

WAC 326-30-060 General exclusions from the contracting base. Certain exclusions from the reporting base against which achievement of the annual overall goals is computed will be allowed without requesting permission from OMWBE.

(1) Exclusions will be reviewed by OMWBE on an annual basis.

(2) Contracts solely for the purchase of the following items are allowable exclusions:

- (a) Convention fees,
- (b) Emergency purchases, those made in response to unforeseen circumstances beyond the control of an agency/educational institution which presents a real, immediate and extreme threat to the proper performance of essential functions and/or which may be reasonably expected to result in excessive loss or damage to property, bodily injury, or loss of life,
- (c) Copyrighted materials,
- (d) Personal service contracts for consultant services in preparation for litigation and expert witness fees,
- (e) Purchases from other governmental agencies, including from cities and counties,
- (f) Honorariums,
- (g) Interagency purchases,
- (h) Interagency reimbursements,
- (i) Membership dues,
- (j) Purchases from nonprofit and not-for-profit firms,
- (k) Purchases for resale,
- (l) Purchases from quasi-governmental agencies, e.g., utilities,
- (m) Purchases from sheltered workshops,
- (n) Purchases from sole source suppliers, those which can be obtained from only one vendor and can be documented as such,
- (o) Subscriptions,
- (p) Contracts which are not competitively awarded and which are awarded to all qualified applicants, e.g., physicians and day care providers, and
- (q) Payments for travel made directly to a common carrier, not through a travel agency, whether by an agency/educational institution, or the employee.

[Statutory Authority: Chapter 39.19 RCW, 88-17-045 (Order 88-8), § 326-30-060, filed 8/16/88. Statutory Authority: 1983 c 120, 84-03-005 (Order 83-7), § 326-30-060, filed 1/5/84.]

Title 332 WAC NATURAL RESOURCES, BOARD AND DEPARTMENT OF

Chapters

332-10	Public records--Department of natural resources and board of natural resources.
332-12	Oil and gas leases.
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332-150 Survey, plat and map filing and recording fees.

Chapter 332-10 WAC

PUBLIC RECORDS--DEPARTMENT OF NATURAL RESOURCES AND BOARD OF NATURAL RESOURCES

WAC

332-10-180 Application fee.

WAC 332-10-180 Application fee. An applicant to purchase or lease any public land or valuable materials shall pay a twenty-five dollar application fee, except for oil and gas leases as specified by WAC 332-12-230.

[Statutory Authority: RCW 79.01.618, 79.01.088 and 79.01.720, 87-21-005 (Order 523, Resolution No. 571), § 332-10-180, filed 10/9/87. Statutory Authority: RCW 79.01.088 and 79.01.720, 83-24-055 (Order 406), § 332-10-180, filed 12/6/83. Statutory Authority: RCW 79.01.088, 80-17-021 (Order 349, Resolution No. 310), § 332-10-180, filed 11/13/80.]

Chapter 332-12 WAC OIL AND GAS LEASES

WAC

332-12-150 Lands not under the jurisdiction of the department of natural resources.

WAC 332-12-150 Lands not under the jurisdiction of the department of natural resources. (1) May be leased by the commissioner. The commissioner of public lands is authorized to execute oil and gas leases, in accordance with and by authority of chapter 79.14 RCW, upon lands of the state of Washington not under the jurisdiction of the department of natural resources.

(2) [Competitive bid requirements. All oil and gas leases issued under this regulation shall be issued after competitive bidding unless otherwise requested by the agency requesting issuance.]

[(3)] Form of lease. Oil and gas leases issued under this regulation shall contain, in addition to the statutory provisions required by chapter 79.14 RCW, further terms, conditions, covenants, and limitations necessary to maintain the suitability of the lands for their intended use after consultation with the agency having jurisdiction over such lands.

[(4)] (3) Administrative expense. The commissioner of public lands may enter into necessary agreements with other agencies to provide for the reimbursement of the department of natural resources for expenses reasonably incurred in oil and gas leasing under this regulation. In the absence of such an agreement, reimbursement for expenses shall be by deductions from lease revenues as authorized by RCW 79.64.040.

[(5)] (4) Revenue from leases. All revenue [derived] less administrative expenses from oil and gas leases issued upon lands of the state of Washington not under

the jurisdiction of the department of natural resources shall be paid to the agency having jurisdiction over such lands for distribution as authorized by law.

[Statutory Authority: RCW 79.14.120, 88-20-056 (Order 554), § 332-12-150, filed 10/3/88; § 2 (part), filed 8/7/62.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

Chapter 332-16 WAC

MINERAL PROSPECTING LEASES AND MINING CONTRACTS

WAC

332-16-010	Repealed.	332-16-270	Repealed.
332-16-020	Repealed.	332-16-290	Repealed.
332-16-030	Repealed.	332-16-300	Repealed.
332-16-035	Prospecting leases and mining contracts—Rental rates, advance minimum royalty, prospecting work requirement, development work requirement and production royalty.	332-16-310	Repealed.
332-16-040	Repealed.	332-16-320	Repealed.
332-16-045	Recreational prospecting permit fee.	332-16-330	Repealed.
332-16-050	Repealed.	332-16-340	Repealed.
332-16-055	Application for prospecting lease.		
332-16-060	Repealed.		
332-16-065	Conversion of a prospecting lease to a mining contract.		
332-16-070	Repealed.		
332-16-075	Prospecting lease not renewable.		
332-16-080	Repealed.		
332-16-085	Failure to execute prospecting leases and mining contracts.		
332-16-090	Repealed.		
332-16-095	Renewal of mining contract.		
332-16-100	Repealed.		
332-16-105	Performance security.		
332-16-110	Repealed.		
332-16-115	Timber.		
332-16-120	Repealed.		
332-16-125	Surface rights.		
332-16-130	Repealed.		
332-16-135	Use of leased premises.		
332-16-140	Repealed.		
332-16-145	Prospecting and development work.		
332-16-150	Repealed.		
332-16-155	Production royalty.		
332-16-160	Repealed.		
332-16-165	Field inspections and audits.		
332-16-170	Repealed.		
332-16-175	Technical data.		
332-16-180	Repealed.		
332-16-185	Assignments.		
332-16-190	Repealed.		
332-16-195	Consolidation of mining contracts.		
332-16-200	Repealed.		
332-16-205	Plan of operations.		
332-16-210	Repealed.		
332-16-215	Notice of intent to conduct prospecting or operations.		
332-16-220	Repealed.		
332-16-225	Plugging and abandonment procedures for exploration drill holes.		
332-16-230	Repealed.		
332-16-235	Public auction of known deposits of valuable minerals or specified materials.		
332-16-240	Repealed.		
332-16-245	Public auction of placer gold mining contracts.		
332-16-250	Repealed.		
332-16-255	Recreational prospecting areas.		
332-16-260	Repealed.		

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

332-16-010	General objectives of mineral resource management. [Order 3, § 332-16-010, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67; Mineral prospecting lease rules, adopted 6/1/59.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-020	Lands subject to mineral leasing law and chapter 332-16 WAC. [Order 3, § 332-16-020, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-030	Definitions. [Order 3, § 332-16-030, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-040	Applications. [Order 3, § 332-16-040, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-050	Applications—Simultaneous. [Order 3, § 332-16-050, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-060	Applications—Return of moneys. [Order 3, § 332-16-060, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-070	Area and term of leases and contracts. [Order 3, § 332-16-070, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-080	Leases and contracts in effect on June 10, 1965. [Order 3, § 332-16-080, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-090	Tide and shore land descriptions. [Order 3, § 332-16-090, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-100	Conversion of leases to contracts. [Order 3, § 332-16-100, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-110	Conversion of leases to contracts—Failure to convert. [Order 3, § 332-16-110, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-120	Forms. [Order 3, § 332-16-120, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-130	Time for return of executed leases and contracts. [Order 3, § 332-16-130, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-140	Cash or surety bond may be required. [Order 3, § 332-16-140, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
332-16-150	Timber. [Order 3, § 332-16-150, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.

- 332-16-160 Notice of rental or minimum royalty. [Order 3, § 332-16-160, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-170 Right of entry. [Order 3, § 332-16-170, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-180 Damages to encumbered lands. [Order 3, § 332-16-180, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-190 Use of leased premises. [Order 3, § 332-16-190, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-200 Development work and improvements. [Order 3, § 332-16-200, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-210 Development work and improvements—Examples, acceptable. [Order 3, § 332-16-210, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-220 Development work and improvements—Examples, unacceptable. [Order 3, § 332-16-220, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-230 Development work and improvements—Reports. [Order 3, § 332-16-230, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-240 Development work and improvements—Additional time. [Order 3, § 332-16-240, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-250 Advance payment of minimum annual royalty. [Order 3, § 332-16-250, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-260 Royalties. [Order 3, § 332-16-260, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-270 Royalties—Computation. [Statutory Authority: RCW 79.01.618. 86-14-015 (Order 478), § 332-16-270, filed 6/23/86; Order 3, § 332-16-270, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-290 Royalties—Production. [Order 3, § 332-16-290, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-300 Royalties—Audit and verification. [Order 3, § 332-16-300, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-310 Maps, reports, and assays. [Order 3, § 332-16-310, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-320 Assignments. [Order 3, § 332-16-320, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-330 Consolidation of mining contracts. [Order 3, § 332-16-330, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.
- 332-16-340 Administrative Procedure Act. [Order 3, § 332-16-340, filed 2/6/68; Resolution No. 72 (part), filed 1/19/67.] Repealed by 87-21-007 (Order 528), filed 10/9/87. Statutory Authority: RCW 79.01.618.

WAC 332-16-010 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-020 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-030 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-035 Prospecting leases and mining contracts—Rental rates, advance minimum royalty, prospecting work requirement, development work requirement and production royalty. The annual rental for years one through three of a mineral prospecting lease shall be \$2.00 per acre, or \$100.00, whichever is greater. The annual rental for years four through seven of the lease shall be \$3.00 per acre, or \$120.00, whichever is greater. The department may require that more than one year's annual rental be paid in advance prior to issuing the lease.

The annual prospecting work requirement for a mineral prospecting lease shall be \$3.00 per acre.

The annual advance minimum royalty for years one through five of a mining contract shall be \$5.00 per acre, or \$250.00, whichever is greater. The annual advance minimum royalty for years six through ten of a mining contract shall be \$10.00 per acre, or \$500.00, whichever is greater. The annual advance minimum royalty for years eleven through twenty of a mining contract shall be \$20.00 per acre, or \$1,000.00, whichever is greater.

The production royalty rate for mining contracts shall be 5% of the gross receipts. The rate to be incorporated into a mining contract issued upon conversion from a prospecting lease shall be the rate in effect on the date the prospecting lease was issued.

The annual development work requirement for a mining contract shall be \$5.00 per acre.

All annual rental payments and annual advance minimum royalty payments must be made in advance, and lack of notice of payment due does not relieve the lessee of the obligation to make payments when due.

[Statutory Authority: RCW 79.01.618, 79.01.088 and 79.01.720. 87-21-005 (Order 523, Resolution No. 571), § 332-16-035, filed 10/9/87.]

WAC 332-16-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-045 Recreational prospecting permit fee. The fee for an annual permit for prospecting and collecting in designated recreational prospecting areas shall be \$10.00.

[Statutory Authority: RCW 79.01.618, 79.01.088 and 79.01.720. 87-21-005 (Order 523, Resolution No. 571), § 332-16-045, filed 10/9/87.]

WAC 332-16-050 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-055 Application for prospecting lease. Applications for prospecting leases will be received during business hours in the office of the Department of Natural Resources, Olympia, Washington. Applications must be submitted on forms prescribed by the department and accompanied by the application fee.

All applications received by any means other than United States mail will be stamped with the date and time of receipt in the Olympia office. Applications received by United States mail will be considered received as of the close of business on that day. Applications will be accepted in the order received and priority of leasing will be established on this basis. The priority among applications filed simultaneously will be by drawing of lots.

If an application is rejected by the department, the application fee will be refunded and the applicant informed of the reason for rejection. If a portion of the lands applied for are encumbered or otherwise not available, such portion will be deleted from the application and the applicant notified of the change.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-055, filed 10/9/87.]

WAC 332-16-060 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-065 Conversion of a prospecting lease to a mining contract. An application to convert a prospecting lease to a mining contract must be submitted to the department at least one hundred eighty days prior to the expiration of the prospecting lease, together with the application fee.

The application shall include a plan of development which describes the development, operation and reclamation of the property, an environmental checklist and evidence that the prospecting work requirements of the lease have been met.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-065, filed 10/9/87.]

WAC 332-16-070 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-075 Prospecting lease not renewable. A prospecting lease not converted to a mining contract shall not be renewable. The holder of an expired prospecting lease, or the holder's agents, shall not be entitled to a new lease on the premises covered by the prior lease for one year from the date of the expired prospecting lease.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-075, filed 10/9/87.]

WAC 332-16-080 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-085 Failure to execute prospecting leases and mining contracts. When an applicant fails to

sign a lease or contract and return the signed document with the rental or minimum royalty within thirty days, the application will be rejected and the application fee forfeited. Additional time for compliance with this section may be granted by the department if the applicant submits a written request for additional time to the department within the thirty day period.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-085, filed 10/9/87.]

WAC 332-16-090 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-095 Renewal of mining contract. The lessee may apply for renewal of a mining contract, except placer gold mining contracts issued pursuant to RCW 79.01.617, by submitting an application, and the application fee, within the ninety days prior to the expiration of the contract.

The terms of the renewal contract shall be the same as those contained in the previous contract unless valuable minerals or specified materials are not being produced. The terms of a renewal contract on a non-producing lease shall be governed by the rules and rates in effect at the time the renewal contract is issued.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-095, filed 10/9/87.]

WAC 332-16-100 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-105 Performance security. The department may, at its option, require the lessee to file a cash bond, savings account assignment, approved corporate surety bond or other form of security satisfactory to the department in an amount sufficient to guarantee performance of the terms and conditions of the lease or contract. Such security, if required, shall be submitted prior to the commencement of prospecting or mining operations. The department may reduce or increase the amount of the security as a result of operational changes requiring different levels of performance. The department may allow a lessee to file a single security device, acceptable to the state, in an amount set by the department covering all of the lessee's state leases.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-105, filed 10/9/87.]

WAC 332-16-110 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-115 Timber. No forest products owned by the department shall be cut, removed or destroyed unless approved in advance by the department. The lessee shall appropriately mark all forest products proposed to be cut. Unless the department elects to directly dispose of the forest products, the department will appraise the forest products and the lessee shall pay the appraised value of such forest products within thirty days of billing unless there is a written extension of time

by the department, and in any event, prior to their cutting.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-115, filed 10/9/87.]

WAC 332-16-120 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-125 Surface rights. Where the surface rights for the lands described in the prospecting lease or mining contract are held by a third party, the holder of the prospecting lease or mining contract shall make arrangements with the holder of the surface rights to protect the surface interests and submit to the department evidence of such arrangements, prior to the commencement of prospecting or mining activities, in one of the following forms:

(1) Waiver of damages executed by the holder(s) of the surface rights;

(2) Agreement in the form of a letter, contract or memorandum of understanding executed by both the mineral lessee and the holder(s) of the surface rights which provides for the settlement of all disputes and damages;

(3) A court order resolving the issues of access, damage claims and any other disputes.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-125, filed 10/9/87.]

WAC 332-16-130 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-135 Use of leased premises. The holder of a prospecting lease may use the leased premises as provided in the lease and the approved plan of operations, subject to existing rights and payments as otherwise provided. Such uses shall be those reasonably necessary for the exploration of the premises.

The holder of a prospecting lease may remove valuable minerals or specified materials of a value not exceeding \$100 for the purpose of testing and assaying. The removal of valuable minerals or specified materials in excess of this amount requires prior written approval of the department, and may be subject to the payment of royalties.

