

Chapter 220-500 WAC
DEPARTMENT LANDS—GENERAL RULES

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WAC

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WAC 220-500-010 Declaration of purpose—Department lands. The primary purpose of department lands is the preservation, protection, perpetuation and management of fish and wildlife and their habitats. Public use of department lands may include fishing, hunting, fish and wildlife appreciation, and other outdoor recreational opportunities when compatible with healthy and diverse fish and wildlife populations.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-010, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 34.05.353 (1)(c) and (e), (2)(c) and (d), and 77.12.047 (1)(o). WSR 12-11-089 (Order 12-61), § 232-13-020, filed 5/18/12, effective 6/18/12. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-020, filed 12/17/07, effective 1/17/08.]

WAC 220-500-020 Definitions. Definitions used in rules of the fish and wildlife commission are defined in RCW 77.08.010. In addition, unless otherwise provided:

(1) "Aircraft" means any machines designed to travel through the air, whether heavier or lighter than air, including but not limited to airplanes, dirigibles, balloons, and helicopters. The term "aircraft" shall not include paragliders or remote-controlled aircraft.

(2) "Campfire" means any open flame from a wood source.

(3) "Camping" means erecting a tent or shelter or arranging bedding, or both, or parking a recreational vehicle or other vehicle for the purpose of remaining overnight.

(4) "Campgrounds" are department-designated areas where camping is allowed.

(5) "Closed or restricted access" means any department-owned or controlled public lands, waters, or access areas (including roads and

trails) that are gated and locked, closed by earthen mound, or designated as closed or posted as such with signs.

(6) "Commercial use or activity" is any use or activity on department-controlled or managed lands, waters, or access areas:

(a) Where an entry or other type of fee is charged; or

(b) Where the primary purpose is the sale or barter of a good or service; and

(c) In either case, the term applies regardless of whether the use or activity is intended to produce a profit.

(7) "Director" means the department's director or his or her designee.

(8) "Department" means the Washington department of fish and wildlife.

(9) "Department land" means any area (including water, access areas, roads, and trails) under the ownership, management, lease, or control of the department, excluding private lands.

(10) "Ex officio fish and wildlife officer" means a commissioned officer of a municipal, county, state, or federal agency having as its primary function the enforcement of criminal laws in general, while the officer is in the appropriate jurisdiction. The term "ex officio fish and wildlife officer" includes special agents of the National Marine Fisheries Service, state parks commissioned officers, United States Fish and Wildlife special agents, department of natural resources enforcement officers, and United States Forest Service officers, while the agents and officers are within their respective jurisdictions.

(11) "Fire" means any open flame from any source or device, including but not limited to campfires, stoves, lanterns and barbecues.

(12) "Firearm," as defined in RCW 9.41.010, means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. For purposes of this chapter, "firearm" does not include BB guns, pellet guns, paintball guns, or other guns that use compressed air as a propellant, or immobilization guns used in animal restraint by department personnel.

(13) "Fireworks," as defined in RCW 70.77.126, means any composition or device designed to produce a visible or audible effect by combustion, deflagration, or detonation, and which meets the definition of articles pyrotechnic or consumer fireworks or display fireworks.

(14) "Garbage," as defined in WAC 246-203-120, means all solid and semisolid kitchen refuse subject to decay or putrefaction, and all market waste of animal and vegetable matter that was intended to be used as food.

(15) "Incendiary" means causing or designed to cause fires, such as flares, bombs or other exploding or flammable devices.

(16) "Livestock," as defined in RCW 16.57.010, includes, but is not limited to, horses, mules, cattle, sheep, swine, and goats.

(17) "Motorized vehicle," as defined in RCW 46.09.020 and 46.04.320, means a vehicle that derives motive power from an internal combustion engine or is propelled by electric power. For purposes of this chapter, it does not mean motorized wheel chairs used by persons with disabilities.

(18) "Parking," as defined in RCW 46.04.381, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.

(19) "Pet" means a dog, cat, or any animal that has been domesticated, except livestock.

(20) "Possession" means exercising direct physical control or dominion, with or without ownership, over weapons, traps, nets, or other property, or archeological, cultural, or natural resources.

