunities for park visitors. Use of park facilities for purposes which are of a nonrecreational nature, such as long-term residency at park facilities, obstructs opportunities for recreational use, and is inconsistent with the purposes for which those facilities were designed.

No person or camping unit may use any state park facility for residence purposes, as defined (WAC 352-32-010(17)).

(2) No person shall camp in any state park area except in areas specifically designated and/or marked for that purpose or as directed by a ranger.

(3) Occupants shall vacate camping facilities by removing their personal property therefrom prior to 1:00 p.m., (or other appropriate, established time in parks where camping is reserved) if the applicable camping fee has not been paid or if the time limit for occupancy of the campsite has expired or the site is reserved by another party. Remaining in a campsite beyond the established checkout time shall subject the occupant to the payment of an additional camping fee.

(4) Use of utility campsites by tent campers shall be subject to payment of the utility campsite fee except when otherwise specified by a ranger.

(5) A campsite is considered occupied when it is being used for purposes of camping by a person or persons who have paid the camping fee within the applicable time limits or when it has been reserved through the appropriate procedures of the reservation system. No person shall take or attempt to take possession of a campsite when it is being occupied by another party, or when informed by a ranger that such site is occupied, or when the site is posted with a "reserved" sign. In the case of a reserved site, a person holding a valid reservation for that specific site may occupy it according to the rules relating to the reservation system for that park. In order to afford the public the greatest possible use of the state park system on a fair and equal basis, campsites in those parks not on the state park reservation system will be available on a first-come, first-serve basis. No person shall hold or attempt to hold campsite(s), for another camping unit for present or future camping dates, except as prescribed for multiple campsites. Any site occupied by a camping unit must be actively utilized for camping purposes.

(6) One person may register for one or more sites within a multiple campsite by paying the multiple campsite fee. Registration preference will be given to multiple camping units who want to use multiple sites. An individual may register and hold a multiple campsite for occupancy on the same day by other camping units. Multiple campsites in designated reservation parks are reservable under the reservation system.

(7) In order to afford the general public the greatest possible use of the state park system, on a fair and equal basis, and to prevent residential use, continuous occupancy of facilities by the same camping unit shall be limited to ten consecutive nights in one park, after which the camping unit must vacate the site for three consecutive nights, May 1 through September 30, not to exceed twenty days in a thirty-day time period; and fifteen consecutive nights in one park, after which the camping unit must vacate the site for three consecutive nights, October 1 through April 30, not to exceed thirty days in a sixty-day time period. This limitation shall not apply to those individuals who meet the qualifications of WAC 352-32-280 and 352-32-285.

(8) Only one camping unit with a maximum of eight people shall be permitted at a campsite, unless otherwise authorized by a ranger. The number of vehicles occupying a campsite shall be limited to one car or one recreational vehicle: *Provided*, That one additional vehicle without built-in sleeping accommodations may occupy a designated campsite when in the judgment of a ranger the constructed facilities so warrant. The number of tents allowed at each campsite shall be limited to the number that will fit on the designated or developed tent pad as determined by a ranger.

(9) Persons traveling by bicycles, motor bikes or other similar modes of transportation and utilizing campsites shall be limited to eight persons per site, provided no more than four motorcycles shall occupy a campsite.

(10) Water trail camping sites are for the exclusive use of persons traveling by human and wind powered beachable vessels as their primary mode of transportation to the areas. Such camping areas are not subject to the campsite capacity limitations as otherwise set forth in this section. Capacities for water trail camping sites may be established by the ranger on an individual basis and are subject to change based upon the impacts to the area. All persons using water trail camping sites shall have in their possession a valid water trail permit.

(11) Overnight stays (bivouac) on technical rock climbing routes will be allowed as outlined in the park's site specific climbing management plan. All litter and human waste must be contained and disposed of properly.

(12) Emergency camping areas may be used only when all designated campsites are full and at the park manager's discretion. Persons using emergency areas must pay the primitive campsite fee and must vacate the site when directed by the park manager.

(13) Designated overflow camping areas may be used only when all designated campsites in a park are full and the demand for camping in the geographic area around the park appears to exceed available facilities. Persons using overflow camping areas must pay the primitive campsite fee. If a nearby flush comfort station is available, persons using overflow camping areas must pay the standard campsite fee.

(14) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.180. 96-02-015, § 352-32-030, filed 12/21/95, effective 1/21/96. Statutory Authority: RCW 43.51.040 and [43.51.060. 95-22-067, § 352-32-030, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. 94-23-024, § 352-32-030, filed 11/7/94, effective 1/1/95; 93-06-001, § 352-32-030, filed 2/17/93, effective 3/20/93. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-32-030, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. 87-08-008 (Order 100), § 352-32-030, filed 3/23/87, effective 5/15/87; 86-06-020 (Order 91), § 352-32-030, filed 2/25/86; 83-09-031 (Resolution No. 67), § 352-32-030, filed 4/15/83; 82-09-035 (Order 60), § 352-32-030, filed 4/14/82; 81-09-034 (Order 50), § 352-32-030, filed 4/14/81; 80-05-007 (Order 45), § 352-32-030, filed 4/4/80. Statutory Authority: RCW 43.51.040(2) and 43.51.060(6). 78-05-082 (Order 39), § 352-32-030, filed 5/1/78; Order 33, § 352-32-030, filed 4/28/77; Order 9, § 352-32-030, filed 11/24/70.]

**WAC 352-32-035 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 352-32-036 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 352-32-037 Environmental learning centers.**

All ELCs are reservable by:

- (1) Complying with the reservation procedure; and
- (2) Paying the appropriate fees and deposits both of which are published by state parks.

Use of ELCs shall be on a first-come-first-served basis if the facility is not reserved.

[Statutory Authority: RCW 43.51.040 and [43.51.060. 95-22-067, § 352-32-037, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060 and 43.51.395. 95-07-061, § 352-32-037, filed 3/13/95, effective 4/13/95. Statutory Authority: RCW 43.51.040 and 43.51.060. 83-09-031 (Resolution No. 67), § 352-32-037, filed 4/15/83. Statutory Authority: RCW 43.51.040. 80-14-009 (Order 48), § 352-32-037, filed 9/22/80.]

**WAC 352-32-045 Reservations for use of designated group facilities.** (1) All designated group facilities shall be reservable by groups. A group is defined as 20 or more people engaged together and commonly in outdoor recreation at one park location.

(2) All designated group facilities shall have a predetermined use capacity. No group exceeding this capacity in number shall use these areas. Groups making reservations shall be charged the applicable group fee for the minimum of 20 people, if less than that number actually use the group facility.

(3) Use of designated group facilities may be by reservation. Requests made at the park for reservations for groups of 20 to 250 shall be made 15 days in advance and for groups in excess of 250 shall be made 30 days in advance of the proposed use date, using the group use permit. All conditions outlined on the group use permit shall be binding on the group.