The holder of a mining contract may use the leased premises as provided in the contract and the approved plan of operations, subject to existing rights and payments as otherwise provided. Such uses shall be those reasonably necessary for the exploration, development, operation and production of valuable minerals or specified materials.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-135, filed 10/9/87.]

WAC 332-16-140 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-145 Prospecting and development work. Prospecting leases shall require that the lessee

perform the required annual prospecting work that contributes to the mineral evaluation of the premises. The lessee may make payment to the department in lieu of prospecting work for not more than three years during the term of the lease.

Mining contracts, except those issued for placer gold mining pursuant to RCW 79.01.617, shall require that the lessee perform the required annual development work that contributes to the mineral development of, and production from, the property. The lessee may make payment to the department in lieu of the performance of development work.

Prospecting work or development work actually accomplished during any one lease or contract year in excess of the lease or contract requirements may be applied toward the next succeeding year only, provided that the work is reported to the department at the end of the year in which it was performed, accompanied by a written request that the excess be applied to the next succeeding year.

All prospecting and development work reported is subject to evaluation and confirmation by the department. Work that does not directly contribute to the mineral evaluation or development of the property will not be accepted. The department shall have the right to inspect the work done and to examine all books and records pertaining to prospecting and development work reported. Prospecting and development work reports shall contain sufficient information, including adequate maps, plans, diagrams, locations, and costs to indicate the location, amount and type of work accomplished on or adjacent to the property and an explanation of how this work contributed to the mineral evaluation or development of the property.

Upon the written request of the lessee at the time the prospecting or development work report is submitted to the department, the report shall be considered confidential until a written release is obtained from the lessee or the termination, cancellation, surrender or expiration of the lease or contract.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-145, filed 10/9/87.]

WAC 332-16-150 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-155 Production royalty. Production royalties shall be payable as provided in the mining contract upon all valuable minerals, specified materials or any products whatever which are mined, saved, sold or removed from the leased premises.

The production royalty shall be calculated on the gross receipts, including all bonuses and allowances paid, earned, or received, at the point of sale of the first marketable valuable mineral(s) produced from the leased premises, whether or not such valuable mineral(s) are produced through chemical or mechanical processes, subject only to the deduction of transportation costs which transportation costs are part of the development plan approved by the department.

The department may set or calculate the production royalty in the case of specified materials and other products produced from the leased premises based on the volume of material removed from the leased premises.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-155, filed 10/9/87.]

WAC 332-16-160 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-165 Field inspections and audits. Any person designated by the department shall have the right at any time to inspect and examine the lease premises and the facilities thereon, and shall have the right during lessee's business hours to examine such books, records, tax returns, and accounts of the lessee as are directly connected with the determination of royalties.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-165, filed 10/9/87.]

WAC 332-16-170 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-175 Technical data. In the interest of further developing the mineral resources of the state of Washington, lessees shall submit to the department copies of all geological, geophysical, geochemical, engineering and metallurgical data relating to the property held under lease or contract within ninety days of the termination, cancellation, surrender or expiration of the lease or contract. All of the following data, collected or prepared, are to be submitted:

- (1) Geologic maps;
- (2) Geochemical surveys, including sample location maps and results of tests for each sample;
- (3) Geophysical surveys, including accurate station maps, measurements for each station and the results of data reduction, but not proprietary interpretations;
- (4) Lithologic logs and geochemical analyses for exploratory drill holes;
- (5) Map showing the location and orientation of exploratory drill holes;
- (6) Results of metallurgical tests performed on samples from the premises;
- (7) Results of engineering studies relating to the competence and stability;
- (8) Surveyed level maps for underground workings.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-175, filed 10/9/87.]

WAC 332-16-180 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-185 Assignments. The assignment of any lease or contract may be made, subject to written approval by the department, upon submitting the request on the prescribed form to the department, together with the required assignment fee. The assignee shall be subject to and governed by the terms and conditions of the lease or contract. The approval of an assignment by the department shall not waive compliance with any terms

and conditions of the lease or contract. No assignment of a lease or contract will be approved if any delinquencies exist with respect to any of the terms or provisions of the lease or contract.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-185, filed 10/9/87.]

WAC 332-16-190 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-195 Consolidation of mining contracts. The holder or holders of two or more mining contracts may apply to the department for the consolidation of their contracts under a common management to facilitate operation of larger-scale development.

If the department finds the consolidation to be in the best interests of the state, the consolidation will be approved.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-195, filed 10/9/87.]

WAC 332-16-200 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-205 Plan of operations. Prior to the commencement of prospecting activities which disturb the surface, the holder of a prospecting lease shall submit a plan of operations which shall include but is not limited to the following:

- (1) The type, location, and schedule of exploratory drilling and trenching activities;
- (2) Location of other significant activities, including type and depth of drilling, trenching, and underground development;
- (3) Proposed roads;
- (4) Proposed erosion control plans for roads, landings, drilling locations, and trenches; and
- (5) Reclamation, including the method of plugging and sealing drill holes and underground openings.

Prior to the commencement of exploration, development or mining activities, the holder of a mining contract shall submit a plan of operations which includes items (1) through (5), above, and the implementation of the plan of development and reclamation submitted as part of the application for the mining contract.

If the lessee desires changes to the approved plan of operations, department approval is required.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-205, filed 10/9/87.]

WAC 332-16-210 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-215 Notice of intent to conduct prospecting or operations. The department must be notified at least fifteen days in advance of the commencement of work that includes activities approved as part of the lessee's plan of operations, which disturb the surface. If the surface rights on all or a portion of the leased premises are held by a third party, that party shall be provided a copy of the notification of intent to conduct prospecting

or operations at the same time the department is notified.

Activities which are not part of the lessee's approved plan of operations cannot be included in the notice of intent.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-215, filed 10/9/87.]

WAC 332-16-220 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-225 Plugging and abandonment procedures for exploration drill holes. All exploration drill holes shall be properly plugged and abandoned by the lessee in accordance with procedures approved by the department.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-225, filed 10/9/87.]

WAC 332-16-230 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-235 Public auction of known deposits of valuable minerals or specified materials. The department may offer mining contracts at public auction on lands for which the department has information for the existence of commercially significant mineral deposits.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-235, filed 10/9/87.]

WAC 332-16-240 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-245 Public auction of placer gold mining contracts. The department may offer contracts for the mining of placer gold at public auction. Mining contracts for placer gold issued at public auction shall be for a term of 5 years and be nonrenewable. Payment shall be by bonus bid, if any, and an annual rental.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-245, filed 10/9/87.]

WAC 332-16-250 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-255 Recreational prospecting areas. The department may consider and evaluate written requests to designate specific areas as recreational prospecting areas. The criteria for the evaluation of such proposals shall include, but not be limited to, use conflicts, the presence of minerals in noncommercial quantities, public access and environmental sensitivity.

The department shall establish the amount of collecting, type of equipment and method(s) of collecting and/or prospecting to be allowed in each designated recreational prospecting area. Such rules will be based on the character of each area, the mineral or minerals sought, and regulations imposed by other state agencies.

Following the determination by the department a site may be suitable for designation as a recreational prospecting area, the department shall hold a public hearing

in the county where the lands are located. At least fifteen days but not more than thirty days before the hearing, the department shall publish a public notice setting forth the date, time, and place of the hearing, at least once in one or more daily newspapers of general circulation in the county and at least once in one or more weekly newspapers circulated in the area.

After a recreational prospecting area has been designated by the department, the boundaries of the area will be marked.

A recreational prospecting permit issued by the department of natural resources is required by all persons 16 years of age and older for the use of designated recreational prospecting areas for prospecting and mineral collecting. The term of the permit shall be a calendar year.

[Statutory Authority: RCW 79.01.618. 87-21-007 (Order 528), § 332-16-255, filed 10/9/87.]

WAC 332-16-260 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-270 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-290 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-300 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-310 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-320 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-330 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-16-340 Repealed. See Disposition Table at beginning of this chapter.

**Chapter 332-24 WAC
FOREST PROTECTION**

WAC

332-24-001 Repealed.

ADMINISTRATION

- 332-24-005 Definitions.
- 332-24-015 Invalidity of part of chapter not to affect remainder.
- 332-24-020 Repealed.
- 332-24-025 Repealed.
- 332-24-027 Repealed.
- 332-24-055 Repealed.
- 332-24-056 Repealed.
- 332-24-057 Repealed.
- 332-24-058 Repealed.
- 332-24-059 Repealed.
- 332-24-060 Repealed.
- 332-24-063 Repealed.
- 332-24-070 Repealed.
- 332-24-090 Repealed.

332-24-095 Repealed.
 332-24-100 Repealed.
 332-24-105 Repealed.
 332-24-10501 Repealed.
 332-24-10502 Repealed.
 332-24-150 Repealed.
 332-24-160 Repealed.
 332-24-170 Repealed.
 332-24-180 Repealed.
 332-24-185 Repealed.
 332-24-185001 Repealed.
 332-24-190 Repealed.
 332-24-192 Repealed.
 332-24-194 Repealed.
 332-24-196 Repealed.
 332-24-197 Repealed.
 332-24-200 Repealed.

PERMITS

332-24-201 Written burning permit requirements and exceptions.
 332-24-205 General rules—Recreational or debris disposal fires not requiring a written burning permit.
 332-24-210 Repealed.
 332-24-211 Requirements—Recreational or debris disposal fires.
 332-24-215 Recreation and debris disposal fire requirements—Penalty.
 332-24-220 Repealed.
 332-24-221 Burning permits.
 332-24-225 Burning barrels.
 332-24-230 Repealed.
 332-24-231 Burning permits—Yacolt burn in portions of Clark and Skamania counties.
 332-24-232 Exemption from burning permit requirements—Parts of Clark and Wahkiakum counties.
 332-24-234 Exemption from burning permit requirements—Parts of Okanogan County.
 332-24-236 Exemption from burning permit requirements—Parts of Asotin, Garfield, Columbia and Walla Walla counties.
 332-24-238 Exemption from burning permit requirements—Parts of Cowlitz County.
 332-24-240 Exemption from burning permit requirements—Parts of Snohomish County.
 332-24-242 Exemption from burning permit requirements—Parts of Skagit County.
 332-24-244 Exemption from burning permit requirements—Parts of Pacific and Grays Harbor counties.
 332-24-261 Dumping mill waste, forest debris—Creation of a fire hazard—Permits.

CLOSURE/SUSPENSIONS

332-24-301 Industrial restrictions.
 332-24-310 Repealed.
 332-24-320 Repealed.
 332-24-330 Repealed.
 332-24-340 Repealed.
 332-24-350 Repealed.
 332-24-360 Repealed.
 332-24-370 Repealed.
 332-24-380 Repealed.
 332-24-385 Repealed.
 332-24-387 Repealed.
 332-24-390 Repealed.
 332-24-395 Repealed.

FIRE PROTECTION REGULATIONS

332-24-401 Felling of snags.
 332-24-405 Spark emitting equipment requirements.
 332-24-410 Repealed.
 332-24-411 Substitution, reduction, or increase of requirements.
 332-24-412 Repealed.
 332-24-415 Repealed.
 332-24-418 Repealed.
 332-24-420 Repealed.
 332-24-430 Repealed.
 332-24-440 Repealed.
 332-24-500 Repealed.

ASSESSMENTS, OBLIGATIONS, FUNDS

332-24-600 Forest fire protection and special forest fire suppression account minimum assessment refund procedure.

HAZARD ABATEMENT

332-24-650 Extreme fire hazard requiring abatement.
 332-24-652 Extreme fire hazard—Eight hundred contiguous acres.
 332-24-654 Extreme fire hazard—Liability—Responsibility.
 332-24-656 Preexisting hazards.
 332-24-658 Recovery of costs.
 332-24-660 Approved isolation, reduction, or abatement—Relief of liability.
 332-24-900 Captions—Chapter 332-24 WAC.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

332-24-001 Invalidation of part of chapter not to affect remainder. [Order 16, § 332-24-001, filed 2/25/69.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-020 Promulgation. [Statutory Authority: RCW 76.04.222 and 1979 ex.s. c 8. 79-12-015 (Order 336), § 332-24-020, filed 11/14/79.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-025 Definition. [Statutory Authority: RCW 76.04.222 and 1979 ex.s. c 8. 79-12-015 (Order 336), § 332-24-025, filed 11/14/79.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-027 Felling of snags. [Statutory Authority: RCW 76.04-222 and 1979 ex.s. c 8. 79-12-015 (Order 336), § 332-24-027, filed 11/14/79.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-055 Definitions. [Order 261, § 332-24-055, filed 6/10/76; Order 181, § 332-24-055, filed 3/21/74; Order 16, § 332-24-055, filed 2/25/69.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-056 Purpose of rules. [Statutory Authority: RCW 76.04-150. 83-10-036 (Order 396), § 332-24-056, filed 4/29/83, effective 6/1/83; Order 169, § 332-24-056, filed 8/7/73.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-057 Spark emitting equipment regulated. [Order 272, § 332-24-057, filed 1/24/77; Order 255, § 332-24-057, filed 5/13/76; Order 181, § 332-24-057, filed 3/21/74.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-058 Substitutions and reduction of requirements. [Order 181, § 332-24-058, filed 3/21/74.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-059 Penalties for violation—Work stoppage notice. [Order 181, § 332-24-059, filed 3/21/74.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-060 Definitions. [Statutory Authority: RCW 76.04.150. 83-10-036 (Order 396), § 332-24-060, filed 4/29/83, effective 6/1/83; Order 169, § 332-24-060, filed 8/7/73; Order 126, § 332-24-060, filed 11/17/71; Order 59, § 332-24-060, filed 7/29/70; Order 16, § 332-24-060, filed 2/25/69.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-063 Written burning permit requirements and exceptions. [Statutory Authority: RCW 76.04.150. 83-10-036 (Order 396), § 332-24-063, filed 4/29/83, effective 6/1/83; Order 181, § 332-24-063, filed 3/21/74.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
 332-24-070 General rules—Outdoor fire for recreational or debris disposal purposes not requiring a written burning permit. [Statutory Authority: RCW 76.04.150. 83-10-