(21) "Road," pursuant to RCW 46.04.500 and 46.04.197, means that portion of an every way publicly maintained for the purposes of vehicular travel. For purposes of this chapter, "road" means a road wholly or partly within or adjacent to and serving department-owned or controlled public lands, waters, or access areas under the jurisdiction of the department.

(22) "Snowmobile," as defined in RCW 46.10.010, shall mean any self-propelled vehicle capable of traveling over snow or ice, which utilizes as its means of propulsion an endless belt tread, or cleats, or any combination of these or other similar means of contact with the surface upon which it is operated, and which is steered wholly or in part by skis or sled type runners, and which is not otherwise registered as, or subject to, the motor vehicle excise tax in the state of Washington.

(23) "Trash and rubbish," as defined in WAC 246-203-120, means all waste material not of putrescible nature.

(24) "Tracer bullet or shell" means a bullet, projectile, or shell that traces its own course in the air with a trail of smoke, chemical incandescence, or fire, so as to facilitate adjustment of the aim.

(25) "Vessel" means any craft that is used or is capable of being used as a means of transportation on or under water or ice, including but not limited to powerboats, cruisers, houseboats, sailboats, airboats, hovercraft, rowboats, canoes, kayaks, or other personal watercraft. This also includes buoyant devices permitting or capable of free flotation.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-020, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-030, filed 12/17/07, effective 1/17/08.]

WAC 220-500-030 Behavior and conduct. (1)(a) It is unlawful to engage in disorderly conduct on department lands. Disorderly conduct is a misdemeanor, pursuant to RCW 9A.84.030.

(b) For the purposes of this subsection, a person is guilty of disorderly conduct if he or she:

(i) Uses abusive language and thereby intentionally creates a risk of assault;

(ii) Intentionally disrupts any lawful assembly or meeting of persons without lawful authority; or

(iii) Intentionally obstructs vehicular or pedestrian traffic without lawful authority.

(2)(a) It is unlawful to possess or dispense beer or malt liquor in quantities subject to keg registration laws under RCW 66.28.210, on department lands, without a permit from the director. Violating this subsection is a misdemeanor, pursuant to RCW 77.15.230.

(b) It is unlawful to hold, sponsor, or attend an event requiring a banquet permit under chapter 314-18 WAC from the liquor control board, on department lands without a permit from the director. Violating this subsection is a misdemeanor, pursuant to RCW 77.15.230.

(3) Pursuant to RCW 77.15.230, it is unlawful to use department lands in a manner or for a purpose contrary to signs or notices posted on those lands, waters, or access areas. Violating this subsection is a misdemeanor, pursuant to RCW 77.15.230.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-030, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-050, filed 12/17/07, effective 1/17/08.]

WAC 220-500-040 Regulating public access. (1) The director may close or restrict access to department lands by an emergency or other permanent regulation on a seasonal, emergent, or permanent basis to protect human safety, vulnerable fish and wildlife resources or habitats, and department or other infrastructures from damage or abuse.

(2) The director may control public access on department lands to increase wildlife use in order to improve hunter success or manage wildlife viewing opportunities. Public access may be controlled by limiting the number of users in the areas and/or limiting the days of the week or hours of the day that the public can access the area.

(3) It is unlawful to enter or remain on department lands or portions thereof when such restrictions are in place or are established by department posted notice. This does not apply during the administration of authorized activities.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-040, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-150, filed 12/17/07, effective 1/17/08.]

WAC 220-500-045 Domestic goats and sheep on Washington department of fish and wildlife managed lands. (1) It is unlawful for any person to bring or lead domestic goats or sheep onto the following department wildlife area units or other WDFW-managed lands posted as closed to domestic goats or sheep, unless otherwise permitted by the director to do so:

(a) Asotin Creek Wildlife Area: Asotin Creek, Weatherly, and George Creek Units;

(b) Chelan Wildlife Area: Beebe Springs, Chelan Butte, Swakane, and Entiat Units;

(c) Chief Joseph Wildlife Area: Chief Joseph, 4-O Ranch, Grouse Flats, and Shumaker Units;

(d) Colockum Wildlife Area: Colockum Unit;

(e) Columbia Basin Wildlife Area: Lower Crab Creek and Quincy Lakes Units;