(4) Submittal of the group use permit request, payment of appropriate fees, which may include a nonrefundable reservation transaction fee, a first day/night use fee and a damage deposit are required for the use of these facilities. Fees are published by state parks. In those cases where the fee is submitted at a later date, it must be paid by certified check, bank money order, or postal money order. Refunds

will be made only to those groups which cancel their reservations thirty or more days before the effective date of the reservations.

(5) For overnight group use, parking will be in the provided, defined areas. If additional parking is required, it may be available in the park's extra vehicle parking facility following the payment of the appropriate extra vehicle parking fee.

(6) A damage deposit may be required by the park manager as part of the reservation. In those cases where the deposit is submitted at a date later than the reservation request, it must be paid by certified check, bank money order, or postal money order. This deposit shall be held by the Washington state parks and recreation commission to encourage the cleanliness and good order of the group facility. Deposits are published by state parks with the schedule of fees. Refund of this deposit shall be determined after an inspection of the area by a ranger and the individuals responsible for the group.

(7) Facility reservations made at the park will be accepted for the calendar year, on or after the first working day in January of that calendar year. Reservations shall be made by a person of the age of majority, who must be in attendance during the group's activities. Reservations at the parks will be accepted in writing, in person, or by phone at the discretion of the park manager. In person and phone reservation requests shall only be accepted during normal park operation hours. All reservation requests will be processed in order of arrival. Group facility areas not reserved are available on a first-come, first-serve basis.

(8) Any group wishing to sell or dispense alcoholic beverages must request and obtain all appropriate licenses and permits. In order to sell alcoholic beverages, the group must obtain a temporary concession permit from the headquarters office of the Washington state parks and recreation commission.

(9) It shall be within the authority of the park manager, or his representative, to rescind the rights of a reservation, and remove from the park, any or all members of the group whose behavior, at any time, is in conflict with any state laws, becomes detrimental to the health and safety of the group or other park users, or becomes so unruly as to affect the reasonable enjoyment of the park by other park users.

[Statutory Authority: RCW 43.51.040 and [43.51.060. 95-22-067, § 352-32-045, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. 94-23-024, § 352-32-045, filed 11/7/94, effective 1/1/95. Statutory Authority: RCW 43.51.060. 94-08-036, § 352-32-045, filed 3/31/94, effective 5/1/94. Statutory Authority: RCW 43.51.040. 91-09-001, § 352-32-045, filed 4/4/91, effective 5/15/91; 90-07-062, § 352-32-045, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. 88-07-074 (Order 103), § 352-32-045, filed 3/18/88, effective 5/15/88; 83-09-031 (Resolution No. 67), § 352-32-045, filed 4/15/83; 82-09-035 (Order 60), § 352-32-045, filed 4/14/82; 80-05-007 (Order 45), § 352-32-045, filed 4/4/80; Order 32, § 352-32-045, filed 4/28/77.]

**WAC 352-32-047 Special recreation event permit.**

Any person or group, hereinafter referred to as the "applicant," desiring to make use of a portion of a state park for a special recreation event which will require special planning, facilities, staffing, or environmental protection measures, or the closure of the area to, or restriction of, established recreational uses, shall apply for a special recreation event permit. The director or designee may consult with the

appropriate local government in reviewing the application and may issue a permit according to the criteria listed below. The permit may set forth certain conditions including but not limited to the closure of the specified area to other recreational activities, including motor vehicle traffic, which are determined to have the potential to interfere with the event or which could risk the safety of the recreating public or the special event participants. However, no such permit may result in the unreasonable exclusion of recreationists from the remainder of the park. All events authorized under this permit shall be open to public participation and/or observation at the option of the applicant.

In determining whether to issue the permit, the director or designee will review the proposal for consistency with the following criteria:

- (1) The event is consistent with activities that are appropriate for a specific park classification;
- (2) The event will not exceed nor damage facilities or resources or interfere with park operations;
- (3) The event will not disrupt wildlife;
- (4) Past experience has not shown that the applicant has failed to comply with laws or regulations or satisfactory conduct of a previous event;
- (5) The event does not present a clear and present danger to the public health and safety;
- (6) A prior applicant for another event for the same general time and place;
- (7) The event will not unreasonably conflict with all park user's recreational pursuits;
- (8) The event will conform with all of the applicable statutes, rules, policies, and procedures of the commission and instructions of the commission staff who supervise the event.

A special recreation event permit shall be issued only for recreational events where there is a reasonable expectation that a minimum of twenty persons will participate. The event must be oriented towards a recreational pursuit. Not more than three permits will be issued to a given applicant for a similar event at the same park during a one-year period.

Persons or organizations that desire to conduct a special recreation event in a state park shall submit a permit application obtainable at any state park and the basic permit application fee as published by state parks to the park where the event is proposed to take place.

Such application shall be submitted at least thirty days in advance of the proposed date of the event, to allow, where applicable, for necessary internal review and analysis, consultation with local governments, public notice, establishment of permit conditions, and required agency preparations and coordination. The director or designee shall approve or disapprove a permit application and establish the conditions for an approved application. The permittee must pay any fees published by state parks for the use of park lands or facilities. The director or designee shall determine the need for any fees necessary to cover costs incurred by the agency for additional staffing, equipment, facilities, or special services not normally provided by state parks, as well as the need for any bond, damage deposit, or liability insurance arising from any potential hazards associated with the conduct of the event. Any such fees, bond, damage deposit,

or liability insurance shall be provided by the applicant prior to the issuance of the permit.

If additional unanticipated costs are incurred by the commission resulting from the event, the applicant shall reimburse the commission for such costs in a timely manner. If the additional costs are not paid, the director may recover such costs from the bond or damage deposits provided. Any funds remaining from the bond or damage deposit shall be returned to the applicant.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-047, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040 and 43.51.060. 89-07-020 and 89-07-098 (Orders 89-01 and 89-01-A), § 352-32-047, filed 3/7/89 and 3/22/89.]

**WAC 352-32-050 Park periods.** (1) The director shall establish for each state park area, according to existing conditions, times, and periods when it will be open or closed to the public. Such times and periods shall be posted at the entrance to the state park area affected and at the park office. No person shall enter or be present in a state park area after the posted closing time except:

- (a) Currently registered campers who are camping in a designated campsite or camping area;
- (b) Guests of a currently registered camper who may enter and remain until 10:00 p.m.;
- (c) Guests of a state park employee;
- (d) Technical rock climbers who bivouac on vertical climbing routes not otherwise closed to public use.

(2) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.180. 96-02-015, § 352-32-050, filed 12/21/95, effective 1/21/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-32-050, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. 90-07-062, § 352-32-050, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. 86-06-020 (Order 91), § 352-32-050, filed 2/25/86; 80-05-007 (Order 45), § 352-32-050, filed 4/4/80; Order 21, § 352-32-050, filed 3/20/75; Order 9, § 352-32-050, filed 11/24/70.]