- 036 (Order 396), § 332-24-070, filed 4/29/83, effective 6/1/83; Order 169, § 332-24-070, filed 8/7/73; Order 126, § 332-24-070, filed 11/17/71; Order 16, § 332-24-070, filed 2/25/69.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-090 Requirements—Outdoor fire for recreational or debris disposal purposes not requiring a written burning permit. [Statutory Authority: RCW 76.04.150. 83-10-036 (Order 396), § 332-24-090, filed 4/29/83, effective 6/1/83; Order 169, § 332-24-090, filed 8/7/73; Order 126, § 332-24-090, filed 11/17/71 and 3/8/72; Order 16, § 332-24-090, filed 2/25/69.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-095 Recreation and debris disposal fire requirements—Penalty. [Statutory Authority: RCW 76.04.150. 83-10-036 (Order 396), § 332-24-095, filed 4/29/83, effective 6/1/83.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-100 Burning permits—Portions of Clark and Skamania counties. [Burning Permit Rule, effective 10/16/53.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-105 Exemptions from burning permit requirements—Parts of Clark and Wahkiakum counties. [Order 169, § 332-24-105, filed 8/7/73.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-10501 Exemptions from burning permit requirements—Parts of Wahkiakum County. [Order 234, § 332-24-10501, filed 8/12/75.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-10502 Exemptions from burning permit requirements—Parts of Okanogan County. [Order 235, § 332-24-10502, filed 8/12/75.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-150 Exemptions from burning permit requirements. [Order 157, § 332-24-150, filed 4/2/73; Rule of 4/29/66.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-160 Exemptions from burning permit requirements—Parts of Asotin County. [Rule of 4/29/66.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-170 Exemptions from burning permit requirements—Parts of Garfield County. [Rule of 4/29/66.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-180 Exemptions from burning permit requirements—Parts of Columbia County. [Rule of 4/29/66.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-185 Exemptions from burning permit requirements—Parts of Cowlitz County. [Order 157, § 332-24-185, filed 4/2/73; Order 16, § 332-24-200 (codified as WAC 332-24-185), filed 2/25/69.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-185001 Exhibit A—Map. [Order 16, § 332-24-185 (part), (codified as WAC 332-24-185001), Exhibit A—Map, filed 2/25/69.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-190 Exemptions from burning permit requirements—Parts of Walla Walla County. [Rule of 4/29/66.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-192 Exemptions from burning permit requirements—Parts of Snohomish County. [Statutory Authority: RCW 76.04.020 and 76.04.190. 79-09-120 (Order 331), § 332-24-192, filed 9/4/79; Order 157, § 332-24-192, filed 4/2/73; Docket 236, filed 7/20/66.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-194 Exemptions from burning permit requirements—Parts of Snohomish and Skagit counties. [Order 157, § 332-24-194, filed 4/2/73; Docket 275, filed 5/29/67.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-196 Exemptions from burning permit requirements—Parts of Pacific and Grays Harbor counties. [Order 157, § 332-24-196, filed 4/2/73; Docket 256, filed 10/28/66, 3/30/67.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-197 Burning permits—Extension of burning permit season. [Order 130, § 332-24-197, filed 1/19/72, effective 2/23/72.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-200 Satisfactory clearance of slash. [Order 4, § 332-24-200, filed 3/1/68.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-210 Slash abatement west of the summit of the Cascade Mountains. [Order 4, § 332-24-210, filed 3/1/68.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-220 Slash clearance east of the summit of the Cascade Mountains. [Order 4, § 332-24-220, filed 3/1/68.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-230 Payment to certificate of clearance fund. [Order 4, § 332-24-230, filed 3/1/68.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-310 Rules requiring use of approved spark arresters on railroad locomotives. [Order 30, § 332-24-310, filed 8/7/70, 8/11/70, 8/19/70.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-320 Definitions. [Order 30, § 332-24-320, filed 8/7/70, 8/11/70, 8/19/70.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-330 General rules. [Order 30, § 332-24-330, filed 8/7/70, 8/11/70, 8/19/70.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-340 Penalties. [Order 30, § 332-24-340, filed 8/7/70, 8/11/70, 8/19/70.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-350 Extension of time for removal of distressed timber. [Order 70, § 332-24-350, filed 10/21/70.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-360 Promulgation. [Order 274, § 332-24-360, filed 4/8/77; Order 126, § 332-24-360, filed 12/19/72.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-370 Definitions. [Order 274, § 332-24-370, filed 4/8/77; Order 126, § 332-24-370, filed 12/19/72.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-380 Extreme fire hazard requiring abatement. [Order 274, § 332-24-380, filed 4/8/77; Order 126, § 332-24-380, filed 12/19/72.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-385 Extreme fire hazard requiring isolation or reduction. [Order 274, § 332-24-385, filed 4/8/77.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-387 Responsibility. [Order 274, § 332-24-387, filed 4/8/77.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-390 Preexisting hazards. [Order 274, § 332-24-390, filed 4/8/77; Order 126, § 332-24-390, filed 12/19/72.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.

- 332-24-395 Compliance. [Order 274, § 332-24-395, filed 4/8/77.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-410 Recovery of costs. [Order 274, § 332-24-410, filed 4/8/77; Order 126, § 332-24-410, filed 12/19/72.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-412 Approved isolation, reduction or abatement. [Order 274, § 332-24-412, filed 4/8/77.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-415 Dumping mill waste, forest debris. [Order 169, § 332-24-400 (codified as WAC 332-24-415), filed 8/7/73.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-418 Definitions. [Order 169, § 332-24-410 (codified as WAC 332-24-418), filed 8/7/73.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-420 Creation of fire hazard—Dumping. [Order 169, § 332-24-420, filed 8/7/73.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-430 Fire hazard dumping permits. [Order 169, § 332-24-430, filed 8/7/73.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-440 Illegal dumping—Enforcement penalties. [Order 169, § 332-24-440, filed 8/7/73.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.
- 332-24-500 Forest fire protection and special forest fire suppression account minimum assessment refund procedure. [Statutory Authority: RCW 76.04.020, 83-23-105 (Order 405), § 332-24-500, filed 11/23/83; 83-01-099 (Order 388), § 332-24-500, filed 12/20/82.] Repealed by 87-11-005 (Order 504), filed 5/8/87. Statutory Authority: RCW 76.04.015.

WAC 332-24-001 Repealed. See Disposition Table at beginning of this chapter.

ADMINISTRATION

WAC 332-24-005 Definitions. Items defined herein have reference to chapter 76.04 RCW and all other provisions of law relating to forest protection and have the meanings indicated unless the context clearly requires otherwise.

(1) "Abatement" means the elimination of additional fire hazard by burning, physical removal, or other means.

(2) "Additional fire hazard" means additional fire hazard as defined in RCW 76.04.005.

(3) "Adze eye hoe" means a serviceable forest fire fighting hoe with a blade width of at least five and three-quarters inches and a rectangular eye. The blade shall be sharpened, solid, and smooth. The handle shall be hung solid with no more than three-quarters of an inch nor less than one-eighth of an inch extending beyond the head, smooth, aligned, and at least thirty-two inches long.

(4) "Approved exhaust system" means a well-mounted exhaust system free from leaks and equipped with spark arrester(s) rated and accepted under United States Department of Agriculture Forest Service current standards.

(a) Turbochargers qualify as an approved exhaust system when all gases pass through the turbine wheel. The turbine must be turning at all times, and there must be no exhaust bypasses. A straight mechanical-driven supercharger does not qualify as an approved exhaust system in lieu of an approved spark arrester.

(b) Passenger vehicles and trucks may be equipped with an adequately baffled muffler in lieu of a spark arrester.

(c) General purpose spark arresters for use on equipment, vehicles, and motorcycles operating on forest land must meet the performance levels set forth in the Society of Automotive Engineers (SAE) Recommended Practice SAE J350, "Requirements of Single Position Application General Purpose Arresters." The spark arrester shall be permanently marked with the model number and the manufacturer's identification or trademark. When the inlet and outlet of an arrester are not easily identified, they must be marked. Arresters on mobile equipment shall not be mounted more than forty-five degrees from the qualified position.

(d) Portable power saws purchased after June 30, 1977, and used on forest land, must meet the performance levels set forth in the Society of Automotive Engineers (SAE) Recommended Practice SAE J335b, "Multi-Positioned Small Engine Exhaust Fire Ignition Suppression." Requirements to obtain the SAE J335b specifications are as follows:

(i) The spark arrester shall be designed to retain or destroy ninety percent of the carbon particles having a major diameter greater than 0.023 inches (0.584mm.)

(ii) The exhaust system shall be designed so that the exposed surface temperature shall not exceed five hundred fifty degrees Fahrenheit (288 degrees Centigrade) where it may come in direct contact with forest fuels.

(iii) The exhaust system shall be designed so that the exhaust gas temperature shall not exceed four hundred seventy-five degrees Fahrenheit (246 degrees Centigrade) where the exhaust flow may strike forest fuels.

(iv) The exhaust system shall be designed in such a manner that there are no pockets or corners where flammable material might accumulate. Pockets are permissible only if it can be substantiated by suitable test that material can be prevented from accumulating in the pockets.

(v) The exhaust system must be constructed of durable material and so designed that it will, with normal use and maintenance, provide a reasonable service life. Parts designed for easy replacement as a part of routine maintenance shall have a service life of not less than fifty hours. Cleaning of parts shall not be required more frequently than once for each eight hours of operation. The spark arrester shall be so designed that it may be readily inspected and cleaned.

(vi) Portable power saws will be deemed to be in compliance with SAE J335b requirements if they are certified by the United States Department of Agriculture, Forest Service, and the San Dimas Equipment Development Center.

(e) Portable power saws which were purchased prior to June 30, 1977, and which do not meet the Society of

Automotive Engineers Standards, must meet the following requirements:

(i) The escape outlet of the spark arrester shall be at an angle of at least forty-five degrees from a line parallel to the bar;

(ii) The configuration of spark arrester shall be such that it will not collect sawdust no matter in what position the saw is operated;

(iii) Spark arrester shall be designed and made of material that will not allow shell or exhaust temperature to exceed eight hundred fifty degrees Fahrenheit;

(iv) The arrester shall have a screen with a maximum opening size of 0.023 inches (0.584mm.);

(v) The arrester shall be capable of operating, under normal conditions, a minimum of eight hours before cleaning is needed;

(vi) The screen shall carry a manufacturer's warranty of a minimum of fifty-hour life when installed and maintained in accordance with the manufacturer's recommendation;

(vii) The arrester shall be of good manufacture and made so that the arrester housing and screen are close fitting;

(viii) The arrester shall be at least ninety percent efficient in the destruction, retention or attrition of carbon particles over 0.023 inches (0.584mm.);

(ix) Efficiency is to be measured as described in Power Saw Manufacturer's Association Standard, Number S365;

(x) Construction of the arrester shall permit easy removal and replacement of the screen for field inspection and cleaning.

(f) Multipositioned engine powered tools, other than power saws, used on forest land must meet the performance levels set forth in the Society of Automotive Engineers (SAE) Recommended Practice J335b, "Multi-Positioned Small Engine Exhaust Fire Ignition Suppression."

(g) Locomotive spark arresters for use on logging, private or common carrier railroads operating on or through forest land must meet the performance levels set forth in the Association of American Railroads (AAR) Recommended Practice, "Standard for Spark Arresters for Non-Turbo Charged Diesel Engines Used in Railroad Locomotives."

(5) "Axe" means a serviceable, double-bitted, swamping axe or single-bitted axe of at least a three-pound head and thirty-two inch handle. The blades shall be sharpened, solid and smooth. The handle shall be hung solid, smooth and straight.

(6) "Burning barrel" means a metal container in sound condition with several holes at the bottom for cleaning and sufficient air circulation with the top covered by a spark arresting woven wire cloth or wire screen of one-quarter of one inch (4x4) mesh, fourteen gauge or heavier. The spark arresting woven wire cloth or wire screen shall overlap at least four inches beyond the edge of the barrel.

(7) "Currently with the logging" and "current with the felling of live timber, or with the current logging operation" means during the logging operation or associated activities on any landing, setting or similar part of the operation.

(8) "Debris disposal fire" means an outdoor fire for the elimination of a fire hazard and for the purpose of clean-up of natural vegetation, such as yard and garden refuse and residue of a natural character such as leaves, clippings, prunings, trees, stumps, brush, shrubbery, and wood so long as it has not been treated by an application of prohibited material or substance in a pile no larger than ten feet in diameter.

(9) "Department" means the department of natural resources, or its authorized representatives, as defined in chapter 43.30 RCW.

(10) "Dump" includes, without limitation, dumping, depositing, or placing.

(11) "Fire extinguisher" means, unless otherwise stated, a fully charged and operational chemical fire extinguisher rated by underwriters' laboratory or factory mutual, appropriately mounted in either a vertical or horizontal position, and located so as to be readily accessible to the operator. When two fire extinguishers are required, they are to be appropriately mounted and located so that one is readily accessible to the operator and the other is separate from the operator and readily accessible to other personnel. The fire extinguisher shall be equipped with a gauge to determine the level of charge present to propel the chemical from the extinguisher; however fire extinguishers required for use with portable power saws are not required to be equipped with a gauge to determine the level of charge.

(12) "Fire hazard" means the accumulation of combustible materials in such a condition as to be readily ignited and in such a quantity as to create a hazard from fire to nearby structures, forest areas, life and property.

(13) "Fire tool box" means a compartment of sound construction with a waterproof lid, provided with hinges and hasps and so arranged that the box can be properly sealed and the contents kept dry. The box shall be red in color and marked "fire tools" in white or black letters at least three inches high. The fire tool box shall contain a minimum of:

(a) Two axes or pulaskis;

(b) Three adze eye hoes;

(c) Three shovels.

(14) "Firewatch" means one competent person to be at the site(s) for one hour following the operation of spark-emitting equipment on class 3L days or above, or as determined by the department based on the national fire danger rating system and other fire danger conditions. The firewatch shall be vigilant and so located or positioned to be able to detect within five minutes fires which may originate at the site(s) of the equipment operation. The firewatch shall report a fire to the responsible protection agency within fifteen minutes of detection.

(15) "Fixed-position machine" means any machine used for any portion or phase of harvesting, thinning, site preparation, land clearing, road, railroad and utility right of way clearing or maintenance, mineral or natural

resources extraction, or other operation that performs its primary function from a fixed-position. This definition applies even though said machine is capable of moving under its own power to a different fixed position.

(16) "Forest debris" means forest debris as defined in RCW 76.04.005.

(17) "Forest land" means forest land as defined in RCW 76.04.005.

(18) "Isolation" means the division or separation of an additional fire hazard into compartments by a constructed barrier of at least one hundred feet in width at its narrowest point. The constructed barrier must be free and clear of forest debris as defined in RCW 76.04.005 and must be approved, in writing, by the department.

(19) "Mill waste" means waste of all kinds from forest products, including, but not limited to, sawdust, bark, chips, slabs, and cuttings from lumber or timber.

(20) "Operation" means the use of equipment, tools, and supporting activities on or adjacent to forest land that may cause a forest fire to start. Such activities may include, but are not limited to, any phase of harvesting, thinning, site preparation, land clearing, road, railroad, and utility right of way clearing and maintenance, and mineral or natural resource extraction. The operating period shall be that time period when the activity is taking place and includes that time when a firewatch would be required to be in attendance.

(21) "Outdoor fire" means the combustion of material in the open, or in a container, with no provisions for the control of such combustion or the control of the emissions from the combustion products.

(22) "Person" means any person, firm or corporation, public or private, governmental agency or entity.

(23) "Pulaski" means a serviceable axe and hoe combination tool with not less than a three and one-half pound head and thirty-two inch handle. The blades shall be at least two and one-half inches wide, sharpened, solid and smooth. The handle shall be hung solid, smooth and straight.

(24) "Pump truck or pump trailer" means:

(a) A serviceable truck or trailer which must be able to perform its functions efficiently and must be equipped with a water tank of not less than a three hundred gallon capacity, filled with water. The complete pump truck or pump trailer shall be kept ready for instant use for suppressing forest fires. If a trailer is used, it shall be equipped with a hitch to facilitate prompt moving. A serviceable tow vehicle shall be immediately available for attachment to the trailer. The pump truck, or pump trailer with its tow vehicle, must be available throughout the operating and watchperson periods.

(b) The pump may be a portable pump or suitable power take-off pump. It shall be plumbed with a bypass or pressure relief valve. The pump shall develop, at pump level, pressure sufficient to discharge a minimum of twenty gallons per minute, using a one-quarter inch nozzle tip through a fifty foot length of one inch or one and one-half inch rubber-lined hose.

(c) The pump truck or pump trailer shall be equipped with the following:

(i) A minimum of five hundred feet of one or one and one-half inch cotton or synthetic jacket hose;

(ii) A fully stocked fire tool box.

(d) The tank shall be plumbed so that water may be withdrawn by one person by gravity feed. This outlet shall be adapted to accept the hose used with the pump truck or pump trailer. The outlet shall be located for easy filling of pump cans.

(e) The pump truck or pump trailer must be equipped with fuel, appropriate tools, accessories and fittings to perform its functions for a continuous period of four hours. A recommended list of tools, fittings and accessories may be obtained from the department.

(25) "Recreational fire" means an outdoor fire for the purpose of sport, pastime or refreshment, such as camp fires, bonfires, cooking fires, etc., in a hand-built pile no larger than four feet in diameter and not associated with any debris disposal activities related to fire hazard elimination or yard and garden refuse clean-up.