(f) L.T. Murray Wildlife Area: Quilomene, L.T. Murray, and Whiskey Dick Units;

(g) Oak Creek Wildlife Area: Cowiche, Oak Creek, and Rock Creek Units;

(h) Scotch Creek Wildlife Area: Chesaw, Ellemehan, Scotch Creek, Charles and Mary Eder, Similkameen-Chopaka, and Tunk Valley Units;

(i) Sinlahekin Wildlife Area: Sinlahekin, Driscoll Island, and Carter Mountain Units;

- (j) Wells Wildlife Area: Indian Dan Canyon Unit;
- (k) Wenas Wildlife Area: Wenas Unit;
- (l) W.T. Wooten Wildlife Area: W.T. Wooten Unit.

(2) Goats or sheep that have tested positive for *Mycoplasma ovipneumoniae* or that are displaying signs of pneumonia or other illness will not be allowed on any WDFW-managed lands. Goats or sheep displaying signs of pneumonia or other illness while on department lands must be removed by the animal(s) owner or owner's agent within 48 hours.

(3) If a goat or sheep becomes lost, the owner or owner's agent must make every effort to locate and recover it. If the goat or sheep cannot be recovered, the animal's owner or owner's agent shall contact the department by telephone as soon as possible. A violation of this subsection may be punishable under RCW 77.15.160 or other relevant statute depending on the circumstances of the violation.

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, and 77.12.210. WSR 23-02-069, § 220-500-045, filed 1/4/23, effective 2/4/23.]

WAC 220-500-050 Enforcement. (1) Fish and wildlife officers and ex officio fish and wildlife officers have the authority to remove from department lands people who have violated the law or failed to obey department regulations.

(2) It is unlawful to fail, neglect, or refuse to obey the directions of such officers regarding the use of department lands. Violating this subsection is a misdemeanor, pursuant to RCW 77.15.230.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-050, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-110, filed 12/17/07, effective 1/17/08.]

WAC 220-500-060 Commercial use or activity. It is unlawful to use department lands for any commercial purposes without a permit from the director.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-060, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-080, filed 12/17/07, effective 1/17/08.]

WAC 220-500-070 Noncommercial use or activity. It is unlawful to sponsor, conduct, or hold a private or public event, involving more than thirty people, on department lands without a permit from the director.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-070, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-090, filed 12/17/07, effective 1/17/08.]

WAC 220-500-080 Vehicles using department lands. It is unlawful to operate a motor driven vehicle on a road controlled or managed by the department pursuant to road management agreement in a manner or for a purpose contrary to posted signs or notices except as authorized by the director.

Violation of this section is an infraction, punishable under RCW 77.15.160.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-080, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 06-09-021 (Order 06-67), § 232-12-177, filed 4/11/06, effective 5/12/06. Statutory Authority: RCW 77.12.210 and 77.12.320. WSR 90-11-050 (Order 438), § 232-12-177, filed 5/11/90, effective 6/11/90. Statutory Authority: RCW 77.12.040. WSR 82-04-034 (Order 177), § 232-12-177, filed 1/28/82; WSR 81-12-029 (Order 165), § 232-12-177, filed 6/1/81. Formerly WAC 232-12-400.]

WAC 220-500-090 Aircraft. (1) Except as authorized by the director or the commissioner of public lands, it is unlawful to land aircraft on department lands, except in the case of a bona fide emergency.

(2) This section does not apply to official aircraft used in the performance of department approved scientific research, search and rescue missions, medical emergencies, law enforcement activities, emergency evacuations, firefighting activities, or other agency administrative activities.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-50-090, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-040, filed 12/17/07, effective 1/17/08.]

WAC 220-500-100 Camping. (1) It is unlawful to establish or occupy a camp on department lands in excess of twenty-one days within a thirty-day period, except when allowed by department posted notice.

(2) It is unlawful to establish or occupy a residence camp on department lands. For purposes of this section, a residence camp is an encampment, occupancy, or presence on department lands that is the principal place of residence for the person or occupant.

(3) A residence camp on department lands is declared to be a public nuisance and may be abated by the department after ten days of notice by the department.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-100, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-060, filed 12/17/07, effective 1/17/08.]