**WAC 352-32-060 Pets.** (1) All pets or domestic animals must be kept on leash no greater than eight feet in length, or otherwise physically restrained, and under control at all times while in a state park area.

(2) Pets and domestic animals may not be allowed to dig or otherwise disturb or damage the natural or cultural features of any state park area.

(3) In any state park area, pets or domestic animals, except for guide dogs, are not permitted on any designated swimming beach; within a natural area preserve; during the skiing season on any designated alpine ski site or cross country ski trail in which the track has been prepared, set, or groomed; or in any public building unless so posted.

(4) In any state park area, pets or domestic animals, except for guide dogs, may be prohibited for the protection of wildlife, sensitive natural systems, special cultural areas, or for other purposes, if approved by the director or designee and so posted.

(5) No person shall allow his /her pet or domestic animal to bite or in any way molest or annoy other park visitors. No person shall permit his /her pet or domestic

animal to bark or otherwise disturb the peace and tranquillity of the park.

(6) Any person bringing a pet or domestic animal into a state park area shall dispose of animal feces in a plastic or paper sack. The sack shall then be deposited in a solid waste container.

(7) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

(8) This section shall not apply to the recreational use of horses, llamas, sled dogs, or similar animals as authorized by WAC 352-32-070.

[Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. 96-01-078, § 352-32-060, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-32-060, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. 86-20-020 (Order 96), § 352-32-060, filed 9/22/86; 82-12-008 (Order 61), § 352-32-060, filed 5/21/82; Order 9, § 352-32-060, filed 11/24/70.]

**WAC 352-32-070 Use of horses, llamas, sled dogs or similar animals for recreation.** (1) No horses, llamas, sled dogs or similar animals for recreation shall be permitted in any state park area, except where designated and posted to specifically permit, or conditionally permit, such activity.

(2) Horses, llamas, sled dogs or similar animals for recreation shall not be permitted in any designated swimming areas, campgrounds - except designated horse- or pack-oriented camping areas - or picnic areas, nor within a natural area preserve.

(3) Horses, llamas, sled dogs or similar animals for recreation shall not be permitted within natural areas or natural forest areas, except that relocation of existing equestrian or other similar trails into natural areas or natural forest areas may be permitted upon a finding by the director that such relocation is for the purpose of reducing overall resource impacts to a state park area.

(4) No person shall ride any horse or other animal in such a manner that might endanger life or limb of any person or animal, and no person shall allow a horse or other animal to stand unattended or insecurely tied.

(5) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. 96-01-078, § 352-32-070, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-32-070, filed 9/17/92, effective 10/18/92; Order 9, § 352-32-070, filed 11/24/70.]

**WAC 352-32-075 Use of nonmotorized cycles or similar devices.** (1) Whenever used in this section, nonmotorized cycle or similar device shall mean any wheeled, operator-propelled equipment that transports the operator on land, including cycles, roller blades and skateboards, but not including wheelchairs or other devices utilized by persons with disabilities.

(2) Operation of nonmotorized cycles or similar devices shall be permitted upon roads and trails in state park areas, except:

(a) Where posted with prohibitory signing by approval of the director or designee. Prior to such posting, a public meeting shall be advertised and conducted in the region

where the park is located. A closure decision shall be based on an evaluation of the degree of conflict with other park users, public safety, or damage to park resources and/or facilities related to these devices.

(b) Within designated natural areas, natural forest areas, or natural area preserves: *Provided*, That relocation of existing nonmotorized trails into natural areas or natural forest areas may be permitted upon a finding by the director that such relocation is for the purpose of reducing overall resource impacts to a state park area.

(c) Upon designated special use trails such as interpretive or exercise trails.

(d) Upon docks, piers, floats, and connecting ramps.

(3) Persons operating such devices in state park areas shall:

(a) Obey regulatory signs, including those permanently or temporarily erected, that govern the timing, location, speed, type and/or manner of operation, designed to promote visitor health and safety.

(b) Restrict speed and manner of operation to reasonable and prudent practices relative to terrain, prevailing conditions, equipment, personal capabilities, personal safety, and the safety of all other park visitors.

(c) Yield the right of way to pedestrians.

(d) Dismount and walk in congested areas and posted walk zones.

(e) Slow down, make presence known well in advance, and use courtesy and caution when approaching or overtaking other persons.

(f) Display adequate lighting during hours of darkness.

(g) Use caution when approaching turns or areas of limited sight distance.

(h) Not disturb or harass wildlife.

(i) When on public roads within a state park area, operate in compliance with any additional requirements of RCW 46.61.750, Effect of regulations—Penalty.

(4) The director or designee may designate trails for preferential use by cyclists and may specifically authorize use of any facilities for special cycling recreation events, excluding roads or trails specified in subsection (2) of this section.

(5) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. 96-01-078, § 352-32-075, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-32-075, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. 89-01-034 (Order 108), § 352-32-075, filed 12/13/88.]

**WAC 352-32-085 Technical rock climbing.** (1) Whenever used in this section, technical rock climbing shall mean climbing while using such aids as pitons, carabiners or snap links, chalk, ropes, fixed or removable anchors, or other similar equipment. Technical rock climbing includes bouldering and free soloing (respectively low and high elevation climbing without ropes).

(2) Technical rock climbing will be allowed in state parks except it is:

(a) Not permitted in natural area preserves;

(b) Conditioned in heritage areas, natural areas and natural forest areas;



(c) Not permitted where the director or designee has closed the area pursuant to subsection (3) of this section;

(d) Limited in state park areas without climbing management plans pursuant to subsection (6) of this section to the use of routes with established fixed protection, new routes that do not use fixed protection, nor require gardening/cleaning with any type of cleaning tool;

(e) Not permitted in state park areas closed to public use.

(3) The director or designee may, permanently or for a specified period or periods of time, close any state park area to technical rock climbing if the director or designee concludes that a technical rock climbing closure is necessary for the protection of the health, safety and welfare of the public, park visitors or staff, or park resources. Prior to closing any park or park area to technical rock climbing, the director or the designee shall hold a public meeting in the general area of the park or park area to be closed to technical rock climbing. Prior notice of the meeting shall be published in a newspaper of general circulation in the area and at the park at least thirty days prior to the meeting. In the event that the director or designee determines that it is necessary to close a rock climbing area immediately to protect against an imminent and substantial threat to the health, safety and welfare of the public, park visitors or staff, or park resource, the director or designee may take emergency action to close a park or park area to rock climbing without first complying with the publication and hearing requirements of this subsection. Such emergency closure may be effective for only so long as is necessary for the director to comply with the publication and hearing requirements of this subsection.

(4) The director or designee shall ensure that any park or park area closed to technical rock climbing pursuant to subsection (3) of this section is conspicuously posted as such at the entrance of said park or said park area. Additionally, the director shall maintain a list of all parks and park areas closed to technical rock climbing pursuant to subsection (3) of this section.