(26) "Reduction" means the elimination of that amount of additional fire hazard necessary to produce a remaining average volume of forest debris no greater than nine tons per acre of material three inches in diameter and less.

(27) "Shovel" means a serviceable, long-handled or "D"-handled, round-point shovel of at least "0" size with a sharpened, solid and smooth blade. The handle on the shovel shall be hung solid, smooth and straight.

(28) "Snag" means a standing dead conifer tree over twenty-five feet in height and sixteen inches and over in diameter, measured at a point four and one-half feet above the average ground level at the base.

(29) "Tractor or other mobile machine" means any machine that moves under its own power when performing any portion or phase of harvesting, thinning, site preparation, land clearing, road, railroad and utility right of way clearing or maintenance, mineral or natural resource extraction, or other operation. This definition includes any machine, whether crawler or wheel-type, whether such machine be engaged in yarding or loading, or in some other function during the operation.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-005, filed 5/8/87.]

WAC 332-24-015 Invalidity of part of chapter not to affect remainder. If any provisions of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter, or the application of the provision to other persons or circumstances, is not affected.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-015, filed 5/8/87.]

WAC 332-24-020 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-025 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-027 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-055 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-056 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-057 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-058 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-059 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-060 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-063 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-070 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-090 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-095 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-100 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-105 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-10501 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-10502 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-150 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-160 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-170 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-180 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-185 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-185001 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-190 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-192 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-194 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-196 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-197 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-200 Repealed. See Disposition Table at beginning of this chapter.

PERMITS

WAC 332-24-201 **Written burning permit requirements and exceptions.** Under authority granted in RCW 76.04.015 and 76.04.205, the following regulation is hereby promulgated:

(1) The department is responsible, by law, for the granting of burning permits for certain types of outdoor fire;

(2) The department aids in the protection of air quality under its smoke management program;

(3) Pursuant to its authority and responsibility, the department has studied and determined the effects of such burning on life, property and air quality to be of year-round effect;

(4) Throughout the year, outdoor fire is prohibited within any department forest protection assessment area unless a written burning permit is obtained from the department and signed by the permittee and afterwards, having the permit in possession while burning and complying with the terms of such permit. Except, a written burning permit for an outdoor fire is not required from the department under the following conditions:

(a) In certain geographic areas of the state as designated by the department in this chapter;

(b) When the outdoor fire is:

(i) Contained within a campfire pit, approved by the department, located in a state, county, municipal, or other campground;

(ii) Contained within a camp stove or barbecue situated on bare soil, gravel bars, beaches, green field, or other similar areas free of flammable material for a sufficient distance adequate to prevent the escape of fire;

(iii) Contained in an approved burning barrel complying with WAC 332-24-225;

(c) When the general rules and requirements specified in WAC 332-24-205 and 332-24-211 and the conditions for the protection of life, property and air quality are met.

[Statutory Authority: RCW 76.04.015, 87-11-005 (Order 504), § 332-24-201, filed 5/8/87.]

WAC 332-24-205 **General rules--Recreational or debris disposal fires not requiring a written burning permit.** (1) The department reserves the right to restrict, regulate, refuse, revoke or postpone outdoor fires under

RCW 76.04.205 and 76.04.315, and chapter 70.94 RCW due to adverse fire weather or to prevent restriction of visibility, excessive air pollution or a nuisance.

(2) The Yacolt burn area, located in portions of Clark and Skamania Counties, is exempt from these rules, and that area requires a written burning permit throughout the year.

(3) This section does not apply:

(a) On lands protected by the department within incorporated city limits;

(b) On lands protected by the department situated within a fire protection district where the fire protection for those lands has been contracted to the fire protection district, except where the district has incorporated these rules into their regulations;

(c) On lands protected by the department situated within fire protection districts which have adopted a resolution pursuant to chapter 52.12 RCW assuming the authority to issue burning permits on improved property and where such resolution prohibits burning by rules which allow burning without a written burning permit;

(d) On lands protected by the department where air pollution authorities have prohibited fires for smoke management purposes that fall under these regulations.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-205, filed 5/8/87.]

WAC 332-24-210 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-211 Requirements--Recreational or debris disposal fires. (1) The fire must not include rubber products, plastics, asphalt, garbage, dead animals, petroleum products, paints, or any similar materials that emit dense smoke or create offensive odors when burned, pursuant to RCW 70.94.775(1).

(2) A person capable of extinguishing the fire must attend the fire at all times and the fire must be extinguished before leaving it.

(3) No recreational or debris disposal fires are to be within fifty feet of structures.

(4) A recreational fire shall be in a hand-built pile no larger than four feet in diameter. A serviceable shovel must be within the immediate vicinity of the fire.

(5) A debris disposal fire shall be in a pile no larger than ten feet in diameter. A serviceable shovel and a minimum of five gallons of water must be within the immediate vicinity of the fire. A bucket is acceptable if the outdoor fire is adjacent to an accessible body of water. A charged garden hose or other adequate water supply may be substituted for the five gallon water requirement.

(6) Only one pile may be burned at any one time and each pile must be extinguished before lighting another.

(7) No outdoor fire is permitted in or within five hundred feet of forest slash without a written burning permit.

(8) The material to be burned must be placed on bare soil, gravel bars, beaches, green fields or other similar area free of flammable material for a sufficient distance adequate to prevent the escape of the fire.

(9) Burning must be done during periods of calm to very light winds. Burning when wind will scatter loose flammable materials, such as dry leaves and clippings, is prohibited.

(10) If the fire creates a nuisance from smoke or fly ash, it must be extinguished.

(11) A landowner or the landowner's designated representative's written permission must be obtained before kindling an outdoor fire on the property of another.

(12) Persons not able to meet the requirements of subsections (1) through (10) of this section must apply for a written burning permit through the department.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-211, filed 5/8/87.]

WAC 332-24-215 Recreation and debris disposal fire requirements--Penalty. Failure to comply with the rules in WAC 332-24-211 voids permission to burn, and the person burning is in violation of RCW 76.04.205.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-215, filed 5/8/87.]

WAC 332-24-220 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-221 Burning permits. (1) Written burning permits will be required throughout the year for fires set under any of the following conditions:

(a) Broadcast burning of logged areas or unimproved lands; or

(b) Burning of logging landings; or

(c) Burning of debris resulting from the scarification of forest lands; or

(d) Under-burning of forest lands; or

(e) Burning of waste forest material resulting from the clearing of utility or public road rights of way that run through or adjacent to forest lands; or

(f) Burning of mill waste from forest products or any other material which has been transported to and dumped in concentrations on forest lands.

(2) All outdoor fires within the department's protection areas which are not required to have a written burning permit shall not:

(a) Include rubber products, plastics, asphalt, garbage, dead animals, petroleum products, paints, or any similar materials that emit dense smoke or create offensive odors when burned, as pursuant to RCW 70.94.775(1); or

(b) Cause visibility to be obscured on public roads and highways by the smoke from such fires; or

(c) Endanger life or property through negligent spread of fire.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-221, filed 5/8/87.]

WAC 332-24-225 Burning barrels. (1) Outdoor fires in burning barrels are allowed without a written burning permit when the following requirements are met:

(a) Burning shall be done in an approved burning barrel as defined in this chapter;

(b) Burning barrel shall be located not less than fifteen feet from any structure;

(c) Burning barrels shall be placed on bare mineral soil. Clearing around the barrel shall be to mineral soil for a radius of four feet or equal to the height of the barrel, if higher;

(d) No burning barrel or waste burner is permitted in or within five hundred feet of forest slash;

(e) Burning in a burn barrel is permitted only during periods of calm to very light winds;

(f) Materials burned shall not include prohibited materials pursuant to RCW 70.94.775(1).

(2) Persons unable to meet the requirements of subsection (1) of this section must apply and have in their possession a written burning permit issued by the department.

(3) The department reserves the right to restrict, regulate, refuse, revoke or postpone outdoor fires in burning barrels pursuant to RCW 76.04.205 and 76.04.315 and chapter 70.94 RCW, due to adverse fire weather or to prevent restriction of visibility, excessive air pollution or a nuisance.

(4) This section does not apply:

(a) On lands protected by the department within incorporated city limits;

(b) On lands protected by the department situated within a fire protection district where the fire protection for those lands has been contracted to the fire protection district, except where such district has incorporated these rules into their regulations;

(c) On lands protected by the department, situated within a fire protection district that has requirements for burning barrels on improved lands protected by said district. In such case, the requirements imposed by the fire protection district for lands under their jurisdiction shall also be enforced on forest lands within the district protected by the department;

(d) On lands protected by the department where air pollution authorities have prohibited fires for smoke management or air quality reasons that fall under these rules.

[Statutory Authority: RCW 76.04.015, 87-11-005 (Order 504), § 332-24-225, filed 5/8/87.]

WAC 332-24-230 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-231 Burning permits--Yacolt burn in portions of Clark and Skamania counties. (1) Under the authority granted in RCW 76.04.015 and 76.04.205, the department requires, throughout the year, any person wishing to burn flammable material, within the area described, to first obtain a written burning permit from the department and, thereafter, comply with the terms of said permit. The requirements for a written burning permit may be waived if the fire is contained in a suitable device sufficient, in the opinion of the department, to prevent the fire from spreading. This chapter shall be in effect until such time as the department deems it no longer necessary.

(2) The following describes parts of Clark and Skamania counties subject to the requirements of subsection (1) of this section:

Starting at the east quarter corner of Section 12, Township 5 North, Range 4 East, that point lying on the boundary of the Gifford Pinchot National Forest. Thence, west one mile; north one-half mile; west two miles; south two miles; west one mile; north one mile; west one mile; south one mile; west two miles to the southwest corner of Section 13, Township 5 North, Range 3 East. Thence, south three miles; east approximately one-quarter of one mile to the north quarter corner of Section 1, Township 4 North, Range 3 East. Thence, south two and one-quarter of a mile; westerly along the county road one and one-half miles; south one-quarter of one mile to the east quarter corner of Section 15, Township 4 North, Range 3 East. Thence, west one mile; south two and one-half miles; east one and one-half miles; south six miles to the south quarter corner of Section 26, Township 3 North, Range 3 East, that point lying on the north boundary of the Camp Bonneville - U.S. Military Reservation. Thence, east one-half of one mile; south one mile; east one mile; south two miles; east approximately one and one-half miles to the Little Washougal River. Thence, southwesterly approximately two and one-quarter miles along the Little Washougal River. Thence, east along the Bonneville Power line five miles. Thence, northeasterly along the county road to the northeast corner of Section 24, Township 2 North, Range 4 East. Thence, north one-half of one mile to a Bonneville Power line. Thence, east one mile to the West Fork of the Washougal River. Thence, southeasterly along said river to the east-west center line of Section 20, Township 2 North, Range 5 East, and then east along said center line to the east quarter corner of said Section 20. Thence, south one-half mile to a Bonneville Power line. Thence, east nine and one-half miles. Thence, south to the Evergreen Highway in the approximate center of Section 25, Township 2 North, Range 6 East, and then along said highway in a northeasterly direction approximately three miles to the northwest city limits of North Bonneville. Thence, north to the Bonneville Power line and northeasterly along it approximately four miles to where it intersects the north-south center line of Section 35, Township 3 North, Range 7 East. Thence, north approximately two and three-quarters mile to the center of Section 23, Township 3 North, Range 7 East. Thence, east one and one-half miles; south approximately one-third mile to the southwest corner of Section 24, Township 3 North, Range 7 and one-half miles east. Thence, east one mile; south one mile to the Bonneville Power line; northeasterly along said power line to the east section line of Section 30, Township 3 North, Range 8 East. Thence, northerly to the northeast corner of Section 18, Township 3 North, Range 8 East. Thence, west two and one-quarter miles to the road running up from Carson Creek; westerly along said road through Section 12 along the south side of Sections 2 and 3, Township 3 North, Range 7 East. Thence, southwesterly across Section 9 to the southwest corner of Section 9, Township 3

North, Range 7 East. Thence, west approximately ten miles to the northwest corner of Section 14, Township 3 North, Range 5 East. Thence, south one mile; west four miles; north thirteen and one-half miles to the point of beginning.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-231, filed 5/8/87.]

WAC 332-24-232 Exemption from burning permit requirements—Parts of Clark and Wahkiakum counties.

(1) Pursuant to the authority granted in RCW 76.04.205, the parts of Clark and Wahkiakum counties described in subsections (2) and (3) of this section are exempt from the requirements of RCW 76.04.205 and permits for the burning of flammable material will not, from the effective date of this chapter, be required in such exempt parts; however nothing herein shall affect the operation and effectiveness of the rules of the rural fire protection district and/or local air pollution control authority in which said lands are located.

(2) The following described parts of Clark County, Washington, are exempt from the burning permit requirements of RCW 76.04.205 in accordance with subsection (1) of this section: All lands lying within the following described line:

(a) All lands west of Fire District Number Six and the Vancouver city limits; and

(b) All lands west of the Burlington Northern Railroad main line from its intersection with northwest 179th Street north to Gee Creek.

(3) The following described parts of Wahkiakum County, Washington, are exempt from the burning permit requirements of RCW 76.04.205 in accordance with subsection (1) of this section:

(a) Puget Island, which lies south and west of the town of Cathlamet;

(b) The area between the towns of Skamokawa and Cathlamet south and west of State Route 4 to the Columbia River, including Price and Hunting Islands.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-232, filed 5/8/87.]

WAC 332-24-234 Exemption from burning permit requirements—Parts of Okanogan County.

(1) Pursuant to the authority granted in RCW 76.04.205, parts of Okanogan County, described in subsection (2) of this section, are exempt from the requirements of RCW 76.04.205 and permits for the burning of flammable material will not, from the effective date of this chapter, be required in such exempt parts; however nothing herein shall affect the operation and effectiveness of the rules of the rural fire protection district and/or local air pollution control authority in which said lands are located.

(2) The following described parts of Okanogan County, Washington, are exempt from the burning permit requirements of RCW 76.04.205 in accordance with subsection (1) of this section: All lands lying within the following described line:

(a) Starting at the junction of the Canadian-United States boundary and the north end of the Boundary Point Road, thence, southerly along the Boundary Point

Road to U.S. Highway 97; southerly along U.S. Highway 97 to the Tom Dull Road; southerly along the Tom Dull Road to 23rd Avenue. Thence, west approximately five hundred feet to the Oroville-Tonasket Reclamation District irrigation ditch. Thence, southerly along the ditch to the siphon across the Similkameen River; southerly along the siphon and/or ditch to the Gunsolley Road (Ellemehan Mountain Road). Thence, northeasterly along the Gunsolley Road to the Golden Road. Thence, southerly along the Golden Road to the Janis Oroville Westside Road; southerly along the Janis Oroville Westside Road to a point west of the south end of the Janis Bridge on U.S. Highway 97. Thence, northerly along U.S. Highway 97 to the McLoughlin Canyon Road. Thence, easterly along the McLoughlin Canyon Road to the State Frontage Road. Thence, northerly along the State Frontage Road to the Clarkston Mill Road; northerly along the Clarkston Mill Road to the Longnecker Road. Thence, northwesterly along the Longnecker Road to U.S. Highway 97 to the city limits of Tonasket. Thence, along the south, east and north boundary of the Town of Tonasket to U.S. Highway 97. Thence, northerly along U.S. Highway 97 to the O'Neil Road; northerly along the O'Neil Road to U.S. Highway 97; northerly along U.S. Highway 97 to the Eastside Oroville Road; northerly along the Eastside Oroville Road to the northeast end of the Thorndike Loop Road. Thence, west to the east shore of Osoyoos Lake. Thence, northerly along the east shore of Osoyoos Lake to the Canadian-United States boundary to point of beginning.

