

WAC 352-37-170 Aircraft. (1) The use of the beach by aircraft is subject to the jurisdiction of the aeronautics commission and all state and federal laws applicable to aircraft and pilots. Except as specified in subsection (2) of this section, airplanes are only allowed to make emergency landings on the ocean beaches. The provision does not apply to official aircraft used in the performance of search and rescue missions, medical emergencies, law enforcement activities, emergency evacuations, or firefighting activities. It also does not apply in cases where the director or designee specifically authorizes such landings or take offs, in writing, associated with the operational or administrative needs of the agency or state.

(2) On the North Beach airplanes may land and take off on the ocean beach in the area commencing at the Copalis River north of the "rocks."

(3) Remote controlled aircraft may be flown from the ocean beach only pursuant to issuance permit by the director or designee. A remote controlled aircraft is flown from an ocean beach when the operator is on the ocean beach while flying the remote controlled aircraft or where the remote controlled aircraft takes off from or lands on the ocean beach.

(a) In granting such a permit, the director or designee may specify time, geographic, and elevation restrictions, and any other restrictions necessary to protect the public, park visitors or staff, or park resources. While operating a remote controlled aircraft the operator must be in possession of a copy of the permit and will produce it upon request by parks staff. Permits granted by the director or designee to fly a remote controlled aircraft may be rescinded at any time for permittee's failure to comply, to protect the public, park visitors or staff, or park resources.

(b) Permit applications must be submitted at least sixty days in advance of the proposed activity to allow for staff review, agency coordination, and to comply with SEPA review requirements. The sixty day application filing requirement may be waived in extenuating circumstances.

(c) The permittee must pay any fees published by state parks for the use of the park lands or facilities. The director or designee will 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 must be provided prior to the issuance of the permit.

(4) Any violation of this section, including any failure to abide by a conspicuously posted remote controlled aircraft flying restriction or failure to abide by the terms of permission permit to fly remote controlled aircraft, is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 79A.05 RCW. WSR 19-04-075, § 352-37-170, filed 2/1/19, effective 3/4/19; WSR 07-03-121, § 352-37-170, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-170, filed 3/19/90, effective 4/19/90.]