(5) The director or designee shall establish a committee of technical rock climbers, to advise park staff on park management issues related to technical rock climbing for each state park area where deemed necessary by the agency.

(6) Each state park area with an established advisory committee of technical rock climbers will have a climbing management plan which will specify technical rock climbing rules concerning overnight stays on climbing routes, bolting, power drills, stabilization of holds, group size and activities, gardening/cleaning of routes pursuant to chapter 352-28 WAC and RCW 43.51.180, chalk, special use designations for climbing areas, protection of sensitive park resources, and other such issues required by the director. Climbing management plans that relate to natural forest areas or heritage areas must be approved by the commission. The director shall ensure that any technical rock climbing rules contained in a climbing management plan are conspicuously posted at the entrance of the affected park area.

(7) Bolting will be allowed as specified in climbing management plans.

(8) The use of power drills will be allowed only if the park climbing management plans specifically permit under

specified conditions for bolt replacement and bolt installation on new routes. They are otherwise prohibited.

(9) The addition of holds onto the rock face by any means, including gluing, chipping, or bolting is prohibited.

(10) Except as provided in WAC 352-32-310, any violation of this section and rules contained in the park management plan and posted at the park is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.180. 96-02-015, § 352-32-085, filed 12/21/95, effective 1/21/96.]

**WAC 352-32-150 Fishing.** (1) For the purposes of this section, the following definition applies: Fish are defined as all marine and freshwater fish and shellfish species including all species of aquatic invertebrates.

(2) Except for those state park areas in which harvest has been prohibited pursuant to subsection (3), (4), or (5) of this section, all state park areas are open for the harvest of fish, subject to all laws, rules, and regulations of the state department of fish and wildlife relating to seasons, limits, and methods of harvest. The director may develop or amend a memorandum of agreement with the state department of fish and wildlife to guide management of state park fishing areas.

(3) No person shall remove or cause to be removed any fish from any state park area except for food fish as defined by WAC 220-12-010, shellfish as defined by WAC 220-12-020, and game fish as defined by RCW 77.08.020 and WAC 232-12-019.

(4) The commission may, after consultation with the state department of fish and wildlife and local tribes, close state park areas to the harvest of some or all species of fish. Such state park areas shall be conspicuously posted as closed to harvest.

(5) The director may temporarily close any state park area to the harvest of some or all species of fish. Any such closure may be for only so long as is necessary to bring the issue before the commission at its next scheduled regular meeting. Such state park areas shall be conspicuously posted as closed to harvest.

(a) Prior to closing any park area pursuant to this subsection, the director or the director's designee shall hold a public hearing in the general vicinity of the park area to be closed. Prior notice of the public hearing shall be published in a newspaper of general circulation in the vicinity.

(b) In the event the director determines that an immediate harvest closure is necessary to protect against an imminent and substantial threat to the health, safety, and welfare of the public, park visitors or staff or commission property, the director may take emergency action to close a park to the harvest of fish without first complying with the publication and hearing requirements of this subsection. Such emergency closures may be effective for only so long as is necessary for the director to comply with the publication and hearing requirements of this subsection.

(6) A list of the state park areas closed pursuant to subsection (4) or (5) of this section shall be maintained by the director or the director's designee and be available to the public upon request.

(7) No person shall harvest or possess any fish from within a state park area posted as closed to harvest pursuant



to subsection (4) or (5) of this section, except as necessary for scientific research authorized in writing by state parks.

[Statutory Authority: RCW 43.51.180(3). 96-01-030, § 352-32-150, filed 12/11/95, effective 1/11/96; Order 19, § 352-32-150, filed 2/17/94; Order 9, § 352-32-150, filed 11/24/70.]

**WAC 352-32-165 Public assemblies, meetings.** (1) Public assemblies are permitted in state park areas on grounds which are open to the public generally, provided a permit therefor has been issued as herein provided.

(2) An application for such a permit may be submitted on such forms as may be provided by the commission, or in any written form so long as the permit application sets forth the following:

- (a) Name, address and phone number of the applicant;
  - (b) Date, time, duration, nature and place of the proposed event, including a description or schedule of events and activities;
  - (c) Estimate of the number of persons expected to attend including the basis for the estimate;
  - (d) Special equipment, including temporary structures such as speakers' stands, platforms, lecterns, chairs, benches or the like, and any sound amplification equipment to be used in connection with the event;
  - (e) Special facilities, including emergency first aid, additional sanitation and refuse collection facilities, to be used in connection with the event;
  - (f) Crowd control to be provided by the event sponsor;
  - (g) Designation of a responsible contact individual with whom park officials may coordinate event activities, plans and preparations.
- (3) The equipment and facilities referenced in subsection (2)(d) and (e), of this section, are to be provided by the event sponsor, unless other mutually satisfactory arrangements are made to use locally available commission owned equipment and facilities.

(4) The applicant must supply satisfactory evidence of arrangements for such equipment, facilities, and crowd control.

(5) The applicant must submit a completed environmental checklist along with the application. Environmental checklists are available at libraries, city planning offices, state parks, and similar outlets. Upon request, the agency will assist the applicant in completing the environmental checklist.

(6) It is recommended that permit applications be submitted at least fifteen days in advance of the proposed event so that the information supplied in the application may be verified and so that the agency can notify and coordinate action with officials of other jurisdictions and agencies responsible for health, safety and welfare.

(7) The permit application must be submitted along with a nonrefundable permit fee as published by state parks to the director of the Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, Washington 98504. The director, or his or her designee, may issue a permit consistent with the application, or otherwise modified in a manner which is acceptable to the applicant. The director will issue a permit on proper application unless:

(a) A prior application for the same time and place has been made which has been or will be granted; or

(b) The event will present a clear and present danger to the public health or safety; or

(c) The event is of such nature or duration that it cannot reasonably be accommodated in the particular park area applied for. In considering this, the director shall take into account the potential for significant environmental impact.

(8) All permit applications shall be deemed granted if not denied or otherwise conditioned or limited as herein specified, and the applicant advised of such action by written notification mailed, first-class postage prepaid, within ten days of receipt of the application. The granting of this permit does not exempt the applicant from complying with other state, county or local permit requirements nor does it excuse compliance with the State Environmental Policy Act, where applicable. A threshold determination will be made by the agency to determine potential environmental impact. Applicants should be aware that timelines may exist under the state Environmental Policy Act and implementing regulations which are independent of this permit requirement.

(9) All permit denials will be in writing, will contain a statement of the specific reasons for the denial, and will advise the applicants of the right to request judicial review of the denial as provided in subsection (11) of this section.

(10) A permit issued by the director may contain such conditions as are reasonably consistent with protection and use of the park area for the purposes for which it is maintained. It may also contain reasonable limitations on the time and area within which the event is permitted.