WAC 220-500-110 Fires and campfires. With the exception of campfires, fires in stoves, lanterns and barbecues, and fire used by the department for habitat management, it is unlawful to start or tend

any other fire on department lands. Lawful campfires are limited to a maximum of three feet in diameter and three feet high.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-110, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-070, filed 12/17/07, effective 1/17/08.]

WAC 220-500-120 Dumping and sanitation. (1) It is unlawful for any person to throw, drop, or leave any discarded object, garbage, trash or rubbish, upon any department lands except into a litter or garbage receptacle or container installed for that purpose on such property. Violation of this subsection is pursuant to RCW 70.93.060, which makes it a class 3 civil infraction to litter in an amount less than or equal to one cubic foot; a misdemeanor to litter in an amount greater than one cubic foot but less than one cubic yard; and a gross misdemeanor to litter in an amount of one cubic yard or more.

(2) It is unlawful to drain or dump refuse or human waste from any trailer, camper, automobile, other vehicle, or vessel on department lands.

(3) Except for administrative purposes, it is unlawful to clean or wash any automobile, vessel, or other vehicle on department lands with any substance other than water or biodegradable soaps. This subsection does not apply to cleaning activities to control and prevent the spread of invasive species provided only water is used.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-120, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-100, filed 12/17/07, effective 1/17/08.]

WAC 220-500-130 Erecting and using camps, blinds, and tree stand structures on department lands. (1)(a) It is unlawful to dig pits for the purpose of hunting waterfowl, or to cut trees or attach artificial fasteners (such as wire, staples or nails) to trees for the construction of camps, blinds and tree stands on department lands.

(b) All nonnatural materials used in the construction of blinds or tree stands must be removed from department lands at the end of the hunting season.

(2) All nondepartment owned blinds shall be available to the public on a "first-come-first-served" basis.

(3) Structures established as part of a camp must be removed from department lands by camp occupants at the end of the trip.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-130, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-120, filed 12/17/07, effective 1/17/08.]

WAC 220-500-140 Firearms and target practicing. (1) The department may designate or restrict locations, times, and manner for rec-

recreational target shooting upon department land, consistent with resource management concerns, management agreements or requirements, recreational use compatibility, or public safety concerns.

(2) Persons must not recreationally target shoot on department land except as provided by this section.

(3) Department land is open to recreational target shooting under the conditions set forth in this section, unless closed or otherwise restricted by this section or by any department-posted signage or notice.

(a) Notwithstanding the allowances by this section, recreational target shooting is only permitted where a reasonable person, in consideration of all attendant circumstances, would believe the area between the person and the target, and the area beyond the target, is free of risk to person, animals, or property.

(b) Unless otherwise posted, recreational target shooting is only allowed one-half hour before sunrise to one-half hour after sunset.

(c) Recreational target shooting using:

- Firearms firing single projectile ammunition of .17 caliber or greater or shot equal to or greater than BB; or

- Compressed gas or air guns capable of shooting any projectile at over eight hundred feet per second, is permitted only:

(i) On department-designated recreational target shooting areas and in compliance with posted regulations; or

(ii) In other areas containing an earthen backstop, as defined (reference to definitions), which must be utilized while target shooting. A backstop is not required while using shotguns discharging shot smaller than size BB. Targets must be placed in front of and within eight feet of the backstop, and the person must be shooting at the lower half of the backstop.

(d) Recreational target shooting using:

- Archery equipment, crossbows, air bows; or

- Shotguns discharging shot smaller than size BB, is permitted:

(i) On department-designated recreational target shooting areas and in compliance with posted regulations; or

(ii) In other areas consistent with (a) of this subsection.

(e) Recreational target shooting is specifically prohibited:

(i) On, from, at, along, across, or down:

(A) Any department-designated or department-developed water access site or boat launch, and associated parking area;

(B) Any road as defined in WAC 220-500-020;

(C) Any utility line, utility poles, or light posts;

(D) Any department-designated trail;

(E) Any water body or stream.