(b) Beginning at the intersection of U.S. Highway 97 and State Route Number 16, in the Town of Peteros, thence, proceeding northerly along U.S. Highway 97 to the junction of Paradise Hill Road, within the Town of Brewster; northerly along the Paradise Hill Road to the junction of the Paradise Hill Road and North Star-Paradise Hill Cutoff Road, located within the south one-half of Section 35, Township 31 North, Range 24 East. Thence, northeasterly along the North Star-Paradise Hill Cutoff Road to the intersection at the North Star Road. Thence, south and east along the North Star Road until it intersects with Old Highway 97. Thence, northerly along Old Highway 97 to the junction with the Malott Road within the Town of Malott. Thence, north and east along the Malott Road to the junction of State Route Number 20. Thence, southeasterly along State Route Number 20 to the junction of the Old Loop Loop Highway. Thence, east along the Old Loop Loop Highway into the Town of Okanogan to the junction of the Conconully Highway. Thence, north along the Conconully Highway to the junction of the Ross Canyon Road. Thence, east along the Ross Canyon Road to the junction of the Johnson Creek Road. Thence, north along the Johnson Creek Road to the junction of the BIDE-A-WEE Road. Thence, east along the BIDE-A-WEE Road to the junction of Old Highway 97. Thence, north along Old Highway 97 to the junction with the Pharr Road within the Town of Riverside; northerly along the Pharr Road to a point on the north line of Section 6, Township 35 North, Range 27 East. Thence, east along

that section line, across the Okanogan River to the Keystone Road. Thence, southerly along the Keystone Road to the Tunk Valley Road; southerly along the Tunk Valley Road into the Town of Riverside at a point where the Tunk Valley Road and the west bank of the Okanogan River intersect. Thence, south along the west bank of the Okanogan River to the Columbia River. Thence, southwesterly along the west bank of the Columbia River to the point of beginning.

[Statutory Authority: RCW 76.04.015, 87-11-005 (Order 504), § 332-24-234, filed 5/8/87.]

WAC 332-24-236 Exemption from burning permit requirements--Parts of Asotin, Garfield, Columbia and Walla Walla counties. (1) Pursuant to the authority granted in RCW 76.04.205, the parts of Asotin, Garfield, Columbia and Walla Walla counties described in subsections (2), (3), (4) and (5) of this section, are exempt from the requirements of RCW 76.04.205 and permits for the burning of flammable material will not, from the effective date of this chapter, be required in such exempt parts; however nothing herein shall affect the operation and effectiveness of the rules of the rural fire protection district and/or local air pollution control authority in which said lands are located.

(2) The following described parts of Asotin County, Washington, are exempt from the burning permit requirements of RCW 76.04.205, in accordance with subsection (1) of this section: All lands lying north of Township 9 North or east of the following described line:

Beginning at a point on the border between the states of Washington and Oregon, where the Grande Ronde River crosses said border in Section 13, Township 6 North, Range 43 East, thence, northeasterly along said river to the west line of Section 36, Township 7 North, Range 44 East. Thence, north to the southwest corner of Section 25, Township 7 North, Range 44 East. Thence, east one mile; north one mile; east three miles; north one and one-half miles to the east quarter corner of Section 16, Township 7 North, Range 45 East at Fields Spring State Park. Thence, east two miles; north one-half mile; west one-half mile; north two and one-half miles to the center of Section 35, Township 8 North, Range 45 East. Thence, west one-half mile; north one-half mile; west one mile; north one-half mile; west one mile; north two and one-half miles; west four miles to the southeast corner of Section 10, Township 8 North, Range 44 East. Thence, north one mile; west two miles; north one-half mile; west one mile; north three-quarter mile; west one and one-quarter miles; north three-quarter mile; east one-half mile; north three-quarter mile; east one and three-quarter miles; north one and one-quarter miles; west two miles to the southwest corner of Section 18, Township 9 North, Range 44 East. Thence, north two miles; west three miles to the southwest corner of Section 3, Township 9 North, Range 44 East, which is a point on the Asotin-Garfield County line.

(3) The following described parts of Garfield County, Washington, are exempt from the burning permit requirements of RCW 76.04.205, in accordance with subsection (1) of this section: All lands lying north of the following described line:

Beginning at the southeast corner of Section 4, Township 9 North, Range 43 East, which is a point on the Garfield-Asotin County line, thence, north one mile; west two miles; north three and one-half miles; west three and one-half miles; north one-half mile; west one-quarter mile; north one-half mile; west one and three-quarter miles to the center of Section 8, Township 10 North, Range 42 East. Thence, south one and one-half miles; west two and one-half miles to the northwest corner of Section 24, Township 10 North, Range 41 East, which is a point on the Garfield-Columbia County line.

(4) The following described parts of Columbia County, Washington, are exempt from the burning permit requirements of RCW 76.04.205, in accordance with subsection (1) of this section: All lands lying north of the following described line:

Beginning at the northeast corner of Section 23, Township 10 North, Range 41 East, which is a point on the Columbia-Garfield County line, thence, south one-half mile; west one mile; north one-half mile; west one mile; north one-half mile; west one and one-half miles to the center of Section 17, Township 10 North, Range 41 East. Thence, south one and one-half miles; west two and one-half miles; north one-quarter mile; west two and one-half miles; north one-quarter mile; west one and three-quarter miles; south one-half mile; west one-quarter mile; south one mile; east one mile; south one-half mile; east one-half mile; south one mile; west two miles to the west quarter corner of Section 6, Township 9 North, Range 40 East. Thence, south three and one-half miles; west four miles; south one mile; west one mile; south one mile; west one mile to the northeast corner of Township 8 North, Range 38 East, which is a point on the Columbia-Walla Walla County line.

(5) The following described parts of Walla Walla County, Washington, are exempt from the burning permit requirements of RCW 76.04.205, in accordance with subsection (1) of this section: All lands lying north and west of the following described line:

Beginning at the northeast corner of Township 8 North, Range 38 East, which is a point on the Walla Walla-Columbia County line, thence, south one-half mile; west one-half mile; south three-quarter mile; west one-half mile; south three-quarter mile; west two miles; south three miles; west one mile to the northwest corner of Section 33, Township 8 North, Range 38 East. Thence, south one-half mile; east one-quarter mile; south one and three-quarter miles; west one-quarter mile; south one-quarter mile to the west quarter corner of Section 9, Township 7 North, Range 38 East. Thence, west one mile; south two and one-half miles; west one-half mile; south one-quarter mile; west one-half mile; south one and three-quarter miles; west one mile; south one-quarter mile; west one mile; south one and three-quarter miles; west one mile; south one and one-half

miles to a point on the Washington-Oregon state boundary.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-236, filed 5/8/87.]

WAC 332-24-238 Exemption from burning permit requirements—Parts of Cowlitz County. (1) Pursuant to the authority granted in RCW 76.04.205, the parts of Cowlitz County described in subsection (2) of this section are exempt from the requirements of RCW 76.04.205 and permits for burning flammable material will not, from the effective date of this chapter, be required in such exempt parts; however nothing herein shall affect the operation and effectiveness of the rules of the rural fire protection district and/or local air pollution control authority in which said lands are located.

(2) The following described parts of Cowlitz County, Washington, are exempt from the burning permit requirements of RCW 76.04.205, in accordance with subsection (1) of this section:

An area consisting of all shorelands and uplands lying within the following described boundaries: Beginning at a point where Interstate Highway 5 intersects with the west line of Section 34, Township 6 North, Range 1 West, thence, southeasterly along the west boundary of said Interstate Highway 5 to its junction with the Lewis River; thence, southwesterly along the north bank of the Lewis River to its confluence with the Columbia River; thence, northerly along the east bank of the Columbia River to the south tip of Burke Island; thence, northerly along the west boundary of Burke Island to the southern tip of Martins Island; thence, northerly along the west boundary of Martins Island to the north end thereof; thence, westerly to the boundary line between the states of Oregon and Washington approximately in the center of the Columbia River; thence, northwesterly along the state boundary line, in the center of the Columbia River, to the Town of Stella; thence, easterly along the north shoulder of State Highway 4 approximately four and one-half miles to the junction of the Coal Creek Road; thence, northerly along the west shoulder of the Coal Creek Road to its junction with Pacific Way; thence, easterly along the north shoulder of Pacific Way to its junction with the Lone Oak Road; thence, easterly along the north shoulder of the Lone Oak Road to its junction with the Columbia Heights Road; thence, southerly along the east shoulder of the Columbia Heights Road to the west one-quarter corner of Section 16, Township 8 North, Range 2 East, thence east one and one-half miles to the center of Section 15, Township 8 North, Range 2 West; thence, north one and one-half miles to the north one quarter corner of Section 10, Township 8 North, Range 2 West; thence, east along the north line of Section 10, Township 8 North, Range 2 West, to its junction with the east bank of the Cowlitz River; thence, southeasterly along the east bank of the Cowlitz River to its confluence with Ostrander Creek; thence, easterly along the south bank of Ostrander Creek to its intersection with the east shoulder of Interstate Highway 5 in Section 11, Township 8 North, Range 2 West; thence, southerly along the east shoulder of Interstate Highway

5 to the south bank of the Coweeman River; thence, easterly along the south bank of the Coweeman River to the west line of Section 36, Township 8 North, Range 2 West; thence, south approximately one mile to the east shoulder of Interstate Highway 5 in Section 1, Township 7 North, Range 2 West; thence, southeasterly along the east shoulder of Interstate Highway 5 to its junction with the Old Pacific Highway lying in Section 12, Township 7 North, Range 2 West; thence, southerly along the east shoulder of the Old Pacific Highway to its junction with the north city limits of the City of Kalama; thence, west along the north city limits of Kalama to its junction with the east shoulder of Interstate Highway 5 to the beginning point where Interstate Highway 5 intersects with the west line of Section 34, Township 6 North, Range 1 West.

(3) The following described parts of Cowlitz County lying within the area described in subsection (2) of this section, which are exceptions and are not exempt from the requirements of RCW 76.04.150, as amended, and do require permits for the burning of inflammable material; however these requirements do not apply to developed lands situated within these boundaries.

An area known as Mt. Solo, bounded on the west and south by the Mt. Solo Road, bounded on the east by 38th Avenue, bounded on the north by State Highway 4, all situated within Sections 23, 24, 25, 26, Township 8 North, Range 3 West, and Section 30, Township 8 North, Range 2 West.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-238, filed 5/8/87.]

WAC 332-24-240 Exemption from burning permit requirements—Parts of Snohomish County. (1) Pursuant to the authority granted in RCW 76.04.205, the parts of Snohomish County described in subsection (2) of this section are exempt from the requirements of RCW 76.04.205 and permits for burning flammable material will not, from the effective date of this chapter, be required in such exempt parts; however nothing herein shall affect the operation and effectiveness of the rules of the rural fire protection district and/or local air pollution control authority in which said lands are located.

(2) The following described parts of Snohomish County, Washington, are exempt from the burning permit requirements of RCW 76.04.205, in accordance with subsection (1) of this section: All lands lying within the following described line:

(a) Beginning at a point on the east boundary of the city of Everett, at which the Hewitt Avenue Bridge intersects the east boundary; thence, southerly along said east boundary to Lowell-Larimer's Corner Road (Bluff Road). Thence, southeasterly along said road to its point of intersection with the north line of Section 36, Township 28 North, Range 5 East. Thence, easterly along the north line of Section 36, Township 28 North, Range 5 East, and the north line of Sections 31 and 32, Township 28 North, Range 6 East to the point said north line intersects 127th Avenue (Lord's Hill Road). Thence, northerly one-half mile along said avenue to the Snohomish-Monroe Road. Thence, southeasterly along

said road to 164th Street. Thence, easterly along 164th Street to State Route Number 522. Thence, southwest-ly along State Route Number 522 to the Snoqualmie-King County Road. Thence, southeasterly along said road to the point of its intersection with the Snohomish-King County line. Thence, easterly along said county line to the point of its intersection with State Route Number 203 (Monroe-Duvall Highway). Thence, northerly along State Route Number 203 to the boundary of the City of Monroe; northerly along said boundary to U.S. Highway 2. Thence, northwesterly along U.S. Highway 2 to the Roosevelt Road. Thence, northerly along said road to 159th Avenue (Zuber Road); northerly along said avenue to 100th Street (Westwick Road). Thence, westerly along 100th Street to the southwest corner of Section 15, Township 28 North, Range 6 East, and 147th Avenue (Jauntz and Nelson Road). Thence, northerly along said avenue to 68th Street (Three Lakes Road). Thence, westerly along said street to the east bank of the Pilchuck River. Thence, northerly along said east bank to a point due east of 52nd Street (Foss Road). Thence, westerly across the Pilchuck River and continuing westerly along said street to 87th Avenue (Fobes Cutoff Road). Thence, northerly along 87th Avenue to its point of intersection with the north line of Section 36, Township 29 North, Range 5 East. Thence, westerly along said north line and continuing along the north line of Section 35, Township 29 North, Range 5 East to its point of intersection with U.S. Highway 2. Thence, northwesterly along U.S. Highway 2 to Hewitt Avenue East, (Calaveros Corner). Thence, westerly along said avenue to the point of beginning.

(b) Beginning at the intersection of State Route Number 530 with the Snohomish-Skagit County line, thence, southerly along State Route Number 530 to its point of intersection with 102nd Avenue northwest; southerly along 102nd Avenue northwest to its point of intersection with the Lund Road; thence, southeasterly along the Lund Road to its point of intersection with State Route Number 530; southeasterly along State Route Number 530 to its point of intersection with the Stillaguamish River; thence, westerly along the south bank of the Stillaguamish River to its point of intersection with Hat Slough; westerly along the south bank of Hat Slough to its point of intersection with the Stanwood Road; thence, southerly along the Stanwood Road to the south line of Section 6, Township 31 North, Range 4 East. Thence, west along the south line of Section 6, Township 31 North, Range 4 East, and Section 1, Township 31 North, Range 3 East to its intersection with the line of ordinary high tide in Port Susan Bay. Thence, northerly along the line of ordinary high tide of Port Susan Bay, Davis Slough and Skagit Bay to the Snohomish-Skagit County line. Thence, east along the Snohomish-Skagit County line to the point of beginning.

(c) Beginning on the south bank of Ebey Slough where said bank is intersected by the east line of Section 31, Township 30 North, Range 5 East; thence, westerly along the south bank of said slough to its intersection with Steamboat Slough; thence southerly across said

slough to the north shore of Smiths Island; thence, southerly along the shore of said island to its intersection with the Snohomish River; thence, southeasterly along the east bank of the Snohomish River to its point of intersection with a line extending west and east from 48th Street; thence, easterly along said line and street to its point of intersection with the east bank of Ebey Slough; thence, northeasterly along said bank to its point of intersection with the south line of Section 26, Township 29 North, Range 5 East. Thence, north to its point of intersection with U.S. Highway 2; thence, northwesterly along said highway to its point of intersection with the south line of Section 23, Township 29 North, Range 5 East. Thence, west along said line to the southwest corner of said Section 23; thence, north one mile; east one-half mile to the north one-quarter corner of said Section 23; thence, north one mile; west one-half mile; north one mile to the northeast corner of Section 10, Township 29 North, Range 5 East. Thence, west along the north line of said Section 10 to its intersection with the west bank of Ebey Slough; thence, northwesterly along the west bank of said slough to the point of beginning.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-240, filed 5/8/87.]

WAC 332-24-242 Exemption from burning permit requirements--Parts of Skagit County. (1) Pursuant to the authority granted in RCW 76.04.205, the parts of Skagit County described in subsection (2) of this section are exempt from the requirements of RCW 76.04.205 and permits for burning flammable material will not, from the effective date of this chapter, be required in such exempt parts; however nothing herein shall affect the operation and effectiveness of the rules of the rural fire protection district and/or local air pollution control authority in which said lands are located.

(2) The following described parts of Skagit County, Washington, are exempt from the burning permit requirements of RCW 76.04.205, in accordance with subsection (1) of this section: All lands lying within the following described line with an exception:

(a) Beginning at point on the Skagit-Snohomish County line, at its intersection with the Conway-Stanwood Highway (Old U.S. Highway Alternate 99); thence, northerly along the Conway-Stanwood Highway to the Old English Lumber Company railroad grade. Thence, east along said old railroad grade to the Hill Slough. Thence, northeasterly along the Hill Slough to the Hill Ditch. Thence, northerly along the Hill Ditch to Carpenter Creek; northerly along Carpenter Creek to the intersection of Hickox Road and Bacon Road. Thence, west along the Hickox Road to the Blodgett Road. Thence, northerly along the Blodgett Road to the Anderson Road. Thence, northeasterly through the Anderson Gully to the southeastern city limits of the City of Mount Vernon. Thence, easterly and northerly along said city limits to its intersection with the Francis Road. Thence, north along the west line of Section 9 and Section 4, Township 34 North, Range 4 East, to the north bank of the Skagit River. Thence, easterly along the north bank of the Skagit River to Township Street.

Thence, north along Township Street to the city limits of the Town of Sedro Woolley. Thence, west and north along said city limits to the F and S Grade Road; northwesterly along the Grade Road to the Kelleher Road. Thence, westerly along the Kelleher Road to the Burlington-Alger Road (Old U.S. Highway 99). Thence, due west to the Samish River. Thence, southwesterly along the south bank of the Samish River to the Burlington-Northern Railroad right of way. Thence, northwesterly along the west boundary of said railroad right of way to Samish Bay. Thence, southerly and westerly along the line of ordinary high tide of Samish Bay (excluding Samish Island) and Padilla Bay to the juncture of Padilla Bay and the north bank of the Joe Leary Slough. Thence, easterly up the north bank of the Joe Leary Slough to the Avon-Allen Road. Thence, southerly along the Avon-Allen Road to the Anacortes branch line of the Burlington Northern Railroad; thence, southwestward along the northerly border of said railroad right of way to Fredenia. Thence, northwesterly to the west quarter corner of Section 9, Township 34 North, Range 3 East; thence, north one-quarter of one mile; west one-half mile to the North Fork of Indian Slough. Thence, northwesterly along the north bank of Indian Slough to Padilla Bay. Thence, southwestward along the line of ordinary high tide of Padilla Bay to the juncture of Swinomish Slough; thence, southerly along the east bank of the Swinomish Slough to Skagit Bay; thence, southeasterly along the line of ordinary high tide of Skagit Bay to the Skagit-Snohomish County line. Thence, east along the county line to the point of beginning.

(b) The following described parcels of land are not exempt from the burning permit requirements of RCW 76.04.205:

Beginning at a point on the north bank of the North Fork of the Skagit River where said bank is intersected by the west line of Section 8, Township 33 North, Range 3 East; thence, easterly along the north bank of said river to the point of intersection with the east line of Section 9, Township 33 North, Range 3 East. Thence, northwesterly along the west edge of the county road to the west quarter corner of Section 33, Township 34 North, Range 3 East. Thence, west one-quarter of one mile; south one and one-half miles; west three-quarters of one mile; thence, south along the west line of Section 8, Township 33 North, Range 3 East to the point of beginning.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-242, filed 5/8/87.]

WAC 332-24-244 Exemption from burning permit requirements--Parts of Pacific and Grays Harbor counties. (1) Pursuant to the authority granted in RCW 76.04.205, the parts of Pacific and Grays Harbor counties described in subsections (2) and (3) of this section are exempt from the requirements of RCW 76.04.205 and permits for burning flammable material will not, from the effective date of this chapter, be required in such exempt parts; however nothing herein shall affect the operation and effectiveness of the rules of the rural fire

protection district and/or local air pollution authority in which said lands are located.

(2) The following described part of Pacific County, Washington, is exempt from the burning permit requirements of RCW 76.04.205, in accordance with subsection (1) of this section:

A coastal strip of tidelands lying below and seaward of the line of ordinary high tide as marked on the ground by the line of vegetation or the line of driftwood accumulation, whichever is at any point the lower, beginning at the Grays Harbor-Pacific County line and running southerly and easterly to the west boundary of the Shoalwater Indian Reservation.

(3) The following described parts of Grays Harbor County, Washington, are exempt from the burning permit requirements of RCW 76.04.205, in accordance with subsection (1) of this section:

(a) A coastal strip of tidelands lying below and twenty feet seaward of the line of ordinary high tide as marked on the ground by the driftwood accumulation beginning at the south boundary of the Quinault Indian Reservation and running southerly to the south bank of the Copalis River.

(b) A coastal strip of uplands and tidelands lying to the west of State Route 109 as said public road is now located and constructed beginning at the south bank of the Copalis River and running southerly to the junction of the said state route with the Grays Harbor County road to Oyhut.

(c) A coastal strip of uplands and tidelands lying to the west of the Grays Harbor County road to Oyhut as said public road is now located and constructed beginning at the junction of the said road with State Route 109 and running southerly to the north boundary of Grays Harbor County Fire Protection District No. 13, as said boundary is now located.

(d) All uplands and tidelands of the Oyhut Peninsula lying to the south of the said north boundary to Grays Harbor County Fire Protection District No. 13.

(e) All uplands and tidelands of the Westport Peninsula lying north of the south Boundary of Grays Harbor County Fire Protection District No. 13, as said boundary is now located.

(f) A coastal strip of uplands and tidelands lying to the west of State Route 105 as said public road is now located and constructed beginning at the said south boundary of Grays Harbor County Fire Protection District No. 3 and running southerly to the Grays Harbor-Pacific County line.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-244, filed 5/8/87.]

WAC 332-24-261 Dumping mill waste, forest debris--Creation of a fire hazard--Permits. (1) Forest debris or mill waste dumped in the following manner on or near forest land shall constitute a forest fire hazard and require a dumping permit:

(a) Piles of fifty cubic yards or more; or

(b) Two or more piles totaling fifty cubic yards or more, less than three hundred feet apart; or

(c) A pile less than three hundred feet from a pile placed by another where such piles would total fifty cubic yards or more; or

(d) When dumped adjacent to piles of fifty cubic yards or more which were in existence before August 9, 1971; or

(e) When dumped in smaller quantities or greater distances than above when such dumpings are likely to support, intensify or further spread the fire, thereby threatening forest land and/or endangering life or property; however forest debris accumulated on forest land from logging or silvicultural activities on the land on which such activities took place, or activities regulated by RCW 76.04.650, shall not be subject to the permit requirement of this section, except when forest debris accumulated on land clearing or right of way projects subject to RCW 76.04.650 is taken away from such areas and dumped.

(2) No person shall dump or cause to be dumped a forest fire hazard on or threatening forest land without first obtaining a written permit from the department.

(a) Any person having legal authority to dump mill waste from forest products or forest debris, on the described property, shall make application to the department or authorized employees for a permit to do so. The application shall state and include:

- (i) The location;
- (ii) The approximate quantity to be dumped;
- (iii) A description of the material to be dumped;
- (iv) A map illustrating the proposed dump site;
- (v) The name of the person by whom the dumping is to be done.

(b) Upon receipt of an application, the department will inspect the area described in the application. The department, in issuing the permit, may impose conditions in such permit to prevent the creation of a forest fire hazard.

(c) In situations as outlined in subsection (1)(e) of this section, the department may notify the appropriate persons, and such person or persons shall be required to obtain a permit for the continued existence of the dumping of such fire hazard. This permit is required to ensure that such dumping does not create a forest fire hazard and outlines required terms and conditions to eliminate or abate any forest fire hazard that may be created by dumping.

(d) A dumping permit shall be effective only under the conditions and for the period stated therein. The department shall have the authority to rescind a permit upon failure to comply with any of the conditions or terms.

(3) Any person who dumps such mill waste or forest debris, without a permit or in violation of a permit, is guilty of a gross misdemeanor and subject to the penalties for a gross misdemeanor under RCW 9A.20.021 and may further be required to remove all materials dumped.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-261, filed 5/8/87.]

CLOSURE/SUSPENSIONS

WAC 332-24-301 Industrial restrictions. (1) When in the opinion of the area manager, for the department's administrative area, weather conditions arise which present a hazard to lands protected by the department, whereby life and property may be endangered, the area manager, through the authority granted the department in RCW 76.04.015 and 76.04.325, may designate industrial precaution levels thereby regulating logging, land clearing or other industrial operations which may cause a fire to start on or adjacent to forest lands. The restrictions shall be for periods designated and shall only affect those portions of the state under the administrative jurisdiction of the area manager.

(2) In making a decision as to when restrictions or shutdowns should occur, the area manager shall utilize available information as to current and projected fire danger, current and projected weather, current fire activity and available resources for fire suppression.

(3) All persons performing logging, land clearing or other operations which may cause a fire to start on or adjacent to forest lands shall comply with the restrictions described in the designated industrial precaution level.

(a) The industrial fire precaution levels shall be:

(i) Level 1. Closed season – Fire requirements are in effect.

(ii) Level 2. Partial hootowl – The following are prohibited from 1-8 p.m. local time:

- Use of power saws except at loading sites;
- Cable yarding;
- Blasting;
- Welding or cutting of metal.

(iii) Level 3. Partial shutdown – The following are prohibited:

- Cable yarding;
- Use of power saws except at loading sites.

In addition, the following are prohibited from 1-8 p.m. local time:

- Use of all power saws at loading sites;
- Tractor yarding;
- Mechanized loading and hauling of any product or material;
- Blasting;
- Welding or cutting of metal;
- Any other spark emitting operation not specifically mentioned.

(iv) Level 4. General shutdown – All operations are prohibited.

(b) The following definitions shall apply to these industrial fire precaution levels:

(i) "Loading sites" means a place where any product or material, including but not limited to logs, firewood, slash, soil, rock, poles, posts, etc., is placed in or upon a truck or other vehicle.

(ii) "Cable yarding systems" means a yarding system employing cables and winches in a fixed position.

(iii) "Low hazard area" means any area where the department has determined the combination of elements reduces the probability of fire starting and/or spreading.

(c) A written waiver may be issued by the department for fire-safe activities in low-hazard areas.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-301, filed 5/8/87.]

WAC 332-24-310 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-320 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-330 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-340 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-350 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-360 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-370 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-380 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-385 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-387 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-390 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-395 Repealed. See Disposition Table at beginning of this chapter.

FIRE PROTECTION REGULATIONS

WAC 332-24-401 Felling of snags. (1) Snags within areas of extreme fire hazard requiring abatement, as defined by WAC 332-24-005(28), shall be felled concurrently with the logging operation, unless:

(a) Such snag contains a visible nest of a species of wildlife designated by the United States Fish and Wildlife Service as threatened or endangered; or

(b) The department, upon written request of the landowner, determines, in writing, that such snag does not represent a substantial deterrent to effective fire control action.

(2) The department may designate, in writing, that additional snags be felled concurrently with the logging operation if, in the department's opinion, they represent a substantial deterrent to effective fire control action, unless such snag contains a visible nest of a threatened or endangered species.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-401, filed 5/8/87.]

[1988 WAC Supp—page 2248]

WAC 332-24-405 Spark emitting equipment requirements. It shall be unlawful for anyone to operate, during the closed season as defined in RCW 76.04.005, any steam, internal combustion, electric engines or any other devices which emit sparks on any forest land or any other place where, in the opinion of the department, fire could be communicated to forest land without first complying with the following requirements for equipment or operations:

(1) Fixed-position machine:

(a) Two fire extinguishers, each of at least a 5 B C rating;

(b) An approved exhaust system;

(c) An appropriately mounted shovel.

(2) Logging railroad locomotive or common carrier locomotive:

(a) An approved exhaust system;

(b) Communications between the train and dispatcher for reporting fires to the responsible protection agency;

(c) Each locomotive shall be followed by a speeder patrol at such times, and in such locations, as designated by the department. The speeder patrol shall be equipped with:

(i) Two shovels;

(ii) One pulaski;

(iii) One adze eye hoe;

(iv) Two serviceable five gallon backpack pump cans filled with water;

(v) An approved exhaust system;

(vi) Communications between the speeder and the dispatcher for reporting fires to the responsible protection agency;

(vii) One fire extinguisher of at least a 5 B C rating.

(3) Passenger vehicle used for industrial or commercial operations:

(a) A fire extinguisher of at least a 5 B C rating;

(b) An approved exhaust system.

(4) Portable power saw:

(a) A chemical fire extinguisher of at least eight ounce capacity, fully charged and in good working order. The fire extinguisher shall be kept in the immediate possession of the operator;

(b) An approved exhaust system;

(c) A shovel, which shall be kept within two minutes round-trip of the operator;

(d) A firewatch shall be required in fire protection Zones C and D west side of the Cascade Mountains. A firewatch may also be required in other areas of the state as may be designated by the department in writing.

(5) Spark-emitting engines used for purposes not specifically mentioned herein, which, in the opinion of the department, may cause a forest fire to start, unless equipped with:

(a) An approved exhaust system;

(b) One fire extinguisher of at least a 5 B C rating; however two-wheeled, three-wheeled, and four-wheeled motorcycles shall only be required to have an approved exhaust system.

(6) Tractor or mobile machine:

(a) One fire extinguisher of at least a 5 B C rating;

(b) An approved exhaust system;

- (c) An appropriately mounted shovel.
- (7) Truck or vehicle used for hauling;
- (a) One fire extinguisher of at least a 5 B C rating;
- (b) An approved exhaust system;
- (c) An appropriately mounted shovel.

(8) During yarding, loading, milling, land clearing and right of way clearing, there must be kept at each landing, yarding tree, mill or other suitable place designated by the department, two serviceable five gallon backpack pump cans filled with water; however such operations in fire protection Zones C and D on the west side of the Cascade Mountains or in other areas of the state as may be designated by the department, in writing, must comply with the following additional requirements:

(a) A pump truck or pump trailer to be kept on the landing or within five minutes round-trip of the operation;

(b) A firewatch;

(c) Adequate facilities to report a fire to the responsible protection agency within fifteen minutes of detection.

(9) Balloon, skyline and other similar long-line or aerial logging systems with greater than a twelve hundred foot distance between the yarder and tailhold or tailblock unless complying with the following requirements:

(a) Two serviceable five gallon backpack pump cans filled with water at each landing, yarding tree or other suitable place designated by the department;

(b) Portable water supply available and equipped in order to supply water to the furthest extremity of the operation within a maximum of ten minutes from the time of detection. The portable water supply shall contain a minimum of three hundred gallons of water and the complement of accessories and equipment identified in the definition of the pump truck or pump trailer. The portable water supply shall be equipped with a pump capable of delivering twenty gallons per minute, at sufficient pressure, using a one-quarter inch nozzle tip through a fifty foot length of one inch or one and one-half inch rubber-lined hose. The pump shall be plumbed with a bypass or pressure relief valve. The water supply shall be located and outfitted for immediate use at the landing, and so that it may also be readily lifted and transported by use of the rigging system or cargo hook. Logging systems which are not capable of lifting the portable water supply and the fire tool kit in one lift must accomplish this in no more than three separate lifts. The fire tool kit shall be packaged and located for ready attachment to the rigging for delivery to the portable water supply while it is in operation. The fire tool kit shall contain:

(i) Three axes or pulaskis;

(ii) Six shovels;

(iii) Six adze eye hoes.

(c) Firewatch;

(d) Adequate facilities to report a fire to the responsible protection agency within fifteen minutes of detection.

(10) Each helicopter used for yarding, loading and land clearing or slash burning unless equipped and complying with the following:

(a) A VHF radio, maintained in operational use, at frequency 122.9 MHz;

(b) A portable water bucket of the following capacities, with necessary cargo hooks and tripping mechanism for dropping water on a fire, shall be located at the heliport serving the operation;

<u>External Payload of Helicopter</u>	<u>Minimum Required Bucket Size</u>
780 pounds and below	50 gallons
781 pounds – 1600 pounds	100 gallons
1601 pounds – 3900 pounds	200 gallons
3901 pounds and larger	300 gallons

(c) A water source of sufficient capacity readily accessible to allow the bucket to be filled three times without refilling the source. The water source must be located within five minutes round-trip flying time of every part of the operation;

(d) The following sized fire tool kit packaged for ready attachment to the cargo hook and located at the heliport serving the operation:

(i) Two axes or pulaskis;

(ii) Three shovels;

(iii) Three adze eye hoes.

(e) Two fire extinguishers of at least 20 B C rating shall be kept with refueling equipment. They shall be appropriately mounted, suitably marked and available for immediate use.

(11) Railroad track installation and maintenance:

(a) Crews – ten people or less:

(i) A pump truck or pump trailer as defined in WAC 332-24-005(24); however the water capacity of the pump truck or pump trailer may be less than three hundred gallons, but greater than one hundred fifty gallons when the unit is capable of producing department-approved high expansion foam;

(ii) One serviceable five gallon backpack pump can;

(iii) Communications between the crew and dispatcher for reporting fires to the responsible protection agency.

(b) Crews – greater than ten people:

(i) A pump truck or pump trailer as defined in WAC 332-24-005(24) that is also capable of producing department-approved high expansion foam;

(ii) A fire tool box containing a minimum of:

(A) Six pulaskis;

(B) Six adze eye hoes;

(C) Six shovels.

(iii) Communications between the crew and dispatchers for reporting fires to the responsible protection agency.

(c) Track welding, cutting and grinding shall be curtailed by not less than a four foot high canvas type curtain, which completely encloses the operation and prevents the escapement of sparks from welding, cutting or grinding.

(12) Prior to beginning operations, all snags, stubs and dead trees over fifteen feet in height shall be cut within fifty feet of each fixed-position machine which will operate for two consecutive days or more in one position.

The ground shall be initially cleared of all flammable debris under four inches in diameter beneath and within ten feet of each fixed-position machine which will operate for two consecutive days or more in one position.

(13) The area around the tail, corner and haul back blocks must be kept clean of all flammable debris under four inches in diameter for a distance of six feet in all directions. Suitable flame-resistant blanket devices may be substituted for the clearing requirement when the six foot diameter area is covered. Each block must be equipped with one serviceable five gallon backpack pump can filled with water, one shovel and one pulaski. Operations with multiple blocks must have this complement of tools and water within one hundred feet of each block.

(14) It shall be the operator's responsibility to identify points of line rub on cable logging operations during the closed season. If line rub occurs, the operator shall do what is necessary to stop, alleviate or control the line rub in order to prevent fires at these points. Satisfactory means include, but are not limited to:

(a) Removal of the object which the line is rubbing on;

(b) Changing the logging system;

(c) Moving the cable location.

(15) The department may designate certain areas which are known to have rapid fluctuations of extreme fire weather and/or concentrations of additional hazards. Operators in such areas may be required to monitor the humidity and/or wind speed and maintain a daily log of such readings. Relative humidity readings and wind speed must be determined and recorded by instruments and methods approved by the department.

The department may further require the operator in such areas to restrict operations when, in the opinion of the department, the recorded readings or current conditions are such that if a fire starts in that area it would probably spread to conflagration proportions regardless of personnel and equipment available for initial fire suppression.

[Statutory Authority: RCW 76.04.015, 87-11-005 (Order 504), § 332-24-405, filed 5/8/87.]

WAC 332-24-410 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-411 Substitution, reduction, or increase of requirements. (1) The department may accept serviceable equivalents to any of the requirements in WAC 332-24-405. Such substitutions must be made in writing by the department.

(2) The department may, by written permission, reduce the requirements set forth in WAC 332-24-405 whenever, in the opinion of the department, the operation is of such type or location and/or weather is such that all the requirements are not needed for the protection of life and property.

(3) The department may, in writing, require additional equipment, above the requirements of WAC 332-24-405 for fire protection in those areas known to have

had rapid fluctuations of extreme fire weather and/or concentrations of additional hazards.

[Statutory Authority: RCW 76.04.015, 87-11-005 (Order 504), § 332-24-411, filed 5/8/87.]

WAC 332-24-412 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-415 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-418 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-420 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-430 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-440 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-24-500 Repealed. See Disposition Table at beginning of this chapter.

ASSESSMENTS, OBLIGATIONS, FUNDS

WAC 332-24-600 Forest fire protection and special forest fire suppression account minimum assessment refund procedure. This section implements the provisions of RCW 76.04.610 and 76.04.630, which provides that an owner of forest land owning two or more parcels, each containing less than thirty acres in a county, may obtain a refund of the assessments paid on all such parcels over one.

(1) The forest landowner must:

(a) Obtain a forest protection assessment refund form from any department office;

(b) Complete refund form per instructions on form;

(c) Pay taxes and assessments to county treasurer and obtain treasurer's signature on refund form to verify assessments have been paid in full;

(d) Mail refund form before December 31 of the year the assessments are due to: Department of Natural Resources, Fire Control Division, Olympia, WA 98504.

(2) The department's fire control division will complete the refund due the landowner, prepare a refund voucher and process for payment through the department's financial services' division. The financial services' division will prepare the refund check and send the check and a copy of the refund voucher to the landowner.

[Statutory Authority: RCW 76.04.015, 87-11-005 (Order 504), § 332-24-600, filed 5/8/87.]

HAZARD ABATEMENT

WAC 332-24-650 Extreme fire hazard requiring abatement. A forest landowner shall be absolutely liable

for fire suppression costs for any fire that occurs and abatement is required under the following conditions:

(1) Any additional fire hazard within a distance of one hundred feet from the closest edge of the running surface of any state or federal highway, county road or railroad;

(2) Any additional fire hazard within a distance of one hundred feet from the closest edge of the running surface of any other road, as hereinafter defined, that is generally open to and frequently used by the public during periods of fire danger. For the purpose of these rules and regulations, the term "other road" shall be defined as those roads owned or controlled by private individuals, partnerships or corporations, or by public agencies, including, without limitation, the department or the United States Forest Service, and which provide the principal access during periods of fire danger where normal use is seventy-five vehicles or more per week to geographic features of significant public interest and use such as lakes, streams, established viewpoints, lava tubes, ice caves, features of unique geological interest, recreational parks and developments or other facilities intended for frequent public use;

(3) Any additional fire hazard within a distance of two hundred feet, if required in writing by the department, and up to a maximum of five hundred feet, adjacent to public campgrounds, school grounds, other areas of frequent concentrated public use, buildings in use as residences (furnished and being occupied or available for immediate occupancy) and other buildings or structures valued at one thousand dollars or more, which are not owned by the owner of the land upon which such additional fire hazard exists;

(4) The department may identify other specific areas of additional fire hazard, with comparable high risk of ignition and/or a threat to life and property and, upon written notification, require abatement.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-650, filed 5/8/87.]

WAC 332-24-652 Extreme fire hazard--Eight hundred contiguous acres. (1) A forest landowner shall be absolutely liable for fire suppression costs for any fire that occurs within an extreme fire hazard created by eight hundred or more contiguous acres of additional fire hazard when:

(a) The additional fire hazard's origin is less than five years, except when:

(i) The material is fifty percent or more Douglas fir by volume, the time of origin shall be less than eight years; or

(ii) The material is fifty percent or more cedar by volume, the time of origin shall be less than twenty years.

(b) Its unisolated compartments comprise eight hundred acres or more regardless of ownership or logging pattern;

(c) Its composition comprises an average tonnage greater than nine tons per acre of material, three inches or less in diameter.

(2) The department may identify additional acres comprising eight hundred acres or more of additional fire hazard extending beyond these limitations of time, with comparable high hazard and/or a threat to life or property and, upon written notification, place absolute liability for fires with the forest landowner(s).

(3) Areas of additional fire hazard will be considered as one contiguous area, unless one of the following conditions are satisfied:

(a) The areas are separated by natural barriers of at least three hundred feet in width at their narrowest point. Natural barriers can include streams, ridge tops and/or areas not comprising an additional fire hazard;

(b) The areas are separated by a constructed barrier as provided in the definition of isolation;

(c) A combination of (a) and (b) of this subsection.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-652, filed 5/8/87.]

WAC 332-24-654 Extreme fire hazard--Liability--Responsibility. (1) Liability for the existence of an extreme hazard arises upon creation of the extreme hazard. No written notification by the department of its existence is required. Liability shall include any department suppression costs incurred during the act(s) of isolating, reducing or abating the extreme hazard.

(2) The owner(s) and/or person(s) responsible for the existence of an extreme fire hazard requiring abatement, as defined in WAC 332-24-650, shall abate the extreme fire hazard. The obligation to abate shall extend equally to all acreages of the extreme fire hazard, regardless of the number of owner(s) and/or person(s) responsible for its existence. The liability for the existence of the extreme fire hazard continues until the extreme fire hazard is abated.

(3) The owner(s) and/or person(s) responsible for the existence of an extreme fire hazard, as defined in WAC 332-24-652, may isolate and/or reduce the extreme fire hazard to remove the absolute liability associated with its existence. The liability assumed for the existence of the extreme fire hazard shall extend equally to all acreages involved, regardless of owner(s) and/or person(s) responsible for its existence. Isolation, when used, must be maintained for a period of eight years from creation of the extreme fire hazard, unless the extreme fire hazard is otherwise eliminated prior to that time. Isolation and/or reduction may be performed in any manner consistent with existing statutes, these regulations or as approved in writing by the department.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-654, filed 5/8/87.]

WAC 332-24-656 Preexisting hazards. For the purpose of this chapter, the term "additional fire hazard" shall be limited to such hazards created subsequent to January 1, 1969; however preexisting hazards resulting from operations in stands which contained by gross volume fifty percent or more of cedar shall have a twenty year limitation as to time. With respect to any such preexisting hazards, the owner(s) and/or person(s)

responsible may request and the department may approve of alternatives to abating such hazard in lieu of the requirements set forth in WAC 332-24-650.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-656, filed 5/8/87.]

WAC 332-24-658 Recovery of costs. The department may, following ten days' notice to the owner(s) and/or person(s) responsible for an extreme fire hazard that must be abated, summarily cause it to be abated, except that broadcast burning shall not be used by the department as an abatement procedure without prior written consent of all the owner(s) and/or person(s) responsible. This summary action may be taken ten days after notice as required by RCW 76.04.660. Obligations for recovery of costs incurred by the department shall be in accordance with RCW 76.04.660 and shall be prorated by the department to the owner(s) and/or person(s) responsible for the extreme fire hazard on the ratio of their acres of involvement to the total acres involved.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-658, filed 5/8/87.]

WAC 332-24-660 Approved isolation, reduction, or abatement--Relief of liability. The owner(s) and/or person(s) responsible for an extreme fire hazard may identify, in writing, the procedures, or the natural or other processes which were taken to abate, isolate or reduce the extreme fire hazard and request the department to declare, in writing, whether the area does or does not constitute an extreme hazard. Absence of such a request on the part of the owner(s) and/or person(s) responsible for an extreme fire hazard will not prejudice their defense in the event of a fire.

As an alternative, the owner(s) and/or person(s) responsible may implement a plan of increased protection, which has received prior written approval of the department, for the specific location.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-660, filed 5/8/87.]

WAC 332-24-900 Captions--Chapter 332-24 WAC. As used in this chapter, subchapter and section captions constitute no part of the law.

[Statutory Authority: RCW 76.04.015. 87-11-005 (Order 504), § 332-24-900, filed 5/8/87.]

Chapter 332-30 WAC AQUATIC LAND MANAGEMENT

WAC

332-30-166 Open water disposal sites.

WAC 332-30-166 Open water disposal sites. (1) Open water disposal sites are established primarily for the disposal of dredged material obtained from marine or fresh waters. These sites are generally not available for disposal of material derived from upland or dryland

excavation except when such materials would enhance the aquatic habitat.

(2) Material may be disposed of on state-owned aquatic land only at approved open water disposal sites and only after authorization has been obtained from the department. Applications for use of any area other than an established site shall be rejected. However, the applicant may appeal to the interagency open water disposal site evaluation committee for establishment of a new site.

(3) Application for use of an established site must be for dredged material that meets the approval of federal and state agencies and for which there is no practical alternative upland disposal site or beneficial use such as beach enhancement.

(4) The department will only issue authorization for use of the site after:

(a) The environmental protection agency and department of ecology notify the department that, in accordance with Sections 404 and 401, respectively, of the Federal Clean Water Act, the dredged materials are suitable for in-water disposal and do not appear to create a threat to human health, welfare, or the environment; and

(b) All necessary federal, state, and local permits are acquired.

(5) Any use authorization granted by the department shall be subject to the terms and conditions of any required federal, state, or local permits.

(6) The department shall suspend or terminate any authorization to use a site upon the expiration of any required permit.

(7) All leases for use of a designated site must require notification to DNR in Olympia twenty-four hours prior to each use. DNR Olympia must be notified five working days prior to the first use to permit an on-site visit to confirm with dump operator the site location.

(8) Pipeline disposal of material to an established disposal site will require special consideration.

(9) Fees will be charged at rates sufficient to cover all departmental costs associated with management of the sites. Fees will be reviewed and adjusted annually or more often as needed. A penalty fee may be charged for unauthorized dumping or dumping beyond the lease site. Army Corps of Engineers navigation channel maintenance projects where there is no local sponsor are exempt from this fee schedule.

FEES

(a) Puget Sound and Strait of Juan De Fuca:

(i) Seattle, Tacoma, and Everett disposal sites \$0.40 per cubic yard (c.y.), \$2,000 minimum;

(ii) Other disposal sites \$0.15 per c.y. for the first 200,000 c.y., negotiated fee for project volumes exceeding 200,000 c.y., \$2,000 minimum.

(b) Grays Harbor/Willapa Harbor: Minimum fee \$300.00

(c) Damage fee - \$5.00/cubic yard

(10) Open water disposal site selection. Sites are selected and managed by the department with the advice of the interagency open water disposal site evaluation

committee (a technical committee of the aquatic resources advisory committee). The committee is composed of representatives of the state departments of ecology, fisheries, game, and natural resources as well as the Federal Army Corps of Engineers, National Marine Fisheries Service, Environmental Protection Agency, and Fish and Wildlife Service. The department chairs the committee. Meetings are irregular. The committee has developed a series of guidelines to be used in selecting disposal sites. The objectives of the site selection guidelines are to reduce damage to living resources known to utilize the area, and to minimize the disruption of normal human activity that is known to occur in the area. The guidelines are as follows:

(a) Select areas of common or usual natural characteristics. Avoid areas with uncommon or unusual characteristics.

(b) Select areas, where possible, of minimal dispersal of material rather than maximum widespread dispersal.

(c) Sites subject to high velocity currents will be limited to sandy or coarse material whenever feasible.

(d) When possible, use disposal sites that have substrate similar to the material being dumped.

(e) Select areas close to dredge sources to insure use of the sites.

(f) Protect known fish nursery, fishery harvest areas, fish migration routes, and aquaculture installations.

(g) Areas proposed for dredged material disposal may require an investigation of the biological and physical systems which exist in the area.

(h) Current velocity, particle size, bottom slope and method of disposal must be considered.

(i) Projects transporting dredged material by pipeline will require individual review.

(j) Placement of temporary site marking buoys may be required.

(k) The department will assure disposal occurs in accordance with permit conditions. Compliance measures may include, but are not limited to, visual or electronic surveillance, marking of sites with buoys, requiring submittal of operator reports and bottom sampling or inspection.

(l) Special consideration should be given to placing material at a site where it will enhance the habitat for living resources.

(m) Locate sites where surveillance is effective and can easily be found by tugboat operators.

(11) The department shall conduct such subtidal surveys as are necessary for siting and managing the disposal sites.

[Statutory Authority: RCW 79.90.560. 88-13-082 (Order 537, Resolution No. 585), § 332-30-166, filed 6/17/88. Statutory Authority: RCW 79.90.100 and 43.30.150. 85-15-050 (Order 451, Resolution No. 492), § 332-30-166, filed 7/16/85. Statutory Authority: RCW 43.30.150. 80-09-005 (Order 343), § 332-30-166, filed 7/3/80.]

Chapter 332-52 WAC

MANAGED LANDS AND ROADS--USE OF

WAC

332-52-010 Definitions.

332-52-020	Applicability and scope.
332-52-060	Use of fire.
332-52-065	Milwaukee Road corridor--Recreational use.
332-52-066	Milwaukee Road corridor--Permits.
332-52-067	Milwaukee Road corridor--Restrictions on use.
332-52-068	Milwaukee Road corridor--Protection of adjoining property.
332-52-069	Milwaukee Road corridor--Penalties.

WAC 332-52-010 Definitions. The following definitions shall apply throughout this chapter:

(1) "Developed recreation sites" means all improved observation, swimming, boating, camping and picnic sites.

(2) "Camping equipment" includes tent or vehicle used to accommodate the camper, the vehicles used for transport, and the associated camping paraphernalia.

(3) "Department" means the department of natural resources.

(4) "Vehicle" means any motorized device capable of being moved upon a road and in, upon, or by which any persons or property is or may be transported or drawn upon a road. It shall include, but not be limited to automobiles, trucks, motorcycles, motor bikes, motor-scooters and snowmobiles, whether or not they can legally be operated on the public highways.

(5) "Organized event" means any event involving more than fifty participants which is advertised in advance, sponsored by any recognized club(s), and conducted at a predetermined time and place.

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

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

WAC 332-52-020 Applicability and scope. The following public use rules are aimed at protecting recreational, economic and industrial activities on land and roads under the jurisdiction of the department. These rules are designed to allow Washington's trust lands to fulfill their historic roles of revenue production. The rules cover public use activities on developed recreation sites and all other lands under the jurisdiction of the department. They cover the public use of roads and trails under the jurisdiction of the department and the recreational use of fire. These public use rules are not applicable to persons, or their assignees or representatives, engaged in industrial harvest, commercial leases or agriculture or grazing activities carried on under sale, lease or permit from the department on lands under its jurisdiction if such application is incompatible with state contracts or agreements. Nor shall these rules, except the provisions of WAC 332-52-060, apply on lands under the department's jurisdiction that are withdrawn or leased by a public agency having rules governing public use on the lands withdrawn or leased, provided that these rules may apply upon request of the applicable public agency. Public notices of these rules shall be posted by the department in such locations as will reasonably bring them to the attention of the public. The

department will also set forth conditions with respect to any areas on which special restrictions are imposed and post in same manner. A copy of the rules shall be made available to the public in the office of the commissioner of public lands, Olympia, and in region offices.

[Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-020, filed 8/27/87; 84-21-038 (Order 435), § 332-52-020, filed 10/11/84; Order 29, § 332-52-020, filed 4/17/70, effective 5/20/70.]

WAC 332-52-060 Use of fire. Chapter 76.04 RCW and all rules and regulations duly promulgated thereunder apply to recreational fires on lands under the jurisdiction of the department other than developed recreation sites. The written permission required under WAC 332-24-201 may be waived for good cause shown for recreational fires by the regional manager in designated areas within his jurisdiction.

[Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-060, filed 8/27/87; 84-21-038 (Order 435), § 332-52-060, filed 10/11/84; Order 29, § 332-52-060, filed 4/17/70, effective 5/20/70.]

WAC 332-52-065 Milwaukee Road corridor--Recreational use. Motorized vehicles including snowmobiles are prohibited on the corridor at all times, except for motorized use for authorized administrative purposes or motorized use approved by the department for reasons of health and safety. The corridor will be open for nonmotorized use, by permit only, from October 1 through June 15, east of the Columbia River and September 1 through July 1, west of the Columbia River. The remainder of the year the corridor will be closed to all recreational use. The department may close portions of the corridor, at any time of the year, to reduce fire danger or protect public safety after consultation with local legislative authorities and fire districts. After December 31, 1990 the department may, if determined necessary to better carry out the purposes of chapter 174, Laws of 1984, adjust the designated periods of the year during which permits will be issued, after first giving public notice and holding at least one public hearing each in Eastern and Western Washington.

[Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-065, filed 8/27/87; 84-21-038 (Order 435), § 332-52-065, filed 10/11/84.]

WAC 332-52-066 Milwaukee Road corridor--Permits. (1) Any individual, group or organization wishing to use the corridor shall make written application at least fifteen days in advance of such intended use to the department's southeast region office in Ellensburg on a form designated by the department for this purpose. The department, on request of an applicant, may for good cause shown provide for a shorter period of advance notice.

(2) Upon request of abutting landowners, the department shall notify the landowners of permits issued for use of the corridor adjacent to their property.

(3) For portions of the corridor where no abutting landowner has requested notification of permits issued and no gates have been constructed by lessees of the

corridor, the department may issue permits for day use only without advance application where use is confined to such portion of the corridor. In this case, one permit may be issued which covers such use on any number of days within the use period specified in WAC 332-52-065.

(4) All requests for use of the corridor shall include the following information except for use as specified in subsection (3) of this section:

- (a) The name and address of the applicant.
- (b) The name, title, address, and telephone number of the group leader.
- (c) A brief description of the planned use of the corridor.
- (d) The size of the group.
- (e) The period of use, including the starting and ending dates.
- (f) The locations of the starting point and destination of the proposed trip.
- (g) The portions of the corridor planned to be covered each day of the proposed trip.
- (h) The mode of travel to be used while on the corridor.

(i) Whether there is to be overnight use of the corridor and if so the location of the overnight use.

(5) The department's southeast region office shall make a determination regarding the application within five working days of receiving the application, and shall notify the applicant in writing of its determination to approve or disapprove the application. All permits shall include appropriate conditions on use including appropriate indemnity and waiver of liability clauses. The department's determination and the conditions included in the permit will be based on providing for the orderly and safe use of the corridor, the protection of adjoining landowners, the nature of the proposed use, environmental conditions, other known uses, and other requests for use.

(6) The permit will be valid for not more than one trip in each direction over the route identified on the application, except as specified in subsection (3) of this section.

(7) A permit fee will be charged, the amount of the fee to be determined by the department and to be based on the cost of processing the permit application plus the cost of notifying adjacent landowners under subsection (2) of this section. The permit fee shall be no greater than one hundred dollars and not less than ten dollars. The permit fee for one person using the corridor for fewer than two nights shall be ten dollars. No fee will be charged for use permitted under subsection (3) of this section or abutting lands owned by the bureau of land management.

(8) While traveling the corridor, the permit must be in the possession of the permit holder at all times. For groups, the permit holder is the person designated on the application as the group leader, or the group leader's designee. The permit holder is required to show the permit, if requested by an authorized department representative.

[Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-066, filed 8/27/87; 84-21-038 (Order 435), § 332-52-066, filed 10/11/84.]

WAC 332-52-067 Milwaukee Road corridor--Restrictions on use. The following acts are prohibited on the corridor:

(1) Sanitation

(a) Disposal of all garbage or refuse of any kind whatsoever.

(b) Depositing any human waste in a manner which could cause pollution of any surface or ground water or threat to human health. No human waste shall be deposited within one-quarter mile of any building, water source, lake, pond, or stream whether running or dry. In all other cases human waste shall be buried. Permit conditions for groups may include a requirement to remove human waste from the corridor.

(2) Public behavior

(a) Destroying, injuring, defacing, removing, or disturbing in any manner any public or private building, sign, equipment, marker or other structure or property.

(b) Erecting unauthorized shelters, entering any structure without permission, or camping in locations not designated on the permit.

(c) Destroying, defacing, or removing any natural feature or vegetation or the surface of the corridor.

(d) Hunting or discharging of firearms, or having in possession shotguns or rifles. Other firearms will be unloaded and stored. No person shall discharge on any portion of the corridor a firearm, bow and arrow, or air or gas device or any device capable of injuring or killing any animal or person or damaging or destroying any public or private property. However, the department may allow hunting on portions of the corridor leased by or covered by an agreement with another public agency which owns or controls adjoining property.

(e) Exploding or igniting firecrackers, rockets or fireworks of any kind.

(f) Operating or using any audible devices, including public address system, radio, television, and musical instrument and other noise producing devices, such as electrical generating plants and equipment driven by motors or engines, in such a manner and at such times so as to unreasonably disturb other persons.

(g) Building of open fires, without a written burning permit from the department.

(h) Having animals on the corridor which are not under physical restrictive control at all times.

[Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-067, filed 8/27/87; 84-21-038 (Order 435), § 332-52-067, filed 10/11/84.]

WAC 332-52-068 Milwaukee Road corridor--Protection of adjoining property. The following acts are prohibited:

(1) Entering onto adjoining property from the corridor by any person or animal without permission of landowner.

(2) Destroying, injuring, defacing, removing, or disturbing in any manner any public or private building,

sign, equipment, marker, or other structure or property on adjoining property.

(3) Discharging of firearms. No person shall discharge at or onto any adjoining property a firearm, bow and arrow, or air or gas device or any device capable of injuring or killing any animal or person or damaging or destroying any public or private property.

(4) Leaving gates in a condition other than the condition in which they are found.

[Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-068, filed 8/27/87; 84-21-038 (Order 435), § 332-52-068, filed 10/11/84.]

WAC 332-52-069 Milwaukee Road corridor--Penalties. Any violations of WAC 332-52-065 through 332-52-068, chapter 174, Laws of 1984 or the terms or conditions of the permit shall subject the permittee to the revocation of the permit and the penalties under WAC 332-52-070.

[Statutory Authority: RCW 79.08.277 and 79.08.279. 87-18-035 (Order 516), § 332-52-069, filed 8/27/87; 84-21-038 (Order 435), § 332-52-069, filed 10/11/84.]

Chapter 332-100 WAC

LEASES, SALES, RIGHTS OF WAY, ETC.

WAC

332-100-060 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

332-100-060 Rate of interest for repayment. [Statutory Authority: RCW 79.01.132, 79.01.216 and 79.64.030. 80-11-013 (Order 346, Resolution No. 304), § 332-100-060, filed 8/11/80.] Repealed by 88-22-049 (Resolution No. 600), filed 10/31/88. Statutory Authority: RCW 79.64.030, 43.30.135 and 43.30.150.

WAC 332-100-060 Repealed. See Disposition Table at beginning of this chapter.

Chapter 332-140 WAC

FOREST PRODUCTS INDUSTRY RECOVERY ACT OF 1982

WAC

332-140-200 Introduction and definitions.

332-140-240 Effect of expiration of RCW 79.01.126.

WAC 332-140-200 Introduction and definitions. (1) Implementation of RCW 79.01.126. These regulations, WAC 332-140-200 through 332-140-240, are promulgated by the department of natural resources for the purpose of implementing RCW 79.01.126, which provides for the adjustment of contract bid prices on timber sales sold on a scale basis having a minimum appraisal value over twenty thousand dollars and which are auctioned on or after October 1, 1983 but before October 1, 1987. Stumpage rate adjustment shall apply only to major species of timber removed.

(2) Definitions. As used in these regulation and in RCW 79.01.126, where applicable:

(a) "Coast publication" means the market indexes published by the Western Woods Products Association in its publication known as the PNW Coast Lumber Price Index.

(b) "Inland publication" means the market indexes published by the Western Wood Products Association in its publication known as the Inland Lumber Price Index.

(c) "Contract bid price" for a given species of timber means the price for that species bid by the purchaser or set in the contract where bidding is not allowed on that species.

(d) "Department" means the department of natural resources.

(e) "Market index change amount" means the same in these regulations as it is defined in RCW 79.01.126(2).

(f) Timber "removed" means and includes only timber that is taken from the sale area.

(g) "Timber removed during a calendar quarter" shall be determined using the date the timber removed is scaled as provided for in the contract.

[Statutory Authority: RCW 79.01.126. 87-22-076 (Order 521), § 332-140-200, filed 11/4/87; 83-18-009 (Order 401), § 332-140-200, filed 8/26/83.]

WAC 332-140-240 Effect of expiration of RCW 79.01.126. Although RCW 79.01.126 will cease to be effective October 1, 1987, the regulations concerning stumpage rate adjustment will continue to apply to sales auctioned during the effective dates of RCW 79.01.126. The regulations will not apply to sales auctioned on or after October 1, 1987.

[Statutory Authority: RCW 79.01.126. 87-22-076 (Order 521), § 332-140-240, filed 11/4/87.]

Chapter 332-150 WAC SURVEY, PLAT AND MAP FILING AND RECORDING FEES

WAC

332-150-010	Authority and scope.
332-150-020	Definitions.
332-150-030	Filing and recording fees.
332-150-040	Repealed.
332-150-050	Biennial review.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

332-150-040	Filing and recording fees—Designation of fees. [Statutory Authority: Chapter 58.24 RCW and 1982 c 165 § 7. 82-14-042 (Order 378), § 332-150-040, filed 6/30/82.] Repealed by 87-15-048 (Order 509), filed 7/14/87. Statutory Authority: RCW 58.24.070.
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WAC 332-150-010 Authority and scope. This chapter is promulgated pursuant to the authority granted in chapter 58.24 RCW.

[Statutory Authority: RCW 58.24.070. 87-15-048 (Order 509), § 332-150-010, filed 7/14/87. Statutory Authority: Chapter 58.24

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RCW and 1982 c 165 § 7. 82-14-042 (Order 378), § 332-150-010, filed 6/30/82.]

WAC 332-150-020 Definitions. As used in WAC 332-150-010 through 332-150-050 the following definitions shall apply:

(1) "Surveys." All records of surveys required to be filed by law pursuant to chapter 58.09 RCW and all other maps, plats, or plans required by local ordinance to be filed and recorded.

(2) "Subdivision plats." All plats required to be filed by law pursuant to chapter 58.17 RCW.

(3) "Short plats." All short plats required to be filed by law pursuant to chapter 58.17 RCW.

(4) "Condominium surveys, plats or maps." All surveys, plats, or maps required to be filed by law pursuant to chapter 64.32 RCW.

(5) "Instrument." The total document filed and recorded of each of the above regardless of the number of pages. Any correction filed amending a previously filed instrument shall be considered a separate instrument.

[Statutory Authority: RCW 58.24.070. 87-15-048 (Order 509), § 332-150-020, filed 7/14/87. Statutory Authority: Chapter 58.24 RCW and 1982 c 165 § 7. 82-14-042 (Order 378), § 332-150-020, filed 6/30/82.]

WAC 332-150-030 Filing and recording fees. Effective July 26, 1987, each county auditor shall collect the fee of twenty-six dollars per instrument in addition to any other fees required by law, as a condition precedent to the filing and recording of any surveys, subdivision plats, short plats or condominium surveys, plats or maps.

[Statutory Authority: RCW 58.24.070. 87-15-048 (Order 509), § 332-150-030, filed 7/14/87. Statutory Authority: Chapter 58.24 RCW and 1982 c 165 § 7. 82-14-042 (Order 378), § 332-150-030, filed 6/30/82.]

WAC 332-150-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 332-150-050 Biennial review. The fee established by these rules shall be reviewed subsequent to the adoption of each biennial budget for surveys and maps to determine the sufficiency of such fee. If revenue is determined to be inappropriate for the program need the board of natural resources shall adjust the fee accordingly.

[Statutory Authority: RCW 58.24.070. 87-15-048 (Order 509), § 332-150-050, filed 7/14/87. Statutory Authority: Chapter 58.24 RCW and 1982 c 165 § 7. 82-14-042 (Order 378), § 332-150-050, filed 6/30/82.]

Title 344 WAC OIL AND GAS CONSERVATION COMMITTEE

Chapter

344-12 General rules.