(11) Applicants whose permit application is denied may in writing request that the commission seek judicial review of the denial, in which event the commission shall timely seek a declaratory judgment pursuant to the Uniform Declaratory Judgment Act, chapter 7.24 RCW, and Superior Court Rule 57, in the superior court for Thurston County. Such requests shall be mailed, or otherwise delivered to the Director, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, Washington 98504.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-165, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 46.10.040, 43.51.040 and 43.51.060. 87-24-032 (Order 102), § 352-32-165, filed 11/24/87. Statutory Authority: RCW 43.51.040 and 43.51.060. 86-08-014 (Order 92), § 352-32-165, filed 3/24/86; 83-08-032 (Resolution No. 66), § 352-32-165, filed 3/31/83.]

**WAC 352-32-195 Solicitation.** Except as may be otherwise allowed in connection with a permit issued under WAC 352-32-165 or 352-32-047, or a cooperative agreement pursuant to RCW 43.51.060(2), no person shall engage in solicitation, or sell or peddle any services[,] goods, wares, merchandise, liquids, or edibles for human consumption in any state park area, except by concession or permit granted by the commission. Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-195, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040 and 43.51.180. 94-16-026, § 352-32-195, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-32-195, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. 83-13-089 (Resolution No. 70), § 352-32-195, filed 6/17/83.]

**WAC 352-32-200 Penalties.** (1) In addition to the penalty provided in RCW 43.51.180, or any other existing or future law of the state of Washington, failure to comply with any section of this chapter, or of any other chapter of this title, or any other rule or regulation of the commission, or with any other federal, state, or local law, rule, or regulation applicable under the circumstances, shall subject the person so failing to comply to ejection from any state park area.

(2) All drug or alcohol related misconduct for which a citation is issued shall additionally subject the individual to expulsion from all lands administered by the commission for the following periods:

(a) One incident shall result in a twenty-four-hour expulsion.

(b) Two incidents shall result in a thirty-day expulsion.

(c) Three incidents shall result in a one-year expulsion.

(3) It shall be a civil infraction, under chapter 7.84 RCW, to fail to abide by a prominently posted restriction on the public use of park property.

[Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. 96-01-078, § 352-32-200, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040. 91-07-014, § 352-32-200, filed 3/12/91, effective 4/12/91; Order 9, § 352-32-200, filed 11/24/70.]

**WAC 352-32-250 Standard fees charged.** Fees shall be charged in parks operated by the Washington state parks and recreation commission for use of lands, facilities, programs, services, and materials as published by state parks: *Provided, however,* That the director has the authority to discount fees to a maximum of 50% below the published fee amounts in order to take advantage of marketing opportunities to encourage use and increase revenues. Any such discounts shall be effective for a limited period of time less than one year in duration. The director may consider the following factors in discounting fees:

Prevailing rates for comparable facilities;

Day of the week;

Season of the year;

Amenities of the park area and site;

Demand for facilities; and

Such other considerations as the director deems appropriate. The director may also waive fees for marketing or promotional purposes or to redress visitor complaints, provided, however, that annual fees may not be waived.

(1) The director may authorize reciprocity with other state or federal agencies for the use of annual permits of like services, provided, that Washington licensed vehicles and/or residents shall be required to have and/or display the appropriate Washington permit;

(2) Overnight camping - standard campsite; utility campsite; emergency campsite; overflow campsite; primitive campsite for nonmotorized vehicle; primitive campsite for motorized vehicle - fees will be charged as published by state parks. Payment for utility campsite will be collected whether utility hookups are actually used or not, except when otherwise specified by a ranger;

(3) Overnight camping - multiple campsites: Where campsites are designated and posted as a "multiple campsite," an individual may rent the multiple campsite by paying the multiple campsite fee. The multiple campsite fee will be calculated by multiplying the standard utility or primitive

campsite fee, as applicable, by the number of individual campsites to be used in the designated multiple campsite;

(4) Group camping area - certain parks: Individual camping units using these facilities must pay the primitive campsite fee or other appropriate fee based on facilities available;

(5) Environmental interpretation:

(a) Service fees will be established by the director in order to recover, to the maximum extent practicable, all direct and indirect costs of environmental interpretation services on a program-wide basis based on anticipated attendance.

(b) Material and publication fees will be established by the director. All material and publication fees will be deposited in the parks improvement account to be used for purposes specified in RCW 43.51.052.

(c) Facility use, including environmental learning center fees, will be established by the commission. A facility use fee schedule is available by contacting Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, WA 98504-2650;

(6) Adirondacks - not to include those located in ELC areas: Occupancy shall be limited to the number of built-in bunks provided;

(7) Extra vehicle overnight parking fee will be charged for each additional unhitched vehicle in excess of the one recreational vehicle allowed at each campsite: *Provided,* An extra vehicle overnight parking fee shall not be imposed when the recreational vehicle and the towed vehicle arrive at the park hitched together, and after the camper has registered for and occupied the assigned campsite either the recreational vehicle or the towed vehicle remain parked at the campsite for the duration of the camper's stay;

(8) Unattended vehicle overnight parking permit: Unoccupied vehicles parked overnight in designated areas must register and pay the nightly permit fee. The permit must be prominently displayed in the vehicle;

(9) Boat launch permit fee - charged according to facilities provided. Boat launch permit shall not be required for:

(a) Vehicles registered for camping or overnight mooring in the park containing the boat launch area;

(b) Vehicles of persons using any recreational housing or conference facilities at Fort Worden State Park;

(c) Vehicles of persons holding limited-income senior citizen, disability or disabled veteran passes;

(d) Vehicles displaying a valid annual boat launch permit;

(10) Annual boat launch permit valid January 1 - December 31 at any launch designated by the commission. Permit must be displayed as instructed on permit backing;

(11) Trailer dump station fee - Fee shall not be required for registered camping vehicles in the park containing the dump station;

(12) Popular destination park - a surcharge will apply for use of standard or utility campsite located in a popular destination park during such periods as the director may specify;

(13) Water trail site permits -

(a) Unlimited use within the calendar year, annual fee to be set by the director after consultation with the water trail advisory committee, based on a cumulative charge of

\$1.00 per site available for public use at the start of the calendar year;

(b) One day/night use within the calendar year, annual fee to be set by the director after consultation with the water trail advisory committee, based on a cumulative charge of \$.35 per site available for public use at the start of the calendar year;

(c) For children under 13 years of age the permits shall be issued at no cost;

(d) Water trail permits issued to persons by another state or Canadian province will be honored provided that a similar reciprocal provision for Washington water trail permit holders is issued by that state or province;

(e) Water trail permits will be issued to holders of Washington state parks passes (WAC 352-32-251) for the applicable discounts;

(14) A surcharge per collection shall be assessed for any staff collected fee at a self-registration overnight facility;

(15) Group day use facilities - a minimum daily permit fee will be charged for groups of 20 or more;

(16) Reservation transaction - fee will be charged as published by state parks;