(ii) Within five hundred feet of the following (when not utilizing a department-designated recreational target shooting area):

(A) Residences, businesses, and/or other buildings or structures, including port-a-potties, etc.;

(B) Power stations, cell phone towers, utility poles, light posts, wind turbines, or other public utility structures;

(C) Campgrounds;

(D) Viewing platforms or structures;

(iii) In other areas posted by the department as restricted from shooting.

(4) Authorized targets for use on department lands are restricted to items, other than exploding targets, that are commercially manufactured for the specific purpose of target shooting, or similar targets

privately manufactured that are consistent with this section, and as further restricted below.

(a) Steel targets that are manufactured for the specific purpose of target shooting are allowed subject to the following restrictions:

(i) When used on a department-designated recreational target shooting area, steel targets that are manufactured for the specific purpose of target shooting are allowed year round.

(ii) When used outside a department-designated recreational target shooting area, steel targets that are manufactured for the specific purpose of target shooting are allowed from October 1 to May 31, unless otherwise posted.

(b) Clay targets, when used, must be biodegradable clay targets.

(c) Items prohibited to be used as targets or to hold or post targets include, but are not limited to:

(i) Buildings;

(ii) Power stations, cell phone towers, utility poles, light posts, wind turbines, or other public utility structures;

(iii) Gates, fence posts or rails;

(iv) Vehicles, or parts thereof;

(v) Machinery, or parts thereof;

(vi) Signs, kiosks, or informational panels of any kind;

(vii) Appliances or electronics;

(viii) Furniture;

(ix) Pallets;

(x) Glass;

(xi) Explosive and incendiary items, including binary exploding targets (i.e., Tannerite);

(xii) Containers of liquids, chemicals, paints, or compressed gas;

(xiii) Standing or moving water;

(xiv) Live or dead trees or other vegetation;

(xv) Animals or animal carcasses.

(5) The discharge of tracer bullets or shells or incendiary ammunition is specifically prohibited on all department lands.

(6) At all times, it is unlawful for a person to discharge a firearm, crossbow, bow, or any other projectile shooting implement on department lands in a reckless or negligent manner. A violation of this subsection may be punishable under RCW 77.15.230, 77.15.460, 9A.36.050, 9A.36.031, 9A.36.021, 9A.32.070, 9A.32.060, or other relevant statute depending on the circumstances of the violation.

(7) It is unlawful for persons recreationally target shooting to fail to remove and transport from department lands for proper disposal all shell casings, shotgun hulls, ammunition packaging, and targets or target debris. Failure to remove any such item is prohibited and constitutes littering.

(8) Persons who recreationally target shoot are responsible for knowing other state, local, or federal laws that may govern their shooting activity, and compliance with this rule does not guarantee compliance with other applicable laws.

(9) **Definitions.**

(a) "Backstop" means an unobstructed earthen mound or bank at least eight feet in height which must stop the progress of and contain all projectiles, fragments, and ricochets in a safe manner.

(b) "Biodegradable clay target" means any clay target labeled by the manufacturer as biodegradable.

(c) "Clay targets," for purposes of this chapter, refers to those targets that are commonly referred to as clay pigeons and often saucer-shaped, which are:

(i) Designed to be thrown by hand or machine, such as in skeet or trap shooting, but may also be used as stationary targets; and

(ii) Designed to be easily and permanently broken by projectiles.

(d) "Department-designated recreational target shooting area" means an area designated and posted by the department for the purpose of recreational target shooting.

(e) "Department-designated trail" means any trail designated and posted by the department.

(f) "Recreational target shooting" is defined for purposes of this chapter as the act of shooting projectiles for practice, sighting in, or other reasons, and involves the discharging of firearms, compressed gas or air guns, air bows, crossbows, or archery equipment. Recreational target shooting does not include the activity of lawful hunting or hunting dog training.

[Statutory Authority: RCW 77.04.012, 77.04.055, and 77.12.047. WSR 21-01-142 (Order 20-260), § 220-500-140, filed 12/17/20, effective 1/17/21. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-140, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-130, filed 12/17/07, effective 1/17/08.]

WAC 220-500-150 Fireworks. It is unlawful to discharge or possess fireworks, model rockets, or other devices containing any explosive or flammable compounds on department lands. This does not apply to gasoline or diesel powered equipment, cooking stoves or grills, lanterns, lighters, or heaters, or legal firearms.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-150, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-140, filed 12/17/07, effective 1/17/08.]

WAC 220-500-160 Parking. (1)(a) It is unlawful to park or leave a vehicle unattended for more than twenty-one days on department lands without a permit from the director.

(b) It is unlawful to leave a motor vehicle or trailer parked or standing on department lands when the vehicle is blocking access to a boat ramp, roadway, gate, or driveway or otherwise prevents egress or ingress to a department facility.

(c) Vehicles unlawfully parked or abandoned on department lands may be impounded by a fish and wildlife officer or ex officio fish and wildlife officer.

(2) Vehicles, vessels, motor homes, and trailers parked or abandoned for more than twenty-one consecutive days within a thirty-day period on department lands are declared to be public nuisances and may be impounded by a fish and wildlife officer or ex officio fish and wildlife officer.

(3) It is unlawful to moor a houseboat, other floating occupancy structure (excluding floating blinds used for waterfowl hunting), or

dock on department lands without a permit from the director. Such unauthorized or unlawful boats, houseboats or other floating structures may be declared public nuisances and may be abated by the department after ten days notice by the department.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-160, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-170, filed 12/17/07, effective 1/17/08.]

WAC 220-500-170 Pets. (1) The department may prohibit or regulate pets, except for bona fide service animals for persons with disabilities, on department lands.

(2) It is unlawful for any person to allow pets to roam unattended on department lands.

(3)(a) It is unlawful to cause or allow a pet to roam unleashed on department-owned lands from April 1 through July 31, unless posted otherwise.

(b) It is unlawful to cause or allow a pet to roam unleashed on designated access sites or within five hundred feet of a designated campground on department lands.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-170, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-180, filed 12/17/07, effective 1/17/08.]

WAC 220-500-180 Penalties. Unless otherwise provided, violation of any of the provisions of this chapter constitutes an infraction, pursuant to RCW 77.15.020 and 77.15.160.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-180, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-210, filed 12/17/07, effective 1/17/08.]

WAC 220-500-190 Domestic animals on department lands. It is unlawful for any person to allow domesticated animals to be unattended on, or to permit livestock to graze upon land under the control of the department without a written permit from the director. In addition to other penalties provided by law, any such person may be liable to the department for a compensatory fee of one dollar per head of livestock per day.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-190, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210. WSR 88-23-108 (Order 322), § 232-12-174, filed 11/22/88. Statutory Authority: RCW 77.12.040. WSR 81-12-029 (Order 165), § 232-12-174, filed 6/1/81. Formerly WAC 232-12-390.]

WAC 220-500-200 Livestock grazing on department of fish and wildlife lands. All persons wishing to apply for a grazing permit for acreage managed by the Washington department of fish and wildlife should contact the department at P.O. Box 43200, Olympia, Washington 98504-3200.

(1) The director is authorized to issue grazing permits when the director determines that the grazing permits will be consistent with the desired ecological conditions for those lands and with the department's mission, management objectives, and strategic plan.

(2) A temporary permit may be granted by the director to satisfy short-term needs where benefits to wildlife management programs and the public interest can be demonstrated. The term of a temporary permit shall not exceed one year and no fee need necessarily be charged.

(3) With the following three exceptions, grazing permits shall first be submitted to the commission, which may review the permits to ensure that they conform to commission policy:

(a) Temporary permits;

(b) Permits that are being renewed or renegotiated for acreage where the department has permitted nontemporary grazing during the previous ten years; and

(c) Permits that are being issued for acreage acquired by the department within the previous twelve months.

If, within thirty days, the commission has not disapproved a permit, the director shall be deemed authorized to issue that permit.

(4) A permit issued without commission review on acreage acquired by the department within the previous twelve months must not exceed an initial duration of three years, and may not be subsequently reissued before being submitted to the commission for review.

(5) The director shall negotiate grazing permits with potential grazing operators to ensure the highest benefits to fish and wildlife. When an existing permit expires or is about to expire, the director may renew the permit for up to another five years, renegotiate the grazing permit with the existing permittee or with a new grazing operator, decline to reissue the permit and provide notice of and rationale for nonrenewal by the end of the calendar year of the most recent permitted grazing season, or advertise and sell the permit at public auction to the highest bidder. The director is authorized to reject any and all bids if it is determined to be in the best interest of the fish and wildlife to do so. No grazing permit shall have a term exceeding five years unless the commission grants prior approval for a longer term.

(6) Except for temporary permits where grazing on department managed lands is allowed for the equivalent of fewer than fourteen total days, each grazing permit proposal shall be accompanied by a domestic livestock grazing management plan that includes a description of ecological impacts, desired ecological conditions, fish and wildlife benefits, a monitoring plan, and an evaluation schedule for lands that will be grazed by livestock. Grazing management lands will address ecosystem standards referenced in RCW 77.12.204. The department shall inspect the site of a grazing permit no less than two times each year. The director shall retain the right to alter any provision of the plan as required to benefit fish or wildlife management, public hunting and fishing, or other recreational uses.

(7) The director may cancel a permit:

(a) For noncompliance with the terms and conditions of the permit;

- (b) If the area described in the permit is included in a land use plan determined by the agency to be a higher and better use;
- (c) If the property is sold or conveyed; or
- (d) If damage to wildlife or wildlife habitat occurs.

Notice of and rationale for cancellation will be provided to the permittee as far in advance as possible.

(8) All lands covered by any grazing permit agreement shall at all times be open to public hunting, fishing and other wildlife recreational uses, consistent with applicable seasons and rules, unless such lands have been closed by action of the commission or emergency order by the director.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.047, and 77.12.210. WSR 21-06-050 (Order 21-16), § 220-500-200, filed 2/25/21, effective 3/28/21. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-200, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210. WSR 07-11-017 (Order 07-62), § 232-12-181, filed 5/3/07, effective 6/3/07. Statutory Authority: RCW 77.12.047. WSR 03-03-016 (Order 03-03), § 232-12-181, filed 1/7/03, effective 2/7/03. Statutory Authority: RCW 77.12.210. WSR 88-23-109 (Order 323), § 232-12-181, filed 11/22/88. Statutory Authority: RCW 77.12.040. WSR 82-04-034 (Order 177), § 232-12-181, filed 1/28/82; WSR 81-12-029 (Order 165), § 232-12-181, filed 6/1/81. Formerly WAC 232-12-405.]

WAC 220-500-210 Removal of minerals, wood and artifacts from department lands. It is unlawful to remove petrified wood, minerals, fossils, wood products or artifacts from department lands unless such removal is authorized by a permit issued by the director.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-210, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210 and 77.12.320. WSR 90-11-049 (Order 437), § 232-12-251, filed 5/11/90, effective 6/11/90. Statutory Authority: RCW 77.12.040. WSR 81-12-029 (Order 165), § 232-12-251, filed 6/1/81. Formerly WAC 232-12-550.]

WAC 220-500-220 Discharge of litter on department lands—Unlawful. It is unlawful for any person to throw, to drop, or to leave any discarded object, garbage, debris, or waste upon any of the properties owned, leased or controlled by the department except into a litter or garbage receptacle or container installed for that purpose on such property.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-220, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210 and 77.12.320. WSR 90-11-049 (Order 437), § 232-12-254, filed 5/11/90, effective 6/11/90. Statutory Authority: RCW 77.12.040. WSR 81-12-029 (Order 165), § 232-12-254, filed 6/1/81. Formerly WAC 232-12-570.]

WAC 220-500-230 Public conduct on private lands under cooperative agreement with the department—Unlawful acts. (1) It is unlawful to discharge firearms or archery equipment within a posted safety zone on department controlled lands. Violating this subsection is a misdemeanor, pursuant to RCW 77.15.230.

(2) It is unlawful to disobey posted notices or signs on department controlled lands. Violating this subsection is an infraction, pursuant to RCW 77.15.160.

(3) For purposes of this section, "department controlled lands" means land, water, and access areas, such as boat ramps and trail heads, which are privately owned and under cooperative agreement with the department.

(4) For purposes of this section, "under cooperative agreement with the department" means a legal, binding contract allowing public access to specified lands has been signed by the department and the landholder.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-230, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 11-11-013 (Order 11-86), § 232-13-160, filed 5/6/11, effective 6/6/11.]