(17) Moorage facilities - fee will be charged as published by state parks;

(18) Hot showers, electric stoves - fees will be charged as published by state parks. Fees published by state parks do not apply in those circumstances set forth in WAC 352-32-280 and 352-32-285 as now or hereafter amended.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-250, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060 and 43.51.395. 95-07-061, § 352-32-250, filed 3/13/95, effective 4/13/95. Statutory Authority: RCW 43.51.040. 94-23-024, § 352-32-250, filed 11/7/94, effective 1/1/95. Statutory Authority: RCW 43.51.060. 94-13-080, § 352-32-250, filed 6/13/94, effective 7/14/94; 94-08-036, § 352-32-250, filed 3/31/94, effective 5/1/94. Statutory Authority: RCW 43.51.040. 93-19-113, § 352-32-250, filed 9/20/93, effective 10/21/93; 93-08-025, § 352-32-250, filed 3/30/93, effective 5/1/93. Statutory Authority: Chapter 43.51 RCW. 92-10-018, § 352-32-250, filed 4/29/92, effective 5/30/92. Statutory Authority: RCW 43.51.040. 91-09-001, § 352-32-250, filed 4/4/91, effective 5/15/91; 90-07-062, § 352-32-250, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. 89-07-020 (Order 89-01), § 352-32-250, filed 3/7/89; 88-07-074 (Order 103), § 352-32-250, filed 3/18/88, effective 5/15/88; 87-08-008 (Order 100), § 352-32-250, filed 3/23/87, effective 5/15/87; Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. 85-08-003 (Order 88), § 352-32-250, filed 3/22/85, effective 5/15/85. Statutory Authority: RCW 43.51.040 and 43.51.060. 84-09-045 (Order 77), § 352-32-250, filed 4/16/84. Statutory Authority: RCW 43.51.055 and 43.51.060. 83-23-094 (Order 71), § 352-32-250, filed 11/22/83. Statutory Authority: RCW 43.51.040 and 43.51.060. 83-09-031 (Resolution No. 67), § 352-32-250, filed 4/15/83; 82-15-059 (Order 62), § 352-32-250, filed 7/20/82; 82-09-035 (Order 60), § 352-32-250, filed 4/14/82; 81-09-034 (Order 50), § 352-32-250, filed 4/14/81; 80-05-007 (Order 45), § 352-32-250, filed 4/4/80. Statutory Authority: RCW 43.51.040(2) and 43.51.060(6). 79-09-077 (Order 42), § 352-32-250, filed 8/30/79, effective 10/1/79; 79-02-032 (Order 41), § 352-32-250, filed 1/23/79, effective 5/1/79; 78-05-082 (Order 39), § 352-32-250, filed 5/1/78; Order 36, § 352-32-050 (codified as WAC 352-32-250), filed 10/11/77; Order 27, § 352-32-250, filed 11/19/76.]

**WAC 352-32-25001 Recreational and conference center housing fees and meeting room fees charged.** Recreation and conference center housing and meeting room fees for Fort Worden State Park are reviewed and modified as necessary by the commission each year. A fee schedule listing these fees is available by contacting Fort Worden State Park, 200 Battery Way, Port Townsend, Washington

98368. In reservation of facilities at Fort Worden State Park, certain deposits and cancellation fees apply. Please consult the annual fee schedule for reservation, deposit and cancellation rules and information. Consistent with the Fort Worden State Park Master Facility Use Plan, conference groups may also reserve campsites in advance as their sole overnight accommodation: *Provided*, That there will be a twenty-site minimum for any individual reservation. During the months of May through September only the upper campground may be reserved by such conference groups. During the months of October through April, all of the upper campground and twenty sites in the beach level campground may be reserved by conference groups.

[Statutory Authority: RCW 43.51.060(6). 95-03-005, § 352-32-25001, filed 1/5/95, effective 2/5/95. Statutory Authority: RCW 43.51.060. 94-04-075, § 352-32-25001, filed 1/31/94, effective 3/3/94. Statutory Authority: RCW 43.51.040. 93-01-029, § 352-32-25001, filed 12/7/92, effective 1/7/93; 91-22-063, § 352-32-25001, filed 11/1/91, effective 12/2/91. Statutory Authority: RCW 43.51.949 and 43.51.060. 90-23-031, § 352-32-25001, filed 11/14/90, effective 1/1/91. Statutory Authority: RCW 43.51.040. 90-07-062, § 352-32-25001, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. 89-22-073, § 352-32-25001, filed 10/31/89, effective 12/1/89; 88-22-050 (Order 107), § 352-32-25001, filed 10/31/88. Statutory Authority: RCW 46.10.040, 43.51.040 and 43.51.060. 87-24-032 (Order 102), § 352-32-25001, filed 11/24/87. Statutory Authority: RCW 43.51.040 and 43.51.060. 86-24-016 (Order 98), § 352-32-25001, filed 11/24/86. Statutory Authority: RCW 43.51.040 and 43.51.060(6). 85-23-069 (Order 90), § 352-32-25001, filed 11/20/85. Statutory Authority: RCW 43.51.040 and 43.51.060. 84-23-049 (Resolution No. 85), § 352-32-25001, filed 11/19/84.]

**WAC 352-32-25002 Campsite and rally area reservations—Fort Worden State Park.** (1) Advance individual campsite reservations will be available at Fort Worden State Park. They may be made throughout the year for no more than ten consecutive nights within the current and first succeeding calendar month, except that a continuous reservation may carry from the end of the first succeeding month into the beginning of the next succeeding month. Reservations may be made by mail, or in person, at Fort Worden State Park, and will require a completed application, the first night's camping fee and the nonrefundable reservation transaction fee published by state parks. Mail-in reservations will be processed in the order that they are received. Reservation requests postmarked earlier than the twentieth day of the preceding month will be returned to the sender. Reservation of campsites will not be accepted by telephone. Walk-in reservations will be accepted beginning the first day of the current month for the current month and the first succeeding month. During the period from the Friday before Memorial Day through Labor Day an individual may reserve no more than ten campsites for use at the same time, and, may reserve campsites for no more than ten nights in each calendar month. Other state parks are subject to continuous occupancy rules provided for in WAC 352-32-030(6).

(2) Reservations for a specific campsite will not be guaranteed.

A refund of the first night's camping fee will be issued for any reservation which is not used, provided a cancellation request is made in person, by mail, or by telephone prior to 5:00 p.m. on the first day of the reservation. Campers will be declared no-show and, in addition to the nonrefundable reservation fee, will forfeit their reservation

as well as the first night's camping fee if they have not cancelled and if the reservation is not claimed by 8:00 a.m. on the day after the confirmed arrival date.

(3) Campers who arrive at the park without a reservation may use unreserved campsites for up to ten consecutive nights during the period from May 1 through September 30 and fifteen consecutive nights during the period from October 1 through April 30, beginning the day of arrival, on a first-come-first-served basis, without paying a reservation fee.

(4) Advance reservations will be available for groups of self-contained recreational vehicles in the Fort Worden State Park rally area. The group must have a minimum of ten recreational vehicles and may not exceed two hundred recreational vehicles. Rally area reservations may be made by contacting Fort Worden State Park.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-25002, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060(6). 95-03-005, § 352-32-25002, filed 1/5/95, effective 2/5/95. Statutory Authority: RCW 43.51.040(2). 92-05-002, § 352-32-25002, filed 2/5/92, effective 3/7/92. Statutory Authority: RCW 43.51.040 and 43.51.060. 86-24-016 (Order 98), § 352-32-25002, filed 11/24/86. Statutory Authority: RCW 43.51.040 and 43.51.060(6). 85-23-069 (Order 90), § 352-32-25002, filed 11/20/85.]

**WAC 352-32-252 Off-season senior citizen pass—Fee.** (1) Persons who are senior citizens, are at least sixty-two years of age, and have been residents of Washington state for at least one year shall, upon application to the commission, receive an off-season senior citizen pass which entitles the holder and the holder's camping unit to camp at any camping areas made available by the commission, as well as use of agency mooring facilities, at no cost beyond the charges provided for in subsection (3) of this section, effective October 1 through March 31, and Sunday through Thursday nights in April as determined by the director and posted. Each such pass shall be valid only during one off-season period.

(2) Applications for off-season senior citizen passes shall be made on forms prescribed by the commission and shall be accepted only after August 1 for the following off-season period.

(3) There shall be a fee for each off-season senior citizen pass. Limited income senior citizen pass holders may purchase the off-season pass at a 50% discount. A surcharge equal to the fee for an electrical hookup published by state parks shall be assessed for each night an off-season senior citizen pass holder uses a campsite with an electrical hookup.

(4) For pass holders who travel by car or recreational vehicle a camping unit shall include the pass holder and up to seven guests of the holder who travel with the holder and use one campsite or portion of a designated group camping or emergency area. One additional vehicle without built-in sleeping accommodations may be part of the camping unit of a holder at one campsite or portion of a designated group camping or emergency area, when in the judgment of a ranger, the constructed facilities so warrant and the total number of guests of the holder do not exceed seven.

(5) For pass holders who travel by a mode of transportation other than car or recreational vehicle a camping unit shall include the pass holder and up to five guests who travel

with the holder and use one campsite or portion of a designated group camping or emergency area.

(6) If a pass holder changes residency to a place outside Washington state during the time period when a pass is valid, the pass holder shall return the pass to the commission.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-252, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060. 94-08-036, § 352-32-252, filed 3/31/94, effective 5/1/94. Statutory Authority: RCW 43.51.040. 93-08-025, § 352-32-252, filed 3/30/93, effective 5/1/93; 91-09-001, § 352-32-252, filed 4/4/91, effective 5/15/91; 90-07-062, § 352-32-252, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. 88-19-087 (Order 106), § 352-32-252, filed 9/19/88; 85-08-003 (Order 88), § 352-32-252, filed 3/22/85, effective 5/15/85. Statutory Authority: RCW 43.51.055 and 43.51.060. 83-23-094 (Order 71), § 352-32-252, filed 11/22/83.]

**WAC 352-32-255 Self-registration.** In those parks so posted by the commission, park visitors shall register for the use of facilities and shall pay the appropriate fee, on a self-registration basis, in accordance with all posted instructions. Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-255, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060. 94-08-036, § 352-32-255, filed 3/31/94, effective 5/1/94. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-32-255, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. 82-09-035 (Order 60), § 352-32-255, filed 4/14/82.]

**WAC 352-32-280 Applicability of standard fees.** The fees published by state parks pursuant to RCW 43.41.060(6), shall not apply in the following circumstances:

(1) Whenever fees are charged by a concessionaire pursuant to a valid concession agreement granted by the commission pursuant to RCW 43.51.040(5).

(2) Whenever fees are established pursuant to a development or management plan authorized or directed to be prepared by the legislature or state agency other than the commission, as, for example the Fort Worden State Park development and management plans.

(3) Whenever any law enforcement officer occupies a campsite if the following conditions are met.

(a) The law enforcement officer's authority is effective in the geographic area where the campsite is located.

(b) The park manager, or his representative, has determined that the officer's police powers may be useful in maintaining a peaceful environment in the park.

(c) The officer agrees to act in his official capacity if requested by park staff.

(4) Whenever any improvement club or voluntary association, or committees representing such clubs or associations, acting pursuant to the commission's permission granted pursuant to RCW 43.51.130 - 43.51.160, utilizes any park facilities. Continuous occupancy of facilities by the same person or persons qualifying under this sub-section shall be limited to 30 consecutive nights, unless otherwise approved by the director.

(5) Whenever any individual, appointed by a court of law to perform work in a park in lieu of other sentencing, utilizes any park facilities.

(6) Whenever any individual utilizes any park facility in accordance with the terms of any contract, lease, or concession agreement, with the commission.

The limit placed on any camper by WAC 352-32-030(5) shall not apply to persons qualifying under this section.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-280, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040 and 43.51.060. 82-09-035 (Order 60), § 352-32-280, filed 4/14/82. Statutory Authority: RCW 43.51.040(2) and 43.51.060(6). 78-05-082 (Order 39), § 352-32-280, filed 5/1/78; Order 34, § 352-32-280, filed 7/29/77.]

**WAC 352-32-285 Applicability of standard fees to volunteers in parks.** The fees published by state parks pursuant to RCW 43.51.060(6) shall not apply whenever any individual, group, organization, association, or agency shall volunteer to perform personal services in lieu of standard fees if the following conditions are met:

(1) The park manager has determined that the personal service is desirable;

(2) The service performed does not replace or supplant that which would otherwise be performed by parks employees or contractors;

(3) The service performed is not one commonly performed by members of an organized trade union;

(4) The service performed does not result in any type of development which will necessarily create future operating costs to the commission;

(5) The volunteer shall perform personal services under the following provisions.

(a) At least four hours of service are provided per day; alternatively

(b) At least twenty-eight hours of service are provided per seven-day week, spread over at least five days.

(c) If more than four hours, but less than twenty-eight hours of volunteer service are provided during a seven-day week, a prorated waiver of fees equivalent to (b) of this subsection may be offered by the park manager.

(d) Volunteer time accumulated may not be carried forward for credit in subsequent weeks.

(e) The waiver of standard fees shall apply only at the park where such personal services were performed.

The limit placed on any camper by WAC 352-32-030(7) shall not apply to persons qualifying under this section. Continuous occupancy of facilities by the same person or persons qualifying under this section shall be limited to thirty consecutive nights, unless otherwise approved by the director or designee.

This section does not expand or limit the provisions of RCW 43.51.130 through 43.51.160.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-285, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. 93-06-001, § 352-32-285, filed 2/17/93, effective 3/20/93. Statutory Authority: RCW 43.51.040 and 43.51.060. 88-15-068 (Order 105), § 352-32-285, filed 7/19/88. Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. 85-08-003 (Order 88), § 352-32-285, filed 3/22/85, effective 5/15/85. Statutory Authority: RCW 43.51.040 and 43.51.060. 82-09-035 (Order 60), § 352-32-285, filed 4/14/82; 81-15-059 (Order 53), § 352-32-285, filed 7/20/81. Statutory Authority: RCW 43.51.040(2) and 43.51.060(6). 78-05-082 (Order 39), § 352-32-285, filed 5/1/78.]

#### **WAC 352-32-290 Wood debris collection permit—**

**Fee.** (1) As used in this section "wood debris" means down and dead tree material that may be removed without significantly adversely impacting the environment of the park at which it is located and that is surplus to the needs of such park.

(2) A person may collect and remove wood debris from a state park area only when a park ranger has issued the person a wood debris collection permit.

(3) A wood debris collection permit is valid only at the state park at which the permit is issued.

(4) Subject to availability, for each wood debris collection permit issued, a person may collect and remove from a state park area not more than five cords of wood debris. Wood debris may be collected only for personal firewood use and only from sites and during time periods designated by a park ranger.

(5) The nonrefundable fee for a wood debris collection permit shall be established by the director consistent with limitations identified in RCW 4.24.210, 43.51.045 and 43.52.065.

(6) This section shall be implemented in compliance with chapter 352-28 WAC.

[Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. 96-01-078, § 352-32-290, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-32-290, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.045. 84-20-071 (Order 83), § 352-32-290, filed 10/2/84.]

### **Chapter 352-37 WAC OCEAN BEACHES**

#### **WAC**

352-37-200

Special group recreation event permit.

#### **WAC 352-37-200 Special group recreation event**

**permit.** (1) Any person or group desiring to make use of a portion of the ocean beaches for a group recreation event which will require the closure of the area to certain conflicting recreational uses, may apply to the director for a special group recreation event permit. The director, or his/her designee, may issue such a permit after consultation with the appropriate local government, if the event does not unduly interfere with normal public recreation. Such authorization shall include the closure of the specified area to recreational activities, including motor vehicle traffic, which are determined to have the potential to interfere with the event or which could risk the safety of the recreating public or the special event participants. However, no such authorization may result in the unreasonable exclusion of pedestrian recreationists from the specified portion of the ocean beach; all events authorized under this permit shall be open to public participation and/or observation.

(2) In determining whether to issue the permit, the director or designee will review the proposal for consistency with established approval criteria developed by the agency, which are designed to ensure the appropriateness of the event to the ocean beaches, and the basis for any associated public recreation restrictions. The criteria are available upon request from the agency.

(3) A special group recreation event permit shall be issued only for recreational events where there is a reasonable expectation that a minimum of twenty persons will participate. The event must be oriented towards a recreational pursuit. Not more than three permits will be issued to a given applicant for the same event during a one-year period. The group recreation activity must be consistent with the seashore conservation area (RCW 43.51.650 through 43.51.685), and may include an activity otherwise excluded under this chapter. Special group recreation events shall not exceed three days or seventy-two hours.

(4) Persons or organizations that desire to conduct a special group recreation event on the ocean beaches shall submit a permit application provided by the director and appropriate fees to the:

Washington State Parks and  
Recreation Commission  
7150 Cleanwater Lane  
P.O. Box 42650  
Olympia, WA 98504-2650

Such application shall be submitted at least fifteen days in advance of the proposed date of the event, to allow for necessary internal review and analysis, consultation with local governments, public notice, establishment of permit conditions, and required agency preparations and coordination. The director or his/her designee shall approve or disapprove a permit application and establish the conditions for an approved application. The permittee must pay any fees published by state parks for the use of park lands or facilities. The director or the designee shall determine the need for any fees necessary to cover costs incurred by the agency, as well as the need for any bond, damage deposit, or liability insurance arising from any potential hazards associated with the character of the event. Any such fees, bond, damage deposit, or liability insurance shall be provided prior to the issuance of the permit.

(5) If additional costs are incurred by the commission resulting from the event, the applicant shall reimburse the commission for such costs in a timely manner. If the additional costs are not paid, the director may recover such costs from the bond or damage deposits provided if previously required. Any funds remaining from the bond or damage deposit shall be returned to the applicant.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-37-200, filed 10/30/95, effective 1/1/96. Statutory Authority RCW 43.51.040. 90-07-050, § 352-37-200, filed 3/19/90, effective 4/19/90.]

#### Chapter 352-68 WAC WATER TRAIL PROGRAMS

##### WAC

352-68-100 Water trail permit—Issuance.

**WAC 352-68-100 Water trail permit—Issuance.** Permits will be issued on a calendar year basis by the commission or its designee upon payment of the permit fee as published by state parks. A valid permit entitles the holder to the use of all designated water trail sites that are open for public use.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-68-100, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.440. 94-23-009, § 352-68-100, filed 11/3/94, effective 12/4/94.]

#### Chapter 352-74 WAC FILMING WITHIN STATE PARKS

##### WAC

352-74-045 Filming fees.

**WAC 352-74-045 Filming fees.** (1) Permit application fee - each application shall be accompanied by the appropriate application fee, based on the amount of time between the date of application and the date of facility use, which shall be in the form of a check or money order payable to the Washington state parks and recreation commission.

(2) Site location fee - prior to commencing filming activities or otherwise as specified by the director or the director's designee, each applicant shall pay an additional site location fee, set by the director or the director's designee based on the magnitude and duration of the impact on park resources and normal public use, the uniqueness of the site, and such other considerations as the director or director's designee deem appropriate.

[Statutory Authority: RCW 43.51.040 and [43.51.]060. 95-22-067, § 352-74-045, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. 94-23-010, § 352-74-045, filed 11/3/94, effective 1/1/95.]

### Title 356 WAC PERSONNEL, DEPARTMENT OF

#### Chapters

- 356-06 General provisions.**
- 356-10 Classification.**
- 356-14 Compensation plan.**
- 356-18 Leave.**
- 356-22 Recruitment—Examinations.**
- 356-26 Registers—Certification.**
- 356-30 Appointments—Separations.**
- 356-34 Disciplinary actions--Appeals.**
- 356-56 Washington management service.**

#### Chapter 356-06 WAC GENERAL PROVISIONS

##### WAC

- 356-06-020 Exemptions—Exceptions.
- 356-06-080 Personnel board—Powers—Duties.
- 356-06-100 Director—Powers—Duties.
- 356-06-110 Federal preemption—Fair Labor Standards Act.

**WAC 356-06-020 Exemptions—Exceptions.** With the exceptions noted in subsection (19) of this section the provisions of these rules do not apply to: