PARK RULES

Regulations Governing the Public Use of Washington State Parks

Washington State Parks
and Recreation Commission

NOTE: Regulations are subject to change.
Contact park staff if you have questions.

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352-32-020 Police powers granted to certain employees. [Order 35, § 352-32-020, filed 7/29/77; Order 9, § 352-32-020, filed 11/24/70.] Repealed by WSR 82-07-076 (Order 56), filed 3/23/82. Statutory Authority: RCW 43.51.040.

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 Repealed by WSR 95-22-067, filed 10/30/95, effective 1/1/96.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

352-32-036 Environmental learning centers. [Statutory Authority: RCW 43.51.040. WSR 80-14-009 (Order 48), § 352-32-036, filed 9/22/80.] Repealed by WSR 95-07-061, filed 3/13/95, effective 4/13/95. Statutory Authority: RCW 43.51.060 and 43.51.395.

352-32-160 Religious services or group rallies. [Order 9, § 352-32-160, filed 11/24/70.] Repealed by WSR 83-08-032 (Resolution No. 66), filed 3/31/83. Statutory Authority: RCW 43.51.040 and 43.51.060.

352-32-190 Solicitation. [Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 83-08-032 (Resolution No. 66), § 352-32-190, filed 3/31/83; Order 9, § 352-32-190, filed 11/24/70.] Repealed by WSR 83-13-089 (Resolution No. 70), filed 6/17/83. Statutory Authority: RCW 43.51.040 and 43.51.060.

352-32-25002 Campsite and rally area reservations—Fort Worden State Park. [Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-25002, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-25002, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060(6). WSR 95-03-005, § 352-32-25002, filed 1/5/95, effective 2/5/95. Statutory Authority: RCW 43.51.040(2). WSR 92-05-002, § 352-32-25002, filed 2/5/92, effective 3/7/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-24-016 (Order 98), § 352-32-25002, filed 11/24/86. Statutory Authority: RCW 43.51.040 and 43.51.060(6). WSR 85-23-069 (Order 90), § 352-32-25002, filed 11/20/85.] Repealed by WSR 99-08-031, filed 3/30/99, effective 5/1/99. Statutory Authority: RCW 43.51.040.

352-32-265 Sno-park permit—Display. [Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-265, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.330 and 46.61.585. WSR 80-18-004 (Order 49), § 352-32-265, filed 11/21/80.] Repealed by WSR 13-17-037, filed 8/13/13, effective 9/13/13. Statutory Authority: RCW 79A.05.030, 79A.05.035.

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

"Aircraft" shall mean any machine designed to travel through the air, whether heavier or lighter than air; airplane, dirigible, balloon, helicopter, etc. The term aircraft shall not include paraglider or remote controlled aircraft.

"Aquatic facility" shall mean any structure or area within a state park designated by the director or designee for aquatic activities, including, but not limited to, swimming pools, wading pools, swimming beaches, floats, docks, ramps, piers or underwater parks.

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

"Campfires" shall mean any open flame from a wood source.

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

"Camping party" shall mean an individual or a group of people (two or more persons not to exceed eight) that is organized, equipped and capable of sustaining its own camping activity in a single campsite. A "camping party" is a "camping unit" for purposes of RCW 79A.05.065.

"Commercial recreation use" is a recreational activity in a state park that is packaged and sold as a service by an organization or individual, other than state parks or a state park concessionaire.

"Commercial recreation provider" is any individual or organization that packages and sells a service that meets the definition of a commercial recreation use.

"Commercial use (nonrecreation)" is any activity involving commercial or business purpose within a state park that may impact park facilities, park visitors or staff and is compatible with recreational use and stewardship, limited in duration and does not significantly block/alter access or negatively impact recreational users.

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

"Conference center" shall mean a state park facility designated as such by the director or designee that provides specialized services, day-use and overnight accommodations available by reservation for organized group activities.

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

"Director" shall mean the director of the Washington state parks and recreation commission or the director's designee.

"Disrobe" shall mean to undress so as to appear nude.

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

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

"Environmental learning centers (ELCs)" shall mean those specialized facilities, designated by the director or designee, designed to promote outdoor recreation experiences and environmental education in a range of state park settings.

"Extra vehicle" shall mean each additional unhitched vehicle in excess of the one recreational vehicle that will be parked in a designated campsite or parking area for overnight.

"Fire" shall mean any open flame from any source or device including, but not limited to, campfires, stoves, candles, torches, barbeques and charcoal.

"Fish" shall mean all marine and freshwater fish and shellfish species including all species of aquatic invertebrates.

"Foster family home" means an agency which regularly provides care on a twenty-four-hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed.

"Geocache" shall mean geocaches, letterboxes, and related activities. Geocaching is an outdoor treasure hunting game in which participants (called "geocachers") use a Global Positioning System receiver or other navigational techniques to hide and seek containers (called "geocaches" or "caches").

"Group" shall mean twenty or more people engaged together in an activity.

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

"Hiker/biker campsite" shall mean a campsite that is to be used solely by visitors arriving at the park on foot or bicycle.

"Intimidate" means to engage in conduct that would make a reasonable person fearful.

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

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

"Obstruct pedestrian or vehicular traffic" means to walk, stand, sit, lie, or place an object in such a manner as to block passage by another person or a vehicle, or to require another person or a driver of a vehicle to take evasive action to avoid physical contact. Acts authorized as an exercise of one's constitutional right to picket or to legally protest, and acts authorized by a permit issued pursuant to WAC 352-32-165 shall not constitute obstruction of pedestrian or vehicular traffic.

"Out-of-home care" means placement in a foster family home or with a person related to the child under the authority of chapters 13.32A, 13.34, or 74.13 RCW.

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

"Overnight accommodations" shall mean any facility or site designated for overnight occupancy within a state park area.

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

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

"Person related to the child" means those persons referred to in RCW 74.15.020 (2)(a)(i) through (vi).

"Personal watercraft" means a vessel of less than sixteen feet that uses a motor powering a water jet pump, as its primary source of motive power and that is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

"Popular destination park" shall mean any state park designated by the director or designee as a popular destination park because, it is typically occupied to capacity on Friday or Saturday night during the high use season.

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

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

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

"Ranger" shall mean a duly appointed Washington state parks ranger who is vested with police powers under RCW 79A.05.160, and shall include the park manager in charge of any state park area.

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

"Remote controlled aircraft" shall mean nonpeopled model aircraft that are flown by using internal combustion, electric motors, elastic tubing, or gravity/wind for propulsion. The flight is controlled by a person on the ground using a hand held radio control transmitter.

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

(1) Camping at a given park for more than thirty days within a forty-day time period April 1 through September 30; or forty days within a sixty-day time period October 1 through March 31. As provided in WAC 352-32-030(7), continuous occupancy of facilities by the same camping party shall be limited to ten consecutive nights April 1 through September 30. Provided that at the discretion of the park ranger the maximum stay may be extended to fourteen consecutive nights if the campground is not fully occupied. Campers may stay twenty consecutive nights October 1 through March 31 in one park, after which the camping unit must vacate the overnight park facilities for three consecutive nights. The time period shall begin on the date for which the first night's fee is paid.

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

"Seaweed" shall mean all species of marine algae and flowering sea grasses.

"Sno-park" shall mean any designated winter recreational parking area.

"Special groomed trail area" shall mean those sno-park areas designated by the director as requiring a special groomed trail permit.

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

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

"State park area" shall mean any area under the ownership, management, or control of the commission, including trust lands which have been withdrawn from sale or lease by order of the commissioner of public lands and the management of which has been transferred to the commission, and specifically including all those areas defined in WAC 352-16-020. State park areas do not include the seashore conservation area as defined in RCW 79A.05.605 and as regulated under chapter 352-37 WAC.

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

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

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

"Vehicle" shall include every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway. For the purposes of this chapter, this definition excludes bicycles, wheelchairs, motorized foot scooters, electric personal assistive mobility devices (EPAMDs), snowmobiles and other nonlicensed vehicles.

"Vehicle parking permit" means the permit issued on a daily, multiple day or annual basis for parking a vehicle in

any state park area designated for daytime vehicle parking, excluding designated sno-park parking areas.

"Vessel" shall mean any watercraft used or capable of being used as a means of transportation on the water.

"Walk-in campsite" shall mean a campsite that is accessed only by walking to the site and which may or may not have vehicle parking available near by.

"Watercraft launch" is any developed launch ramp designated for the purpose of placing or retrieving watercraft into or out of the water.

"Water trail advisory committee" shall mean the twelve-member committee constituted by RCW 79A.05.420.

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

"Wood debris" shall mean down and dead tree material.

[Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-010, filed 11/20/08, effective 12/21/08. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-010, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-32-010, filed 11/30/05, effective 12/31/05. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 05-01-069, § 352-32-010, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 04-01-067, § 352-32-010, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 02-19-069, § 352-32-010, filed 9/13/02, effective 10/14/02. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-010, filed 6/16/00, effective 7/17/00. Statutory Authority: Chapter 79A.05 RCW and RCW 79A.05.070. WSR 00-01-201, § 352-32-010, filed 12/22/99, effective 1/22/00. Statutory Authority: RCW 43.51.040(2). WSR 98-23-063, § 352-32-010, filed 11/16/98, effective 1/1/99. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-010, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050, 43.51.040 and 43.51.300. WSR 97-21-133, § 352-32-010, filed 10/21/97, effective 1/1/98. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050 and 43.51.040. WSR 96-22-018, § 352-32-010, filed 10/29/96, effective 1/1/97. Statutory Authority: RCW 43.51.180. WSR 96-02-015, § 352-32-010, filed 12/21/95, effective 1/21/96. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-010, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060 and 43.51.395. WSR 95-07-061, § 352-32-010, filed 3/13/95, effective 4/13/95. Statutory Authority: RCW 43.51.040. WSR 94-23-024, § 352-32-010, filed 11/7/94, effective 1/1/95. Statutory Authority: RCW 43.51.060. WSR 94-08-036, § 352-32-010, filed 3/31/94, effective 5/1/94. Statutory Authority: RCW 43.51.040. WSR 94-01-087, § 352-32-010, filed 12/13/93, effective 1/13/94; WSR 93-08-025, § 352-32-010, filed 3/30/93, effective 5/1/93; WSR 93-06-001, § 352-32-010, filed 2/17/93, effective 3/20/93; WSR 91-09-001, § 352-32-010, filed 4/4/91, effective 5/15/91. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 89-07-020 (Order 89-01), § 352-32-010, filed 3/7/89. Statutory Authority: RCW 46.10.040, 43.51.040 and 43.51.060. WSR 87-24-032 (Order 102), § 352-32-010, filed 11/24/87. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 87-08-008 (Order 100), § 352-32-010, filed 3/23/87, effective 5/15/87; WSR 86-06-020 (Order 91), § 352-32-010, filed 2/25/86; WSR 81-09-034 (Order 50), § 352-32-010, filed 4/14/81. Statutory Authority: RCW 43.51.040. WSR 80-14-009 (Order 48), § 352-32-010, filed 9/22/80. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 80-05-007 (Order 45), § 352-32-010, filed 4/4/80; Order 9, § 352-32-010, filed 11/24/70.]

WAC 352-32-01001 Feeding wildlife. No person shall intentionally feed, attract, or artificially sustain wildlife in state park areas. The feeding of indigenous wildlife is prohibited in all state park areas unless otherwise posted. This section does not apply to authorized feeding programs established with the Washington state department of fish and wildlife.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-01001, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-01001, filed 2/2/98, effective 3/5/98.]

WAC 352-32-011 Dress standards. (1) In order to identify temporary field operations personnel to the public for their safety and welfare, it is necessary for selected employees to furnish and wear apparel that will comply with a generally accepted dress standard common to the outdoor recreation industry.

(2) The apparel for male and female temporary field operations personnel shall consist of an agency approved long or short sleeve shirt/blouse and agency supplied logos as defined in the agency uniform manual.

[Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-011, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 92-04-072, § 352-32-011, filed 2/4/92, effective 3/6/92; WSR 90-20-031, § 352-32-011, filed 9/25/90, effective 10/26/90.]

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

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

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

(3) Occupants shall vacate camping facilities by removing their personal property therefrom no later than 1:00 p.m., if the applicable camping fee has not been paid or if the time limit for occupancy of the campsite has expired or the site is reserved by another party. Remaining in a campsite beyond the established checkout time shall subject the occupant to the payment of an additional camping fee.

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

(5) A campsite is considered occupied when it is being used for purposes of camping by a person or persons who have paid the camping fee within the applicable time limits or when it has been reserved through the appropriate procedures of the reservation system. No person shall take or attempt to take possession of a campsite when it is being occupied by another party, or when informed by a ranger that such site is occupied, or when the site is posted with a "reserved" sign or when the campsite has an incoming reservation. In the case of a reserved site, a person holding a valid reservation for that specific site may occupy it according to the rules relating to the reservation system for that park. In order to afford the public the greatest possible use of the state park system on a

fair and equal basis, campsites in those parks not on the state park reservation system will be available on a first-come, first-serve basis. No person shall hold or attempt to hold campsite(s), for another camping party for present or future camping dates, except as prescribed for multiple campsites. Any site occupied by a camping party must be actively utilized for camping purposes.

(6) One person may register for one or more sites within a multiple campsite by paying the multiple campsite fee and providing the required information regarding the occupants of the other sites. An individual may register and hold a multiple campsite for occupancy on the same day by other camping parties. Multiple campsites in designated reservation parks may be reserved under the reservation system.

(7) In order to afford the general public the greatest possible use of the state park system, on a fair and equal basis, and to prevent residential use, continuous occupancy of facilities by the same camping party shall be limited. April 1 through September 30: The maximum length of stay during this period shall be established annually for each park by the director or designee and shall be no less than ten and no more than fourteen nights. Campers may stay the established maximum consecutive nights in one park, after which the camping party must vacate the park for three consecutive nights. October 1 through March 31: The maximum length of stay is twenty nights. Campers may stay twenty consecutive nights in one park, after which the camping party must vacate the park for three consecutive nights, not to exceed forty days in a sixty-day time period. These limitations shall not apply to those individuals who meet the qualifications of WAC 352-32-280 and 352-32-285.

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

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

(10) Water trail camping sites are for the exclusive use of persons traveling by human and wind powered beachable vessels as their primary mode of transportation to the areas. Such camping areas are subject to the campsite capacity limitations as otherwise set forth in this section. Exceptions for emergencies may be approved by the ranger on an individual basis. Water trail site fees, as published by state parks, must be paid at the time the site is occupied.

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

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

(13) Designated overflow camping areas may be used only when all designated campsites in a park are full and the demand for camping in the geographic area around the park appears to exceed available facilities. Persons using overflow camping areas must pay the applicable campsite fee.

(14) Overnight camping will be allowed in approved areas within designated sno-parks in Washington state parks, when posted, provided the appropriate required sno-park permit is displayed.

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

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-32-030, filed 8/13/13, effective 9/13/13; WSR 13-15-020, § 352-32-030, filed 7/8/13, effective 8/8/13; WSR 12-22-031, § 352-32-030, filed 10/31/12, effective 12/1/12. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-030, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 03-01-079, § 352-32-030, filed 12/13/02, effective 1/13/03. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-030, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-030, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.180. WSR 96-02-015, § 352-32-030, filed 12/21/95, effective 1/21/96. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-030, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. WSR 94-23-024, § 352-32-030, filed 11/7/94, effective 1/1/95; WSR 93-06-001, § 352-32-030, filed 2/17/93, effective 3/20/93. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-030, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 87-08-008 (Order 100), § 352-32-030, filed 3/23/87, effective 5/15/87; WSR 86-06-020 (Order 91), § 352-32-030, filed 2/25/86; WSR 83-09-031 (Resolution No. 67), § 352-32-030, filed 4/15/83; WSR 82-09-035 (Order 60), § 352-32-030, filed 4/14/82; WSR 81-09-034 (Order 50), § 352-32-030, filed 4/14/81; WSR 80-05-007 (Order 45), § 352-32-030, filed 4/4/80. Statutory Authority: RCW 43.51.040(2) and 43.51.060(6). WSR 78-05-082 (Order 39), § 352-32-030, filed 5/1/78; Order 33, § 352-32-030, filed 4/28/77; Order 9, § 352-32-030, filed 11/24/70.]

WAC 352-32-037 Environmental learning centers (ELCs). All ELCs can be reserved by:

(1) Complying with the reservation procedure; and

(2) Paying the appropriate fees and deposits as published by state parks.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-037, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-037, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-037, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060 and 43.51.395. WSR 95-07-061, § 352-32-037, filed 3/13/95, effective 4/13/95. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 83-09-031 (Resolution No. 67), § 352-32-037, filed 4/15/83. Statutory Authority: RCW 43.51.040. WSR 80-14-009 (Order 48), § 352-32-037, filed 9/22/80.]

WAC 352-32-040 Picnicking. Picnicking is permitted only in designated and marked picnicking areas, or in such other places within a state park area as designated by a ranger. Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-040, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-040, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-06-

020 (Order 91), § 352-32-040, filed 2/25/86; Order 9, § 352-32-040, filed 11/24/70.]

WAC 352-32-045 Reservations for use of designated group facilities. (1) All designated group facilities shall be reservable by groups as defined in WAC 352-32-010.

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

(3) Use of designated group facilities may be by reservation. Requests made at parks, not on central reservation system, for reservations for groups of 20 to 250 shall be made 15 days in advance and for groups in excess of 250 shall be made 30 days in advance of the proposed use date, using the group use permit. All conditions outlined on the group use permit shall be binding on the group.

(4) Submittal of the group use permit request and payment in full of appropriate fees are required for the use of these facilities. Fees must be paid by credit card, certified check or money order. Fees are published by state parks. Refunds will be made only to those groups which cancel their reservations thirty or more days before the effective date of the reservations.

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

(6) The organization or delegated group leader making the reservation is responsible for any damages or extra cleaning that occurs as a result of the use of the facility(ies) beyond normal care and wear.

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

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

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

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-32-045, filed 8/13/13, effective 9/13/13; WSR 13-15-020, § 352-32-045, filed 7/8/13, effective 8/8/13. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-045, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 03-01-079, § 352-32-045, filed 12/13/02, effective 1/13/03. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-045, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-045, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-045, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. WSR 94-23-024, § 352-32-045, filed 11/7/94, effective 1/1/95. Statutory Authority: RCW 43.51.060. WSR 94-08-036, § 352-32-045, filed 3/31/94, effective 5/1/94. Statutory Authority: RCW 43.51.040. WSR 91-09-001, § 352-32-045, filed 4/4/91, effective 5/15/91; WSR 90-07-062, § 352-32-045, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 88-07-074 (Order 103), § 352-32-045, filed 3/18/88, effective 5/15/88; WSR 83-09-031 (Resolution No. 67), § 352-32-045, filed 4/15/83; WSR 82-09-035 (Order 60), § 352-32-045, filed 4/14/82; WSR 80-05-007 (Order 45), § 352-32-045, filed 4/4/80; Order 32, § 352-32-045, filed 4/28/77.]

WAC 352-32-047 Special recreation event permit. Any person or group, hereinafter referred to as the "applicant," desiring to make use of a portion of a state park for a special recreation event which will require special planning, facilities, staffing, or environmental protection measures, or the closure of the area to, or restriction of, established recreational uses, shall apply for a special recreation event permit. The director or designee may consult with the appropriate local government in reviewing the application and may issue a permit subject to conditions established by the agency. Such conditions may include but not be limited to the closure of the specified area to other recreational activities, including motor vehicle traffic, which are determined to have the potential to interfere with the event or which could risk the safety of the recreating public or the special event participants. However, no such permit may result in the unreasonable exclusion of recreationists from the remainder of the park. All events authorized under this permit shall be open to public participation and/or observation.

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

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

If the agency determines it is necessary, the applicant must submit a completed environmental checklist along with the application. Upon request, the agency may assist the applicant in completing the environmental checklist and may request compensation in accordance with agency State Environmental Policy Act (SEPA) rules, chapter 352-11 WAC.

Permit applications must be submitted at least sixty days in advance of the proposed event so that the information supplied in the application may be verified and so that the agency can notify and coordinate action with officials of other jurisdictions and agencies responsible for health, safety and welfare. The sixty-day time limit is also necessary to comply with SEPA review requirements to identify any potential environmental impacts and mitigation. This requirement for an application to be filed sixty days prior to an event may be waived in rare circumstances where arrangements can be

made in a shorter time while still complying with all other requirements of this section.

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

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-047, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-047, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-047, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 89-07-020 and 89-07-098 (Orders 89-01 and 89-01-A), § 352-32-047, filed 3/7/89 and 3/22/89.]

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

(a) Currently registered campers who are camping in a designated campsite or camping area;

(b) Guests of a currently registered camper who may enter and remain until 10:00 p.m.;

(c) Guests of a state park employee;

(d) Technical rock climbers who bivouac on vertical climbing routes not otherwise closed to public use.

(2) The director or designee may, for a specified period or periods of time, close any state park area to public access if the director or designee concludes that such a closure is necessary for the protection of the health, safety and welfare of the public, park visitors or staff, or park resources.

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

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-32-050, filed 8/13/13, effective 9/13/13. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-050, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.180. WSR 96-02-015, § 352-32-050, filed 12/21/95, effective 1/21/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-050, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. WSR 90-07-062, § 352-32-050, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-06-020 (Order 91), § 352-32-050, filed 2/25/86; WSR 80-05-007 (Order 45), § 352-32-050, filed 4/4/80; Order 21, § 352-32-050, filed 3/20/75; Order 9, § 352-32-050, filed 11/24/70.]

WAC 352-32-053 Park capacities. The director or designee may establish for each state park area according to facilities, design, and/or staffing levels, the number of individuals and/or vehicles allowed in any state park area or structure at any given time or period. No person shall enter in any state park area or facility or bring in or cause to be brought in any vehicle and/or persons which would exceed the capacity as established by the director or designee and when the individual is informed either by signs or by park staff that such capacity has been met and the park is full.

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

[Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-053, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-053, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-06-020 (Order 91), § 352-32-053, filed 2/25/86.]

WAC 352-32-056 Peace and quiet. To insure peace and quiet for visitors:

(1) No person shall conduct themselves so that park users are disturbed in their sleeping quarters or in campgrounds or park employees in their sleeping quarters between the quiet hours of 10:00 p.m. and 6:30 a.m.

(2) No person shall, at any time, use sound-emitting electronic equipment including electrical speakers, radios, phonographs, televisions, or other such equipment, at a volume which emits sound beyond the person's vehicle or immediate area of use, individual camp or picnic site that may disturb other park users without specific permission of the park ranger.

(3) Engine driven electric generators may be operated only between the hours of 8:00 a.m. and 9:00 p.m., except at Crystal Springs and Easton Reload sno-parks where engine driven electric generators may be operated after 9:00 p.m. during the winter recreation season.

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

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 12-22-031, § 352-32-056, filed 10/31/12, effective 12/1/12. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-056, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 03-01-079, § 352-32-056, filed 12/13/02, effective 1/13/03. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-056, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-056, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-06-020 (Order 91), § 352-32-056, filed 2/25/86.]

WAC 352-32-057 Disturbances. Disorderly conduct, or conduct with the intent to intimidate or obstruct pedestrian or vehicular traffic, or which otherwise impedes or disturbs state park employees or volunteers in the performance of their duties, or which impedes or disturbs the general public in the use and enjoyment of state park areas, is prohibited.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-057, filed 1/22/07, effective 2/22/07.]

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

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

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

(4) In any state park area, pets or domestic animals, except for assistance dogs for persons with disabilities, may be prohibited in areas where there could be conflict with domestic livestock or agricultural activities on adjacent land, for the protection of wildlife, sensitive natural systems, special cultural areas, or for other recreational or health and safety purposes, if approved by the director or designee and so posted.

(5) No person shall allow his/her pet or domestic animal to bite or in any way molest or annoy other park visitors. No person shall permit his/her pet or domestic animal to bark or otherwise disturb the peace and tranquillity of the park.

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

(7) Pet off-leash areas may be approved and designated by the director or designee. Approved pet off-leash areas will be exempt from subsections (1), (2), and (3) of this section. Approved pet off-leash areas may be closed permanently or temporarily by the director or designee for the protection of wildlife, sensitive natural systems, and special cultural areas. Any park area designated for pets off-leash shall be conspicuously posted as such by the director or designee.

(8) In designated roofed accommodations, pets are permitted and fees will be charged as published by state parks.

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

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

[Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-060, filed 11/20/08, effective 12/21/08. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-060, filed 1/22/07, effective 2/22/07. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-060, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. WSR 96-01-078, § 352-32-060, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-060, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. WSR 86-20-020 (Order 96), § 352-32-060, filed 9/22/86; WSR 82-12-008 (Order 61), § 352-32-060, filed 5/21/82; Order 9, § 352-32-060, filed 11/24/70.]

WAC 352-32-070 Use of horses, llamas, sled dogs or similar animals for recreation. (1) No horses, llamas, sled dogs or similar animals used for recreation shall be permitted on trails in any state park area, except where designated and posted to specifically or conditionally permit such activity. The director or designee may open or close trails to such use. This decision shall include an evaluation of factors including, but not limited to, conflict with other park users, public safety, and damage to park resources and/or facilities. This evaluation shall include a reasonable effort to involve interested trail users of the park in question, including, at a minimum, one public meeting advertised and conducted in the region where the park is located. Trails designated open for such use may be temporarily closed by the park manager due to emergency health, safety, or resource protection considerations.

(2) No horses, llamas, sled dogs or similar animals used for recreation shall be permitted off trails in any state park area, except where authorized by the commission and posted to specifically or conditionally permit such activity.

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

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

(5) No person shall ride any horse or other animal in such a manner that might endanger life or limb of any person or animal, or damage park resources and/or facilities, and no person shall allow a horse or other animal to stand unattended or insecurely tied. Persons using horses or other animals for recreation shall obey regulatory signs, including those permanently or temporarily erected, that govern the timing, location, speed, type and/or manner of use.

(6) Any person bringing a horse, llama, sled-dog or similar animal into a state park area shall cleanup animal feces in parking lots, at trail heads and other central locations used by park visitors.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-070, filed 1/22/07, effective 2/22/07. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-070, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040, 43.51.045, 43.51.050, 43.51.060(1), 43.51.061 and 43.51.395. WSR 99-15-030, § 352-32-070, filed 7/13/99, effective 8/13/99. Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. WSR 96-01-078, § 352-32-070, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-070, filed 9/17/92, effective 10/18/92; Order 9, § 352-32-070, filed 11/24/70.]

WAC 352-32-075 Use of nonmotorized cycles or similar devices. (1) Whenever used in this section, nonmotorized cycle or similar device shall mean any wheeled, operator-propelled equipment that transports the operator on land, including cycles, in-line skates and skateboards, but not

including wheelchairs or other devices utilized by persons with disabilities.

(2) Operation of nonmotorized cycles or similar devices shall be permitted upon public roads in state park areas.

(3) No operation of nonmotorized cycles or similar devices shall be permitted on trails in any state park area, except where designated and posted to specifically or conditionally permit such activity, or as specified in (b) of this subsection.

(a) The director or designee may open or close trails to such use. This decision shall include an evaluation of factors including, but not limited to, the degree of conflict with other park users, public safety, and damage to park resources and/or facilities related to these devices. This evaluation shall include a reasonable effort to involve interested trail users of the park in question, including, at a minimum, one public meeting advertised and conducted in the region where the park is located.

(b) No existing trails open to use by nonmotorized cycles or similar devices prior to January 1, 1999, shall be closed to such use without an evaluation of use suitability following the criteria and process of (a) of this subsection; except for temporary closures by the park manager due to emergency health, safety, or resource protection considerations.

(4) No operation of nonmotorized cycles or similar devices shall be permitted off trails in any state park area, except where authorized by the commission and posted to specifically or conditionally permit such activity.

(5) Use of nonmotorized cycles or similar devices is prohibited in the following state park areas:

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

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

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

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

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

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

(c) Yield the right of way to pedestrians and animals.

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

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

(f) Display adequate lighting during hours of darkness.

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

(h) Not disturb or harass wildlife.

(i) When on public roads within a state park area, operate in compliance with any additional requirements of RCW 46.61.750 through 46.61.850.

(7) The director or designee may designate trails for preferential use by cyclists and may specifically authorize use of any facilities for special cycling recreation events, excluding roads or trails specified in subsection (5) of this section.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 05-01-069, § 352-32-075, filed 12/9/04, effective 1/9/05. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-075, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040, 43.51.045, 43.51.050, 43.51.060(1), 43.51.061 and 43.51.395. WSR 99-15-030, § 352-32-075, filed 7/13/99, effective 8/13/99. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-075, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. WSR 96-01-078, § 352-32-075, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-075, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 89-01-034 (Order 108), § 352-32-075, filed 12/13/88.]

WAC 352-32-080 Swimming. (1) Swimming areas in state park areas are marked with buoys, log booms, or other markers, clearly designating the boundaries of such areas.

(2) Any person swimming outside the boundaries of a designated swimming area, or in any area not designated for swimming, or in any area, whether designated for swimming or not, where no lifeguard is present, shall do so at his or her own risk.

(3) All persons using any designated swimming area shall obey all posted beach rules and/or the instructions of lifeguards, rangers, or other state parks employees.

Children twelve years of age or younger, must be accompanied by a responsible adult while using the swim area.

(4) No person shall swim in any designated watercraft launching area.

(5) No person shall give or transmit a false signal or false alarm of drowning in any manner.

(6) Use of rubber rafts, rubber boats, inner tubes, or other large floating objects, exceeding three feet in width are prohibited in designated swimming areas except U.S. Coast Guard approved life jackets, small children's floatation devices or toys and one-person inflatable mattresses for the purpose of buoyancy while swimming or playing in any designated swimming area are allowed. Concessionaires are not permitted to rent or sell prohibited floating devices within state parks without written approval of the director or designee.

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

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-32-080, filed 8/13/13, effective 9/13/13; WSR 13-15-020, § 352-32-080, filed 7/8/13, effective 8/8/13. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-080, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-080, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-080, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-06-020 (Order 91), § 352-32-080, filed 2/25/86; Order 10, § 352-32-080, filed 8/3/71; Order 9, § 352-32-080, filed 11/24/70.]

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

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

(a) Not permitted in natural area preserves;

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

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

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

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

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

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

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

(6) Each state park area with an established advisory committee of technical rock climbers will have a climbing management plan which will specify technical rock climbing rules concerning overnight stays on climbing routes, bolting, power drills, stabilization of holds, group size and activities, gardening/cleaning of routes pursuant to chapter 352-28 WAC and RCW 79A.05.165, chalk, special use designations for climbing areas, protection of sensitive park resources, and other such issues required by the director or designee. Climbing management plans that relate to natural forest areas or heritage areas must be approved by the commission. The director or designee shall ensure that any technical rock climbing rules contained in a climbing management plan are conspicuously posted at the entrance of the affected park area.

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

(8) The use of power drills will be allowed only if the park climbing management plans specifically permit under specified conditions for bolt replacement and bolt installation on new routes. They are otherwise prohibited.

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

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-085, filed 1/22/07, effective 2/22/07. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-085, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-085, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.180. WSR 96-02-015, § 352-32-085, filed 12/21/95, effective 1/21/96.]

WAC 352-32-090 Games or activities. Playing games and/or engaging in activities in a manner and/or location which subjects people or personal property, the park resource or facilities to risk of injury or damage shall be prohibited. Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 04-01-067, § 352-32-090, filed 12/12/03, effective 1/12/04. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-090, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-090, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-06-020 (Order 91), § 352-32-090, filed 2/25/86; Order 9, § 352-32-090, filed 11/24/70.]

WAC 352-32-095 Squak Mountain State Park—Natural area—Prohibited uses. Outside of designated parking areas, human foot traffic only shall be allowed within Squak Mountain State Park—Natural area. All other means of transportation, including, but not limited to, horses or any mechanized vehicles such as motor vehicles, bicycles, or similar vehicles are specifically excluded.

[Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. WSR 88-19-087 (Order 106), § 352-32-095, filed 9/19/88.]

WAC 352-32-100 Disrobing. (1) No person shall disrobe in public in any state park area.

(2) Clothing sufficient to conform to common standards shall be worn at all times.

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

[Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-100, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-100, filed 9/17/92, effective 10/18/92; Order 9, § 352-32-100, filed 11/24/70.]

WAC 352-32-110 Tents, etc., on beaches. No person shall erect, maintain, use, or occupy any temporary tent or shelter on any swimming beach in any state park area unless there is an unobstructed view through such tent or shelter from at least two sides: Provided, however, That nothing herein contained shall be construed to authorize camping except in designated areas. Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-110, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-110, filed 9/17/92, effective 10/18/92; Order 9, § 352-32-110, filed 11/24/70.]

WAC 352-32-120 Firearms. (1) No person shall discharge or propel across, in, or into any upland state park area as defined in WAC 352-32-010 a firearm, except where the commission for good cause has authorized a special recreational activity upon finding that it is not inconsistent with state park use. Any violation of this section is a gross misdemeanor.

(2) The possession, display, carrying, discharge or use of a firearm is further regulated under chapter 9.41 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 04-01-067, § 352-32-120, filed 12/12/03, effective 1/12/04; WSR 03-01-079, § 352-32-120, filed 12/13/02, effective 1/13/03. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-120, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-120, filed 2/2/98, effective 3/5/98; WSR 93-06-001, § 352-32-120, filed 2/17/93, effective 3/20/93. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-06-020 (Order 91), § 352-32-120, filed 2/25/86; Order 9, § 352-32-120, filed 11/24/70.]

WAC 352-32-121 Other weapons. No person shall display, discharge or propel across, in, or into any upland state park area as defined in WAC 352-32-010, a bow and arrow, spear, spear gun, harpoon, or air or gas weapon, or any device capable of injuring or killing any person or animal, or damaging or destroying any public or private property, except where the commission for good cause has authorized a special recreational activity upon finding that it is not inconsistent with state park use.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-121, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 04-01-067, § 352-32-121, filed 12/12/03, effective 1/12/04.]

WAC 352-32-125 Fires and campfires. All fires, except campfires, fires for stoves, candles, torches, barbeques and charcoal, are prohibited in state parks. Campfires are restricted to within the designated campfire pit, ring or other provided campfire enclosure and the flame must be no higher than two feet. On ocean beaches, campfires must be at least one hundred feet from the dunes, no more than four feet in diameter and no more than four feet high. No campfires are allowed on any shellfish bed. Park rangers may impose additional restrictions on fires for the protection of the health, safety and welfare of the public, park visitors or staff, or for the protection of park resources.

At Crystal Springs and Easton Reload sno-parks all campfires must be restricted to portable fire receptacles not to exceed three feet in diameter and must be at least six inches off the ground, and are only permitted when the sno-parks are open for winter recreation access.

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

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 12-22-031, § 352-32-125, filed 10/31/12, effective 12/1/12. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-125, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 05-01-069, § 352-32-125, filed 12/9/04, effective 1/9/05.]

WAC 352-32-130 Aircraft. (1) No aircraft shall land on or take off from any body of water or land area in a state park area not specifically designated for landing aircraft. This provision does not apply to official aircraft used in the performance of search and rescue missions, medical emergencies, law enforcement activities, emergency evacuations or firefighting activities. It also does not apply in cases where the director or designee specifically authorizes such landings or take offs, in writing, associated with the operational, or administrative needs of the agency or state.

(2) Individuals who have complied with the registration process provided or who have obtained a special recreation event permit pursuant to WAC 352-32-047 may launch and land paragliders in state park areas specifically designated by the director or designee as available for paragliding. Prior to any such designation, the director or designee shall advertise and conduct a public meeting in the region where the park is located. The director or designee shall consider the potential impacts of paragliding in the proposed area, including but not limited to the following factors: The degree of conflict paragliding may have with other park uses, public safety issues, and any potential damage to park resources/facilities. Any park designated for paragliding shall be conspicuously posted as such by the agency.

(3) Individuals paragliding in state parks must:

(a) Comply with the registration process provided for such purposes;

(b) Observe all applicable laws and regulations;

(c) Never destroy or disturb park facilities, natural features, or historical or archeological resources;

(d) Conduct themselves with thoughtfulness, courtesy and consideration for others, and not interfere with other recreational activities;

(e) Conduct themselves in compliance with the following basic safety regulations:

(i) Comply with specific site operational rules that are posted;

(ii) Fly in a manner consistent with the pilot rating held;

(iii) Preplanned landings should be made in areas no smaller than forty feet wide by one hundred feet long;

(iv) Make preflight checks of weather, equipment and site conditions;

(v) Observe all published traffic and right of way flight guidelines, including yielding right of way to all aircraft;

(vi) Wear protective clothing, headgear, Coast Guard approved flotation gear, reserve parachute, supplemental

oxygen and communication equipment as appropriate for conditions;

(vii) Fly in a manner that does not create a hazard for other persons or property;

(viii) Fly only during daylight hours, or hours otherwise specified by posting at the site;

(ix) Do not fly over congested areas of parks or open air assembly of persons;

(x) Fly only in designated areas of parks;

(xi) Fly with visual reference to the ground surface at all times;

(xii) Do not tether paraglider to the ground or other stable nonmovable object.

(f) Not fly while under the influence of alcohol or drugs.

(4) Individuals flying remote controlled aircraft must do so only within flying areas designated by the director or designee and only when following the remote controlled aircraft management plan approved by the director or designee and posted for that designated area.

(a) Prior to any such designation, the director or designee shall advise and conduct a public meeting in the region where the park is located. The director or designee shall consider the potential impacts of remote controlled aircraft flying in the proposed area, including, but not limited to, the following factors: The degree of conflict remote controlled aircraft flying may have with other park uses, public safety issues, and any potential damage to park resources/facilities. Any park area designated for remote controlled aircraft flying shall be conspicuously posted as such by the director or designee.

(b) The director or designee shall establish a committee to advise park staff on park management issues related to remote controlled aircraft flying for each state park area designated as a remote controlled aircraft flying site.

(c) Each state park area with an established advisory committee, which includes remote controlled aircraft flyers will have an approved management plan which will specify remote controlled aircraft flying rules concerning types of aircraft, flying hours, identified approved flying zones, identified runways for take-offs and landings, engine muffler requirements, use of and posting of radio frequency, fuel spills and cleanup. The director or designee shall ensure that any remote controlled aircraft flying rules contained in the remote controlled aircraft flying management plan are conspicuously posted at the entrance of the affected park area.

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

(e) Except as provided in WAC 352-32-310, any violation of this section or failure to abide by a conspicuously posted remote controlled aircraft flying rule is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-130, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-32-130, filed 11/30/05, effective 12/31/05. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-130, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040(2). WSR 98-23-063, § 352-32-130, filed 11/16/98, effective 1/1/99. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-130, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050 and 43.51.040. WSR 96-22-018, § 352-32-130, filed 10/29/96, effective 1/1/97. Statutory Authority: RCW 43.51.040. WSR 94-01-087, § 352-32-130, filed 12/13/93, effective 1/13/94. Statutory Authority: RCW 46.10.040, 43.51.040 and 43.51.060. WSR 87-24-032 (Order 102), § 352-32-130, filed 11/24/87; Order 9, § 352-32-130, filed 11/24/70.]

WAC 352-32-140 Fireworks. No person shall possess, discharge, set off, or cause to be discharged, in or into any state park area, any firecrackers, torpedoes, rockets, fireworks, explosives, or substance harmful to the life or safety of persons or property. Provided that the director or designee may issue permits for firework displays subject to conditions established by the agency and as provided in chapter 70.77 RCW.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-140, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-140, filed 2/2/98, effective 3/5/98; Order 9, § 352-32-140, filed 11/24/70.]

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

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

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

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

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

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

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

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

(7) No person shall harvest or possess any fish from within a state park area posted as closed to harvest pursuant to subsection (4) or (5) of this section, except as necessary for scientific research authorized in writing by state parks.

[Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-150, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-150, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.180(3). WSR 96-01-030, § 352-32-150, filed 12/11/95, effective 1/11/96; Order 19, § 352-32-150, filed 2/1/74; Order 9, § 352-32-150, filed 11/24/70.]

WAC 352-32-15001 Little Spokane River natural area—Prohibited uses. (1) The Little Spokane River Natural Area was established by the commission to conserve a unique natural environment in a nearly undeveloped state for passive low density outdoor recreation activities. To conserve the natural resources, scenic beauty and tranquility of the area, the following are prohibited within the Little Spokane River Natural Area:

(a) Bicycles.

(b) Camping.

(c) Commercial development or activities.

(d) Consumption of alcoholic beverages.

(e) Fires or fireworks.

(f) Horseback riding.

(g) Hunting.

(h) Motorized boats, personal watercraft, or boats propelled by means other than oars or paddles; use of canoes, rowboats, kayaks and rafts is specifically authorized.

(i) Pets including all dogs except assistance dogs for persons with disabilities.

(j) Swimming, or use of innertubes, air mattresses or similar floatation devices.

(k) Travel by foot, skis or snowshoes off designated trails or outside designated corridors.

(2) This section does not apply to government employees, or their agents in the performance of their duties, or search and rescue, medical emergency response, law enforcement or firefighting activities.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-15001, filed 1/22/07, effective 2/22/07. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-15001, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040, 43.51.060 and 43.51.650-680. WSR 88-10-017 (Order 104), § 352-32-15001, filed 4/27/88.]

WAC 352-32-155 Lakes located wholly within state parks boundaries—Internal combustion engines prohibited. (1) In order to preserve the scenic quality, peace, and tranquility and to protect and preserve the wildlife on lakes lying wholly within state park boundaries, to increase visitor safety, and to limit the degradation of lake water quality, the use of internal combustion engines on lakes lying wholly within the boundaries of state park areas is prohibited except where listed in WAC 352-32-155(2) or when authorized in writing by the director.

(2) Lakes where internal combustion engines may be used are: Horsethief Lake in Columbia Hills State Park.

(3) This provision does not apply to government employees, or their agents in the performance of their duties, or search and rescue, medical emergency response, law enforcement or firefighting activities.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 05-01-069, § 352-32-155, filed 12/9/04, effective 1/9/05. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-155, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-155, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040, 43.51.395 and 43.51.400(6). WSR 86-11-053 (Order 94), § 352-32-155, filed 5/19/86.]

WAC 352-32-157 Lakes located partially within state park boundaries—Internal combustion engines prohibited. (1) In order to preserve the scenic quality, peace and tranquility, and to protect and preserve wildlife, increase visitor safety, and to limit the degradation of lake water quality, the commission, in conjunction with the following ordinance(s), prohibits the use of internal combustion engines on the following lakes partially within park boundaries:

Cascade Lake at Moran State Park, San Juan county ordinance 10.16.030.

(2) This provision does not apply to government employees, or their agents in the performance of their duties, or search and rescue, medical emergency response, law enforcement or firefighting activities.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-157, filed 1/22/07, effective 2/22/07. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070.

WSR 00-13-070, § 352-32-157, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-157, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040, 43.51.395 and 43.51.400(6). WSR 86-11-053 (Order 94), § 352-32-157, filed 5/19/86.]

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

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

(a) Name, address and phone number of the applicant;

(b) Date, time, duration, nature and place of the proposed event, including a description or schedule of events and activities;

(c) Estimate of the number of persons expected to attend including the basis for the estimate;

(d) Special equipment, including temporary structures such as speakers' stands, platforms, lecterns, chairs, benches or the like, and any sound amplification equipment to be used in connection with the event;

(e) Special facilities, including emergency first aid, additional sanitation and refuse collection facilities, to be used in connection with the event;

(f) Crowd control to be provided by the event sponsor;

(g) Designation of a responsible contact individual with whom park officials may coordinate event activities, plans and preparations.

(3) The equipment and facilities referenced in subsection (2)(d) and (e), of this section, are to be provided by the event sponsor, unless other mutually satisfactory arrangements are made to use locally available commission owned equipment and facilities.

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

(5) If the agency determines it is necessary, the applicant must submit a completed environmental checklist along with the application. Upon request, the agency will assist the applicant in completing the environmental checklist and may request compensation in accordance with agency State Environmental Policy Act (SEPA) rules, chapter 352-11 WAC.

(6) Permit applications must be submitted at least sixty days in advance of the proposed event so that the information supplied in the application may be verified and so that the agency can notify and coordinate action with officials of other jurisdictions and agencies responsible for health, safety and welfare. The sixty-day time limit is also necessary in order to comply with SEPA review requirements to identify any potential environmental impacts and mitigation. This requirement for an application to be filed sixty days prior to an event may be waived in rare circumstances where arrangements can be made in a shorter time while still complying with all other requirements of this section.

(7) The permit application must be submitted along with a nonrefundable permit fee as published by state parks to the Washington State Parks and Recreation Commission, P.O. Box 42650, Olympia, Washington 98504-2650. The director, or designee, may issue a permit consistent with the application, or otherwise modified in a manner which is acceptable to the applicant. The following criteria will be evaluated in considering a permit application:

(a) The ability of the applicant to finance, plan and manage the activity in accordance with sanitation, safety, medical care, fire control, security, crowd, noise, and traffic control requirements, and consistent with the protection of park resources and image;

(b) The extent to which the proposed activity, in both nature and timing, threatens interference with customary usage of the park by members of the public or interferes with the convenience of park neighbors and the general public;

(c) The experience of the applicant in performing similar activities in the past;

(d) Measures undertaken to mitigate any changes in customary park usage or damage to park resources caused by the activity.

(8) Following an evaluation of the above listed criteria, the director or designee will issue a permit unless:

(a) The application does not adequately address the evaluation criteria; or

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

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

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

(9) The director or designee will acknowledge receipt of the permit application within ten days. The acknowledgement will estimate the timeline for processing the application based on the complexity of the requested use. The director or designee shall make the final ruling on the permit application as soon as possible but no later than ten days prior to the proposed event. The granting of this permit does not exempt the applicant from complying with other state, county or local permit requirements nor does it excuse compliance with the State Environmental Policy Act, where applicable. A threshold determination will be made by the agency to determine potential environmental impact. Applicants should be aware that timelines may exist under the State Environmental Policy Act and implementing regulations which are independent of this permit requirement.

(10) All permit denials will be in writing, will contain a statement of the specific reasons for the denial, and will advise the applicants of the right to request judicial review of the denial as provided in subsection (12) of this section.

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

(a) The commission may require applicants to arrange for general liability insurance to cover participants, and the state of Washington will be named as an additional insured.

(b) The commission may require the filing of a bond with satisfactory surety payable to the state, to cover costs such as restoration, rehabilitation and cleanup of the area used, and other costs resulting from the permittee activity. In

lieu of a bond, a permittee may elect to deposit cash equal to the amount of the required bond.

(12) Applicants whose permit application is denied may in writing request that the commission seek judicial review of the denial, in which event the commission shall timely seek a declaratory judgment pursuant to the Uniform Declaratory Judgment Act, chapter 7.24 RCW, and Superior Court Rule 57, in the superior court for Thurston County. Such requests shall be mailed, or otherwise delivered to the Director, Washington State Parks and Recreation Commission, P.O. Box 42650, Olympia, Washington 98504-2650, within ten days from the date the application is denied.

[Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-165, filed 11/20/08, effective 12/21/08. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-165, filed 1/22/07, effective 2/22/07. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-165, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-165, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-165, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 46.10.040, 43.51.040 and 43.51.060. WSR 87-24-032 (Order 102), § 352-32-165, filed 11/24/87. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-08-014 (Order 92), § 352-32-165, filed 3/24/86; WSR 83-08-032 (Resolution No. 66), § 352-32-165, filed 3/31/83.]

WAC 352-32-170 Rubbish. (1) No person shall leave, deposit, drop, or scatter bottles, broken glass, ashes (except human crematory ashes), waste paper, cans, or other rubbish, in a state park area, except in a garbage can or other receptacle designed for such purposes.

(2) No person shall deposit any household or commercial garbage, refuse, waste, or rubbish, which is brought as such from any private property, in any state park area garbage can or other receptacle designed for such purpose.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-170, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-170, filed 2/2/98, effective 3/5/98; Order 9, § 352-32-170, filed 11/24/70.]

WAC 352-32-175 Water. No person shall take greater than five gallons of water from state park areas for personal or commercial use outside state park boundaries, except for:

(1) Those with signed agreements with state parks for water use;

(2) Registered campers and overnight moorage visitors;

(3) Those persons who have paid the trailer dump station or watercraft launch fees when filling fresh water holding tanks in recreational vehicles or vessels;

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-175, filed 1/22/07, effective 2/22/07.]

WAC 352-32-180 Sanitation. No person shall, in any state park area:

(1) Drain or dump refuse or waste from any trailer, camper, automobile, or other vehicle, or vessel, except in designated disposal areas or receptacles.

(2) Clean fish or other food, or wash any clothing or other article for personal or household use, or any dog or other animal, except at designated areas.

(3) Clean or wash any automobile or other vehicle except in areas specifically for that use.

(4) Pollute, or in any way contaminate by dumping or otherwise depositing therein any waste or refuse of any nature, kind, or description, including human or animal bodily waste, any stream, river, lake, or other body of water running in, through, or adjacent to, any state park area.

(5) Urinate or defecate except in designated facilities.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-32-180, filed 11/30/05, effective 12/31/05. Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 03-01-079, § 352-32-180, filed 12/13/02, effective 1/13/03; Order 9, § 352-32-180, filed 11/24/70.]

WAC 352-32-195 Solicitation. Except as may be otherwise allowed in connection with a permit issued under WAC 352-32-165 or 352-32-047, or a cooperative agreement pursuant to RCW 79A.05.070(2), no person shall engage in commercial solicitation, or sell or peddle any services, goods, wares, merchandise, liquids, or edibles for human consumption in any state park area, except by concession or permit granted by the commission.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-195, filed 1/22/07, effective 2/22/07. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-195, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-195, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-195, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040 and 43.51.180. WSR 94-16-026, § 352-32-195, filed 7/25/94, effective 8/25/94. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-195, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 83-13-089 (Resolution No. 70), § 352-32-195, filed 6/17/83.]

WAC 352-32-200 Expulsion from state park areas. (1) In addition to the penalty provided in RCW 79A.05.165, or any other existing or future law of the state of Washington, failure to comply with any section of this chapter, or of any other chapter of this title, or any other rule or regulation of the commission, or with any other federal, state, or local law, rule, or regulation applicable under the circumstances, shall subject the person so failing to comply to expulsion from any state park area, for a period of time no less than forty-eight hours.

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

(a) One incident shall result in a forty-eight-hour expulsion.

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

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

[Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-200, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-200, filed 2/2/98, effective 3/5/98. Statutory Authority:

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

WAC 352-32-210 Consumption of alcohol in state park areas. (1) Opening, possessing alcoholic beverage in an open container, or consuming any alcoholic beverages in any state park or state park area is prohibited except in the following designated areas and under the following circumstances in those state parks or state park areas not posted by the director or designee as closed to alcohol pursuant to subsection (4) of this section:

(a) In designated campsites or in other overnight accommodations, by registered occupants or their guests; provided ELC users obtain written permission through state parks application process;

(b) In designated picnic areas, which shall include those sites within state park areas where picnic tables, benches, fireplaces, and/or outdoor kitchens are available, even though not signed as designated picnic areas and public meeting rooms;

(c) In any reservable group day use facility by any authorized group which has paid the reservation fee and applicable damage deposit and which has obtained prior permit authorization to have alcohol by the park manager; and

(d) In any building, facility or park area operated and maintained under a concession agreement, wherein the concessionaire has been licensed to sell alcoholic beverages by the Washington state liquor control board, and where the dispensation of such alcoholic beverages by such concessionaire has been approved by the commission.

(2) Possessing alcoholic beverage in an open container, or consuming any alcoholic beverages is prohibited at the following locations:

(a) Dash Point State Park;

(b) Saltwater State Park;

(c) Sacajawea State Park;

(d) Flaming Geyser State Park;

Except in the following designated areas and under the following circumstances:

(i) In designated campsites, or in other overnight accommodations by registered occupants or their guests.

(ii) In any building, facility or park area operated and maintained under a concession agreement wherein the concessionaire has been licensed to sell alcoholic beverages by the Washington state liquor control board, and where the dispensation of such alcoholic beverages by such concessionaire has been approved by the commission.

(iii) In any reservable group day use facility by any authorized group which has paid the reservation fee and applicable damage deposit and which has obtained prior permit authorization to have alcohol by the park manager.

(3) The director or designee may, for a specified period or periods of time, close any state park or state park area to alcohol if the director or designee concludes that an alcohol closure is necessary for the protection of the health, safety and welfare of the public, park visitors or staff, or park resources. The director or designee shall consider factors including but not limited to the effect or potential effect of alcohol on public and employee safety, park appearance, atmosphere, and noise levels, conflicts with other park uses or users, the demand for law enforcement, and the demand on agency staff. Prior to closing any park or park area to alcohol, the director or designee shall hold a public hearing in the general area of the park or park area to be closed to alcohol. Prior notice of the meeting shall be published in a newspaper of general circulation in the area. In the event the director or designee determines that an immediate alcohol closure is necessary to protect against an imminent and substantial threat to the health, safety and welfare of the public, park visitors or staff, or park resources, the director or designee may take emergency action to close a park or park area to alcohol without first complying with the publication and hearing requirements of this subsection. Such emergency closure may be effective for only so long as the imminent and substantial threat exists.

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

(5) Dispensing alcoholic beverages from containers larger than two gallons is prohibited in state park areas except when authorized in writing and in advance by the park manager.

(6) The provisions of this rule shall not apply to any part of the Seashore Conservation Area, as designated and established by RCW 79A.05.605.

(7) Opening, consuming, or storing alcoholic beverages in Fort Simcoe State Park and Squaxin Island State Park is prohibited.

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

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-32-210, filed 8/13/13, effective 9/13/13; WSR 13-15-020, § 352-32-210, filed 7/8/13, effective 8/8/13. Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-210, filed 11/20/08, effective 12/21/08. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-210, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 05-01-069, § 352-32-210, filed 12/9/04, effective 1/9/05. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-210, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-210, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050, 43.51.040 and 43.51.300. WSR 97-21-133, § 352-32-210, filed 10/21/97, effective 1/1/98. Statutory Authority: RCW 43.51.040. WSR 94-13-081, § 352-32-210, filed 6/13/94, effective 7/14/94; WSR 91-07-014, § 352-32-210, filed 3/12/91, effective 4/12/91. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-14-025 (Order 95), § 352-32-210, filed 6/24/86; WSR 86-06-020 (Order 91), § 352-32-210, filed 2/25/86. Statutory Authority: RCW 43.51.040(3). WSR 81-24-020 (Order 55), § 352-32-210, filed 11/24/81; Order 17, § 352-32-210, filed 2/1/74; Order 11, § 352-32-210, filed 7/29/71.]

WAC 352-32-215 Compliance with signs. Failure to abide by a prominently posted restriction on the public use of park property is an infraction, under chapter 7.84 RCW, except as provided in WAC 352-32-310.

[Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-215, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-215, filed 2/2/98, effective 3/5/98.]

WAC 352-32-220 Intoxication in state park areas. Being or remaining in, or loitering about in any state park area while in a state of intoxication shall be prohibited. Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-220, filed 9/17/92, effective 10/18/92; Order 11, § 352-32-220, filed 7/29/71.]

WAC 352-32-230 Food and beverage containers on swimming beaches. (1) The use or possession of any food or beverage container consisting wholly or in part of glass or metal is prohibited on any beach within any state park area, where such beach is designated as a swimming area, or where such beach is customarily and generally used as a swimming area by park patrons though not designated as such.

(2) The provisions of this rule shall not apply to any portion of the seashore conservation area as designated and established by RCW 79A.05.605.

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

[Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-230, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-230, filed 9/17/92, effective 10/18/92; Order 11, § 352-32-230, filed 7/29/71.]

WAC 352-32-235 Use of metal detectors in state parks. The use and operation of metal detectors, as well as the removal of small contemporary materials, is permitted within selected state parks as designated by the director or designee, in accordance with all commission direction on land management, and subject to the conditions and limitations specified.

(1) The use of metal detectors is permitted only within specified portions of approved state parks as posted for public reference. Metal detecting may be allowed in an approved campsite occupied by the registered metal detector user and in unoccupied campsites within approved campgrounds.

(2) The use of metal detectors within a state park shall be limited to daylight hours that the park has posted as "open." No use shall be allowed during periods of seasonal or emergency park closure, except where otherwise posted.

(3) Any person wishing to use a metal detector shall so indicate to park personnel at the park where the use is to occur, by complying with the registration process provided for such purpose.

(4) Exceptional uses of metal detectors in state parks may be allowed through the issuance of a special recreation event application, available from the agency.

(5) This section does not apply to commission employees while engaged in the performance of their duties.

(6) Persons operating metal detectors in state parks and state park areas shall:

(a) Observe all laws and regulations.

(b) Never destroy or disturb park facilities, natural features, or historical or archeological resources. No item which is, or appears to be of historical or archaeological significance, may be removed from the site at which it was found. Any such find shall be immediately reported to park personnel, and the area in which the find occurred shall be closed.

(c) Limit digging implements to ice picks, screwdrivers and probes not to exceed two inches in width and sand scoops not to exceed six inches in width and eight inches in length, containing perforations no less than one-half inch in width, to be used only on sand surfaces. Any holes dug shall be limited to six inches maximum depth and shall be immediately refilled and the surface restored to its earlier condition.

(d) Properly dispose of all found or recovered trash and litter.

(e) Conduct themselves with thoughtfulness, courtesy and consideration for others, and not interfere with other recreational activities. An operator shall not allow any emitted metal detector sound audible to other park users.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-235, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 05-01-069, § 352-32-235, filed 12/9/04, effective 1/9/05. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-235, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 97-12-042, § 352-32-235, filed 6/2/97, effective 7/3/97; WSR 92-19-098, § 352-32-235, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. WSR 92-15-118, § 352-32-235, filed 7/21/92, effective 8/21/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 90-04-025, § 352-32-235, filed 1/29/90, effective 3/1/90; WSR 87-08-007 (Order 99), § 352-32-235, filed 3/23/87, effective 9/8/87.]

WAC 352-32-237 Geocache. (1) In order to place a cache on state parks' property, an individual or organization must obtain a geocache placement permit from state parks. Any cache located on state parks' property that does not have a permit on file is subject to removal from its location, and after notification of the owner (if known) and Washington State Geocache Association (WSGA), may be disposed of within ten days.

(2) The following items shall not be placed in the geocache: Food items; illegal substances; medications; personal hygiene products; pornographic materials; inappropriate, offensive, or hazardous materials or weapons of any type. Log books are required for each cache and are to be provided by the owner of the cache.

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

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-32-237, filed 8/13/13, effective 9/13/13; WSR 13-15-020, § 352-32-237, filed 7/8/13, effective 8/8/13. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-237, filed 1/22/07, effective 2/22/07.]

WAC 352-32-240 Nondiscrimination certification. (1) This is to certify that the Washington state parks and recreation commission is an equal opportunity employer, and that no person in the United States is denied the benefits of full and equal enjoyment of the right of employment or any goods, services, facilities, privileges, advantages, and accommodations of, or on any property administered by the Washington state parks and recreation commission.

(2) The provisions of this certification shall apply to all contractors, lessees, licensees, and concessionaires operating under any legal instrument issued by the Washington state parks and recreation commission, as well as areas operated

by the Washington state parks and recreation commission itself.

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-32-240, filed 8/13/13, effective 9/13/13; WSR 13-15-020, § 352-32-240, filed 7/8/13, effective 8/8/13. Order 27, § 352-32-240, filed 9/23/76.]

WAC 352-32-250 Standard fees charged. Fees shall be charged in parks operated by the commission for use of lands, facilities, programs, services, and materials as published by state parks: Provided, however, That the commission may suspend any or all of these fees if revenues generated by the fees are not returned to the benefit of the parks: Provided further, That the director or designee has the authority to discount fees in order to take advantage of marketing opportunities to encourage use and increase revenues. Any such discounts shall be effective for a limited period of time up to one year in duration. The director or designee may consider the following factors in temporarily establishing or discounting fees:

Prevailing rates for comparable facilities;

Day of the week;

Season of the year;

Amenities of the park area and site;

Demand for facilities;

Low-income eligibility requirements as adopted by state parks; and

Such other considerations as the director or designee deems appropriate. The director or designee shall prescribe the specific details and manner in which fees shall be applied. The director or designee may also waive fees for marketing or promotional purposes or to redress visitor complaints. The director or designee may also establish temporary fees for a maximum of one year for new facilities or services. An administrative fee, as published by state parks, will be assessed for replacement of lost, damaged, or destroyed passes or permits.

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

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

(3) Overnight camping - Multiple campsites: Where campsites are designated and posted as a "multiple campsite," an individual may rent the multiple campsite by paying the multiple campsite fee and providing the required information on the occupants of the other sites. The multiple campsite fee will be calculated by multiplying the standard, utility or primitive campsite fee, as applicable, by the number of individual campsites to be used in the designated multiple campsite.

(4) Group camping area - Certain parks: Individual camping units using these facilities must pay campsite fees as published by state parks.

(5) Convenience camping - Fees will be charged for use of overnight accommodations such as yurts, cabins, platform tents, etc.

(6) Conference center facilities - Fees will be charged for use of facilities and services as set forth in the fee schedule published by state parks and will include, but not be limited to: Overnight accommodations in individual recreational housing units or dormitory units; use of meeting rooms, performance venues and rally areas; linen and janitorial services; group food services; and use of equipment, supplies, and staff time necessary to support group activities. Certain deposits, reservation and cancellation fees also apply as set forth in the fee schedule published by state parks and may not be refundable.

(7) Environmental interpretation:

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

(b) Material and publication fees will be established by the director or designee. All material and publication fees will be deposited in the parks improvement account to be used for purposes specified in RCW 79A.05.060.

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

(8) Adirondacks - Not to include those located in ELC areas: Occupancy shall be limited to the number of built-in bunks provided.

(9) Extra vehicle overnight parking fee will be charged for each additional unhitched vehicle in excess of the one recreational vehicle allowed at each campsite: Provided, An extra vehicle overnight parking fee shall not be imposed when:

(a) Up to four motorcycles occupy one campsite, exclusive of other vehicles or recreation vehicles; or

(b) When the recreational vehicle and the towed vehicle arrive at the park hitched together, and after the camper has registered for and occupied the assigned campsite either the recreational vehicle or the towed vehicle remain parked at the campsite for the duration of the camper's stay.

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

(11) Watercraft launch permit fee shall be charged at designated facilities. Watercraft launch permit shall not be required for:

(a) Registered overnight guests in the park containing the watercraft launch;

(b) Persons holding limited-income senior citizen, disability or disabled veteran passes;

(c) Vehicles displaying a valid annual natural investment permit (watercraft launch) permit.

(12) Trailer dump station fee - Fee shall not be required for:

(a) Registered camping vehicles in the park containing the dump station;

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

(c) Vehicles displaying a valid annual natural investment permit.

(13) Variable pricing - Variable prices will apply for use of campsites and/or facilities during such periods as the director or designee may specify.

(14) Popular destination park - A surcharge will apply for use of standard or utility campsites located in a popular destination park during such periods as the director may specify.

(15) Water trail site fees - For one day/night will be set by the commission.

(16) In addition to the regular fee, a surcharge may be imposed for failure to pay the self-registration fee.

(17) Group day use facilities - A minimum daily permit fee will be charged for groups of 20 or more.

(18) Reservation transaction - Fees will be charged as published by state parks and are not refundable.

(19) Moorage facilities - Fee will be charged as published by state parks.

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

(21) Film permits and site location fees will be charged as outlined in chapter 352-74 WAC.

(22) Off-season pass fees will be charged as published by state parks.

(23) Administrative fees will be charged as published by state parks for the replacement of lost, stolen or destroyed passes and permits.

(24) Commercial recreation provider permit registration - a fee shall be charged, as published by state parks for registration as a commercial recreation provider.

(25) Commercial recreation provider permit - A fee shall be charged, as published by state parks for obtaining a permit to engage in commercial recreational use of state parks, as defined in WAC 352-32-010.

(26) Sno-park permit - Seasonal and daily permit fees will be charged as published by state parks.

(27) Special groomed trail permit - A statewide special groomed trail permit will be required for use of special groomed trail areas. The fee charged will be as published by state parks.

(28) Wood debris collection permit - Fee will be charged for collection and removal of wood debris from a state park area pursuant to RCW 4.24.210. The fee may be waived for volunteers assisting with emergency salvage and storm cleanup in the parks.

(29) Merchandise - Prices for merchandise including but not limited to interpretive, recreational and historic materials, literature, food, beverage, grocery and other items at agency operated sales points will be based on market rates and practices.

(30) Back country camping permit - Fee will be charged as published by state parks for selected state park areas as designated by the director.

(31) Group use registration - Fee will be charged for groups of a size to be specified in the fee schedule on a park by park basis who have not otherwise reserved group facilities.

(32) Special event - Fees will be charged based on the cost of providing events and market rates for comparable activities at other locations.

(33) Public assembly - Permit fees based on costs as indicated in WAC 352-32-165.

(34) Aquatic and other state park facilities - Fees will be charged as published by state parks.

(35) Checks dishonored by nonacceptance or nonpayment (NSF checks) - Handling fee and interest:

(a) A handling fee may be assessed consistent with the maximum amount allowed in the office of state procurement, department of general administration's state contract and as published by state parks for checks as defined by chapter 62A.3-104 RCW, dishonored by nonacceptance or nonpayment.

(b) Interest at the maximum rate allowable may be charged on the NSF check as defined by chapter 62A.3-515 RCW, and as published by state parks for a check not paid within fifteen days after a statutory notice of dishonor is sent to maker's last known address.

(36) Fees subject to certificate of participation (COP) and as determined by the commission.

[Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-250, filed 11/20/08, effective 12/21/08. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-250, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 05-01-069, § 352-32-250, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 04-01-067, § 352-32-250, filed 12/12/03, effective 1/12/04; WSR 03-01-079, § 352-32-250, filed 12/13/02, effective 1/13/03. Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 02-19-069, § 352-32-250, filed 9/13/02, effective 10/14/02. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-250, filed 6/16/00, effective 7/17/00. Statutory Authority: Chapter 79A.05 RCW and RCW 79A.05.070. WSR 00-01-201, § 352-32-250, filed 12/22/99, effective 1/22/00. Statutory Authority: RCW 43.51.040(2). WSR 98-23-063, § 352-32-250, filed 11/16/98, effective 1/1/99. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050, 43.51.040 and 43.51.300. WSR 97-21-133, § 352-32-250, filed 10/21/97, effective 1/1/98. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050 and 43.51.040. WSR 96-22-018, § 352-32-250, filed 10/29/96, effective 1/1/97. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-250, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060 and 43.51.395. WSR 95-07-061, § 352-32-250, filed 3/13/95, effective 4/13/95. Statutory Authority: RCW 43.51.040. WSR 94-23-024, § 352-32-250, filed 11/7/94, effective 1/1/95. Statutory Authority: RCW 43.51.060. WSR 94-13-080, § 352-32-250, filed 6/13/94, effective 7/14/94; WSR 94-08-036, § 352-32-250, filed 3/31/94, effective 5/1/94. Statutory Authority: RCW 43.51.040. WSR 93-19-113, § 352-32-250, filed 9/20/93, effective 10/21/93; WSR 93-08-025, § 352-32-250, filed 3/30/93, effective 5/1/93. Statutory Authority: Chapter 43.51 RCW. WSR 92-10-018, § 352-32-250, filed 4/29/92, effective 5/30/92. Statutory Authority: RCW 43.51.040. WSR 91-09-001, § 352-32-250, filed 4/4/91, effective 5/15/91; WSR 90-07-062, § 352-32-250, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 89-07-020 (Order 89-01), § 352-32-250, filed 3/7/89; WSR 88-07-074 (Order 103), § 352-32-250, filed 3/18/88, effective 5/15/88; WSR 87-08-008 (Order 100), § 352-32-250, filed 3/23/87, effective 5/15/87; Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. WSR 85-08-003 (Order 88), § 352-32-250, filed 3/22/85, effective 5/15/85. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 84-09-045 (Order 77), § 352-32-250, filed 4/16/84. Statutory Authority: RCW 43.51.055 and 43.51.060. WSR 83-23-094 (Order 71), § 352-32-250, filed 11/22/83. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 83-09-031 (Resolution No. 67), § 352-32-250, filed 4/15/83; WSR 82-15-059 (Order 62), § 352-32-250, filed 7/20/82; WSR 82-09-035 (Order 60), § 352-32-250, filed 4/14/82; WSR 81-09-034 (Order 50), § 352-32-250, filed 4/14/81; WSR 80-05-007 (Order 45), § 352-32-250, filed 4/4/80. Statutory

Authority: RCW 43.51.040(2) and 43.51.060(6). WSR 79-09-077 (Order 42), § 352-32-250, filed 8/30/79, effective 10/1/79; WSR 79-02-032 (Order 41), § 352-32-250, filed 1/23/79, effective 5/1/79; WSR 78-05-082 (Order 39), § 352-32-250, filed 5/1/78; Order 36, § 352-32-050 (codified as WAC 352-32-250), filed 10/11/77; Order 27, § 352-32-250, filed 11/19/76.]

WAC 352-32-25001 Fort Worden reservations and fees. Reservations, use policies and fee schedules for facilities at Fort Worden State Park, including recreational housing, conference center housing, meeting rooms, campsites, and rally areas are available by contacting Fort Worden State Park, 200 Battery Way, Port Townsend, Washington 98368. Reservations are accepted at Fort Worden by telephone, by mail, by internet, by facsimile or in person. Certain deposits, reservation and cancellation fees apply as set forth in the fee schedule published by state parks.

[Statutory Authority: RCW 43.51.040. WSR 99-08-031, § 352-32-25001, filed 3/30/99, effective 5/1/99; WSR 98-04-065, § 352-32-25001, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.060(6). WSR 95-03-005, § 352-32-25001, filed 1/5/95, effective 2/5/95. Statutory Authority: RCW 43.51.060. WSR 94-04-075, § 352-32-25001, filed 1/31/94, effective 3/3/94. Statutory Authority: RCW 43.51.040. WSR 93-01-029, § 352-32-25001, filed 12/7/92, effective 1/7/93; WSR 91-22-063, § 352-32-25001, filed 11/1/91, effective 12/2/91. Statutory Authority: RCW 43.51.949 and 43.51.060. WSR 90-23-031, § 352-32-25001, filed 11/14/90, effective 1/1/91. Statutory Authority: RCW 43.51.040. WSR 90-07-062, § 352-32-25001, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 89-22-073, § 352-32-25001, filed 10/31/89, effective 12/1/89; WSR 88-22-050 (Order 107), § 352-32-25001, filed 10/31/88. Statutory Authority: RCW 46.10.040, 43.51.040 and 43.51.060. WSR 87-24-032 (Order 102), § 352-32-25001, filed 11/24/87. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 86-24-016 (Order 98), § 352-32-25001, filed 11/24/86. Statutory Authority: RCW 43.51.040 and 43.51.060(6). WSR 85-23-069 (Order 90), § 352-32-25001, filed 11/20/85. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 84-23-049 (Resolution No. 85), § 352-32-25001, filed 11/19/84.]

WAC 352-32-251 Limited income senior citizen, disability, and disabled veteran passes. (1)(a) Persons who are senior citizens, meet the eligibility requirements of RCW 79A.05.065, and have been residents of Washington state for at least the past three consecutive months shall, upon application to the commission accompanied by either a copy of a federal income tax return filed for the previous calendar year, or a senior citizen property tax exemption pursuant to RCW 84.36.381, or a notarized affidavit of income on a form provided by the commission, receive a limited income senior citizen pass at no charge, which entitles the holder's camping party to free use of trailer dump stations, watercraft launch sites, and to a 50 percent reduction in the campsite fee, or moorage fee as published by state parks. Limited income senior citizen passes shall remain valid so long as the pass holder meets eligibility requirements.

(b) Proof submitted to the commission for the return of a senior citizen pass surrendered upon request to a commission employee who has reason to believe the user does not meet the eligibility criteria shall be the same as listed in subsections (1) and (5) of this section for original pass issuance.

(2) Persons who are:

(a) Permanently disabled, legally blind, or profoundly deaf, meet the eligibility requirements of RCW 79A.05.065, and have been residents of Washington state for at least the past three consecutive months shall, upon application to the commission, receive a five year disability pass at no charge;

(b) Temporarily disabled and who meet the eligibility requirements of RCW 79A.05.065 and have been residents of Washington state for at least the past three consecutive months shall, upon application to the commission, receive a one year disability pass at no charge; and

(c) Residents of Washington who have been issued a card, decal (placard) or special license plate for a permanent disability under RCW 46.16.381 shall be entitled, along with the members of their camping party to free use of trailer dump stations, watercraft launch sites, and to a 50 percent reduction in the campsite fee, or moorage fee as published by state parks.

(3) Persons who are veterans, meet the eligibility requirements of RCW 79A.05.065, and have been residents of Washington state for at least the past three consecutive months shall, upon application to the commission, receive a lifetime disabled veteran pass at no charge. Pass holders must provide proof of continued residency as determined by the director or designee. The pass entitles the holder's camping party to free use of a state park campsite, trailer dump station, watercraft launch site, moorage facility, and reservation service.

(4) Applications for limited income senior citizen, disability, and disabled veteran passes shall be made on forms prescribed by the commission.

(5) Verification of age shall be by original or copy of a birth certificate, notarized affidavit of age, witnessed statement of age, baptismal certificate, or driver's license. Verification of residency shall be by original or copy of a Washington state driver's license, voter's registration card, or senior citizen property tax exemption, or other proof of continued residency as determined by the director or designee.

(6) Pass holders must be present and show their valid pass and identification upon registration or when requested by any commission employee or representative.

(7) Pass holders that violate or abuse the privileges of their pass, as listed below, may be subject to suspension of their pass and assessed other fees.

(a) Duplicate or multiple reservations for the same night - Thirty-day suspension.

(b) Use of pass by unauthorized person - Sixty-day suspension and/or a fee equal to two times the campsite fee.

(c) Two or more no-shows (failure to use or cancel reservation) for reservations between May 1 and November 1 - Ninety-day suspension.

(d) Repeated park rule violations - Minimum ninety-day suspension.

The pass will be confiscated by the ranger on duty or their designee and sent to the Olympia headquarters office. At the end of the suspension the pass will be returned to the authorized pass holder at no cost.

(8) Pass holders may appeal a suspension of their pass by providing written justification/explanation to the state parks director or designee at P.O. Box 42650, Olympia, WA 98504.

(9) Pass holder discounts shall apply only to those fees listed in subsections (1), (2), and (3) of this section. Pass holder discounts will not apply to all other fees as published by state parks, including but not limited to, extra vehicles, vacation housing, yurts, and cabins.

(10) If the conditions of a pass holder change or the pass holder changes residency to a place outside Washington state

during the time period when a pass is valid such that a pass holder no longer meets the eligibility requirements of RCW 79A.05.065 and WAC 352-32-251, the pass becomes invalid, and the pass holder shall return the pass to the commission or surrender the pass to a state park representative.

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

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 11-17-067, § 352-32-251, filed 8/16/11, effective 9/16/11. Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-251, filed 11/20/08, effective 12/21/08. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-251, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-32-251, filed 11/30/05, effective 12/31/05. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 05-01-069, § 352-32-251, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 03-01-079, § 352-32-251, filed 12/13/02, effective 1/13/03. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-251, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-251, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050, 43.51.040 and 43.51.300. WSR 97-21-133, § 352-32-251, filed 10/21/97, effective 1/1/98. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050 and 43.51.040. WSR 96-22-018, § 352-32-251, filed 10/29/96, effective 1/1/97. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 90-04-024, § 352-32-251, filed 1/29/90, effective 3/1/90. Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. WSR 88-19-087 (Order 106), § 352-32-251, filed 9/19/88. Statutory Authority: RCW 43.51.055 and 43.51.060. WSR 83-23-094 (Order 71), § 352-32-251, filed 11/22/83.]

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

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

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

(4) Pass holders must be present and show their valid pass and identification upon registration or when requested by any commission employee or representative.

(5) Pass holder discounts shall apply only to those fees in subsections (1) and (3) of this section. Pass holder discounts will not apply to other fees as published by state parks, including but not limited to, extra vehicles, vacation housing, yurts, and cabins.

(6) If a pass holder changes residency to a place outside Washington state during the time period when a pass is valid, the pass becomes invalid and the pass holder shall return the pass to the commission or surrender the pass to a state park representative.

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

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 11-17-067, § 352-32-252, filed 8/16/11, effective 9/16/11. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-252, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 03-01-079, § 352-32-252, filed 12/13/02, effective 1/13/03. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-252, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-252, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060. WSR 94-08-036, § 352-32-252, filed 3/31/94, effective 5/1/94. Statutory Authority: RCW 43.51.040. WSR 93-08-025, § 352-32-252, filed 3/30/93, effective 5/1/93; WSR 91-09-001, § 352-32-252, filed 4/4/91, effective 5/15/91; WSR 90-07-062, § 352-32-252, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. WSR 88-19-087 (Order 106), § 352-32-252, filed 9/19/88; WSR 85-08-003 (Order 88), § 352-32-252, filed 3/22/85, effective 5/15/85. Statutory Authority: RCW 43.51.055 and 43.51.060. WSR 83-23-094 (Order 71), § 352-32-252, filed 11/22/83.]

WAC 352-32-253 Foster parent program. (1) Any Washington state resident who provides out-of-home care to a child as either a current licensed foster family home or a person related to the child is entitled to free camping. To use a campsite, the qualified resident shall:

(a) If the park is subject to the state parks reservation system, foster parents will make reservations through the reservation services call center, pay the reservation fee, and show their foster home license or foster parent ID card along with their Washington state drivers license or photo ID upon arrival at the park(s).

(b) For nonreservation parks, the foster parents upon arrival at the park will show their foster home license or foster parent ID card along with their Washington state drivers license or photo ID.

(c) The commission shall negotiate payment and costs, to allow holders of a foster home pass free access and usage of park campsites, with the following nonoperated, nonstate-owned parks: Central Ferry, Chief Timothy, Crow Butte and Lyons Ferry.

(2) The foster parent or relative to the child and the child must be present for the duration of the stay.

(3) Violations or abuse of these privileges, including but not limited to the list below, may be subject to revocation, suspension of their privileges and/or assessed other fees.

(a) Duplicate or multiple reservations for the same night - Thirty-day suspension.

(b) Use of privileges by unauthorized person - Sixty-day suspension and/or a fee equal to two times the campsite fee.

(c) Two or more no-shows (failure to use or cancel reservation) for reservations between May 1 and November 1 - Ninety-day suspension.

(d) Repeated park rule violations - Minimum ninety day suspension.

(4) Foster parents may appeal a suspension or revocation of privileges by providing written justification/explanation to the state parks director or designee at P.O. Box 42650, Olympia, WA 98504.

[Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-253, filed 11/20/08, effective 12/21/08.]

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

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 05-01-069, § 352-32-255, filed 12/9/04, effective 1/9/05. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-255, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-255, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.060. WSR 94-08-036, § 352-32-255, filed 3/31/94, effective 5/1/94. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-255, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 82-09-035 (Order 60), § 352-32-255, filed 4/14/82.]

WAC 352-32-260 Sno-park display. Only those vehicles properly displaying a valid winter recreational area parking permit issued by the state of Washington shall park in designated winter recreational parking areas: Permits shall be displayed near the lower left corner and on the inside of the windshield of the vehicle when the vehicle is parked in a designated winter recreational parking area. Those vehicles in violation of this rule shall be subject to the application of RCW 46.61.587. Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-32-260, filed 8/13/13, effective 9/13/13. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-260, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040(1), 43.51.050(3) and 43.51.290(2). WSR 92-15-119, § 352-32-260, filed 7/21/92, effective 8/21/92. Statutory Authority: RCW 43.51.040 and 43.51.290. WSR 78-02-038 (Order 38), § 352-32-260, filed 1/17/78; Order 37, § 352-32-260, filed 10/6/77.]

WAC 352-32-270 Sno-park permit—Fees. Fees for the winter recreational area parking permits will be established by the commission and shall be published by state parks. These permits include:

(1) Seasonal permit - Valid December 1st through April 30th of the winter season for which it is issued.

(2) One day permit - Valid for the date identified on the permit in the space provided.

(3) Special groomed trail permit - The director may designate certain sno-parks as requiring a special groomed trail permit. In making this designation the director may consider the following factors:

The facilities and services available;

The demand for facilities and services; user days; and

Such other considerations as the director deems appropriate.

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-32-270, filed 8/13/13, effective 9/13/13. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050, 43.51.040 and 43.51.300. WSR 97-21-133, § 352-32-270, filed 10/21/97, effective 1/1/98. Statutory Authority: RCW 43.51.040. WSR 92-15-120, § 352-32-270, filed 7/21/92, effective 8/21/92; WSR 91-09-001, § 352-32-270, filed 4/4/91, effective 10/1/91. WSR 91-09-001, § 352-32-270, filed 4/4/91, effective 10/1/91. Statutory Authority: RCW 43.51.050. WSR 90-10-023, § 352-32-270, filed 4/23/90, effective 5/24/90. Statutory Authority: RCW 43.51.300. WSR 82-19-075 (Order 63), § 352-32-270, filed 9/21/82.]

WAC 352-32-280 Applicability of standard fees. The fees published by state parks pursuant to RCW 79A.05.070(6), shall not apply in the following circumstances:

(1) Whenever fees are charged by a concessionaire pursuant to a valid concession agreement granted by the commission pursuant to RCW 79A.05.030(5).

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

(3) Whenever any improvement club or voluntary association, or committees representing such clubs or associations, acting pursuant to the commission's permission granted pursuant to RCW 79A.05.140 - 79A.05.155, utilizes any park facilities. Continuous occupancy of facilities by the same person or persons qualifying under this subsection shall be limited to 30 consecutive nights, unless otherwise approved by the director or designee.

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

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

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-280, filed 1/22/07, effective 2/22/07. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-280, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-280, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 82-09-035 (Order 60), § 352-32-280, filed 4/14/82. Statutory Authority: RCW 43.51.040(2) and 43.51.060(6). WSR 78-05-082 (Order 39), § 352-32-280, filed 5/1/78; Order 34, § 352-32-280, filed 7/29/77.]

WAC 352-32-285 Applicability of standard fees to volunteers in parks. The fees published by state parks pursuant to RCW 79A.05.070(6) shall not apply whenever any individual, group, organization, association, or agency shall volunteer to perform personal services in lieu of standard fees if the following conditions are met:

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

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

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

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

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

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

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

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

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

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

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

This section does not expand or limit the provisions of RCW 79A.05.140 through 79A.05.155.

[Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-285, filed 11/20/08, effective 12/21/08. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-285, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-285, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. WSR 93-06-001, § 352-32-285, filed 2/17/93, effective 3/20/93. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 88-15-068 (Order 105), § 352-32-285, filed 7/19/88. Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. WSR 85-08-003 (Order 88), § 352-32-285, filed 3/22/85, effective 5/15/85. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 82-09-035 (Order 60), § 352-32-285, filed 4/14/82; WSR 81-15-059 (Order 53), § 352-32-285, filed 7/20/81. Statutory Authority: RCW 43.51.040(2) and 43.51.060(6). WSR 78-05-082 (Order 39), § 352-32-285, filed 5/1/78.]

WAC 352-32-290 Wood debris collection. (1) Wood debris that may be removed without significantly adversely impacting the environment of the park at which it is located and that is surplus to the needs of such park, may be collected after obtaining a state parks' wood debris collection permit.

(2) A person may collect and remove wood debris from a designated state park area only when the person obtains the required wood debris collection permit.

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

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

(5) The nonrefundable fee for a wood debris collection permit shall be established by the director consistent with limitations identified in RCW 4.24.210, 79A.05.035 and 43.52.065.

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

(7) All other collection of wood debris in state park areas is prohibited.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-32-290, filed 11/30/05, effective 12/31/05. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-290, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. WSR 96-01-078, § 352-32-290, filed 12/18/95, effective 1/18/96. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-32-290, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.045. WSR 84-20-071 (Order 83), § 352-32-290, filed 10/2/84.]

WAC 352-32-295 Land exchange—Fee. A party who exchanges land with the commission shall pay a nonrefundable transfer fee to the commission of one hundred dollars for each exchange. When the exchange includes a transfer to the commission of land valued at one hundred dollars or more than the value of land transferred by the commission, the transfer fee shall be considered paid by the difference in the land value.

[Statutory Authority: Chapter 43.51 RCW. WSR 92-15-121, § 352-32-295, filed 7/21/92, effective 8/21/92. Statutory Authority: RCW 43.51.210. WSR 84-20-068 (Order 80), § 352-32-295, filed 10/2/84.]

WAC 352-32-300 Easement, franchise, license, and special use permit applications and fees. (1) A party that desires to have a request for an easement, franchise, license, or special use permit considered by the commission shall submit an application on a form provided by the director to the:

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

Each application from a party other than a government agency shall be accompanied by a nonrefundable application fee according to a schedule adopted by the commission.

A party shall pay the commission processing and use fees as apply according to a schedule adopted by the commission.

A party shall pay the commission for any appraisal, appraisal review, and survey costs incurred by the commission during the consideration of an application for an easement, franchise, license, or special use permit. The amount of any appraisal, appraisal review, and survey costs shall be determined by the director or designee.

An application fee and any processing fees, use fees, and appraisal, appraisal review, and survey payments shall be submitted to the commission at the address listed above and shall be in the form of a check or money order payable to the commission.

(2) The application fee, processing fee, use fee, and the appraisal, appraisal review, and survey payments established by subsection (1) of this section may be waived by the director or designee when the director or designee determines that the action authorized by an easement, franchise, license, or special use permit will be of benefit to the general public, if approved by the commission.

[Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-300, filed 11/20/08, effective 12/21/08. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-300, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-300, filed 2/2/98, effective 3/5/98; WSR 96-19-031, § 352-32-300, filed 9/10/96, effective 10/31/96; WSR 84-20-069 (Order 81), § 352-32-300, filed 10/2/84.]

WAC 352-32-310 Penalties. Any violation designated in this chapter as a civil infraction pursuant to chapter 7.84 RCW, will be treated as infractions regardless of whether they appear in the IRLJ 6.2 penalty schedule, except that a violation of WAC 352-32-120 shall at all times be a gross misdemeanor.

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-32-310, filed 8/13/13, effective 9/13/13; WSR 13-15-020, § 352-32-310, filed 7/8/13, effective 8/8/13. Statutory Authority: RCW 79A.05.030, 79A.05.070, and 79A.05.075. WSR 04-01-067, § 352-32-310, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-32-310, filed 9/17/92, effective 10/18/92.]

WAC 352-32-320 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provision to other persons or circumstances is not affected.

[Statutory Authority: RCW 43.51.060. WSR 94-08-036, § 352-32-320, filed 3/31/94, effective 5/1/94.]

WAC 352-32-330 Commercial recreation providers—Permits. (1) Commercial recreation providers are required to register in order to engage in commercial recreational use of state parks. Commercial recreation providers are required to register and possess a commercial recreation provider permit in order to engage in commercial recreational use of state parks. Registration for commercial recreation provider permits requires completion of application forms, providing proof of insurance and paying the appropriate fees. The commission shall establish the permit and registration fees and the director shall set the amount of the fees.

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

[Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-330, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-330, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050 and 43.51.040. WSR 96-22-018, § 352-32-330, filed 10/29/96, effective 1/1/97.]

WAC 352-32-340 Approval of community-based park improvements—Policies. The director or designee shall approve or disapprove all permits for community-based park improvements. Specific policies concerning community-based park improvements are available upon request.

A community-based park improvement is a construction project, proposed to be accomplished by individuals, groups, churches, charities, organizations, agencies, clubs, or associations using donated labor and/or materials, that results in a permanent change to state park lands or structures, or that creates an additional structure on state park lands.

[Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-32-340, filed 11/20/08, effective 12/21/08. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-340, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, 79A.05.140, 79A.05.145, 79A.05.150, and 79A.05.155. WSR 01-20-036, § 352-32-340, filed 9/26/01, effective 10/27/01.]

WAC 352-32-350 Seaweed harvest. (1) For the purposes of this section, seaweed is defined as all species of marine algae and flowering sea grasses.

(2) Pursuant to RCW 79A.05.165(1), all state park areas are closed to the harvest of seaweed except Fort Ebey, Fort Flagler and Fort Worden state parks which are open to the noncommercial harvest of seaweed in accordance with RCW 79.96.210 from April 16 - May 15 each year. Seaweed harvesting in state park areas is limited to posted park hours.

(3) Seaweed shall be harvested using the following techniques: The leaves of bull kelp (*Nereocystis*) will be cut no closer than twenty-four inches (61 cm) above the bulb, and short stemmed kelps such as sugar wrack (*Laminaria*) and wing kelp (*Alaria*) are to be cut no closer than twelve inches (30 cm) above the anchor point. Cutting will be done using a knife or similar instrument, leaving the anchor point in place at all times. No tearing of the plants from the substrate or trimming is allowed, and rakes, tined forks, or similar tools are prohibited. The limit weight is ten pounds wet weight (fresh-picked before cleaning) per person per day, and drying or partial drying is prohibited prior to weighing. Each harvester must use a scale to determine when the harvest weight limit has been reached, and use their own container. Multiple limits may not be combined in the same container.

(4) The director or designee may take immediate action to reduce harvest levels where there is evidence of environmental damage. Such state park areas shall post changes in the daily harvest limits to inform the public of the reduced harvest levels.

(5) No person shall harvest or possess any seaweed within a state park area closed to harvest pursuant to subsection (2) or (4) of this section, except as necessary for scientific research authorized in writing by the environmental program manager at state parks.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-32-350, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 05-01-069, § 352-32-350, filed 12/9/04, effective 1/9/05.]

Chapter 352-12 WAC

MOORAGE AND USE OF MARINE AND INLAND WATER FACILITIES

WAC

352-12-005	Definitions.
352-12-010	Moorage and use of marine and inland water facilities.
352-12-020	Moorage fees.
352-12-030	Annual moorage permits.
352-12-040	Use of onshore campsites.
352-12-050	Self-registration.
352-12-060	Penalties.

WAC 352-12-005 Definitions. As used in this chapter, the following words and terms have the meanings indicated, unless the context clearly requires otherwise:

(1) "Commercial vessel" shall mean a vessel which is used, rigged, or licensed for any commercial use or purpose, but shall not include vessels operated within the terms of a concession lease or agreement with the commission.

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

(3) "Designated fee facility" shall mean any facility designated as a fee facility by the director or designee.

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

(5) "Facility" shall mean state park floats, piers, mooring buoys, docks, pilings and linear moorage facilities.

(6) "Length" shall mean the overall length of a vessel as measured in a straight line parallel to the keel from the foremost part of the vessel to the aftermost part, not including bowsprit or bumkin or as shown on vessel's state or coast guard registration certificate.

(7) "Manager or ranger" shall mean a duly appointed Washington state parks ranger, or agent of the commission, who is vested with police powers under RCW 79A.05.160.

(8) "Night" shall mean the period between 1 p.m. and 8 a.m.

(9) "Vessel" shall mean watercraft of every description, used or capable of being used as a means of transportation on the water.

[Statutory Authority: RCW 79A.05.030, 79A.05.055, and 79A.05.070. WSR 04-01-068, § 352-12-005, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040. WSR 99-04-117, § 352-12-005, filed 2/3/99, effective 3/6/99. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 82-08-027 (Order 59), § 352-12-005, filed 3/31/82.]

WAC 352-12-010 Moorage and use of marine and inland water facilities. (1) Marine and inland water facilities of the state parks within the Washington state parks and recreation commission system are designed and administered specifically to provide recreational opportunities for park visitors. Use of park facilities for purposes which are of a non-recreational nature, such as long-term residency at park facilities, obstructs opportunities for recreational use, and is inconsistent with the purposes for which those facilities were designed.

(2) In order to afford the general public the greatest possible use of facilities, continuous moorage at a facility by the same vessel shall be limited to three consecutive nights, after which the vessel must vacate the facility for twenty-four consecutive hours, unless otherwise posted by the manager at any individual facility or area.

(3) No person or persons shall moor, berth or store a vessel of any type in a commission owned or operated park or area except in facilities posted as available for such use.

(4) Use of facilities by commercial vessels is prohibited except for the loading and unloading of passengers transported for recreation purposes: Provided however, Managers and rangers may allow extended or night moorage at any facility to commercial vessels unloading passengers transported to the park for recreation purposes if in the manager's or ranger's sole discretion sufficient space is reasonably available therefor. Commercial recreation providers operating such vessels must be in possession of a commercial recreation provider permit as required under WAC 352-32-330.

(5) In order to maximize usable space at mooring floats, boaters shall moor their vessels as close as reasonably possible to vessels already moored; and dinghies shall not be left moored to transoms or swimsteps, nor tied to or alongside moorage floats. Dinghies shall be tied up only in designated spaces or outboard of the moored vessel. Rafting of vessels is also permitted, within posted limits, but not mandatory.

(6) Except where designated by the director or designee, use of any facility shall be on a first-come, first-served basis only. Reserving or retaining space to moor or berth a vessel at any facility, by means of a dinghy or any method other than occupying the space by the vessel to be moored, shall not be permitted.

(7) Open flames or live coals, or devices containing or using open flames, live coals or combustible materials, including but not limited to barbecues, hibachis, stoves and heaters, shall be permitted on floats or piers only when placed on a fireproof base and the fire is located away from fuel tanks and/or fuel vents. In case of dispute related to fire safety, the manager or ranger shall make final determination.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.055, and 79A.05.070. WSR 04-01-068, § 352-12-010, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040. WSR 99-04-117, § 352-12-010, filed 2/3/99, effective 3/6/99. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-010, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 88-07-074 (Order 103), § 352-12-010, filed 3/18/88, effective 5/15/88. Statutory Authority: RCW 43.51.040. WSR 83-06-051 (Order 65), § 352-12-010, filed 3/2/83. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 82-08-027 (Order 59), § 352-12-010, filed 3/31/82; filed 6/30/65.]

WAC 352-12-020 Moorage fees. (1) Vessels moored between 1 p.m. and 8 a.m. at those facilities designated by the director or designee shall be charged the moorage fee published by state parks: Provided, Vessels properly displaying a valid annual permit shall not be charged a moorage fee: Provided further, There shall be no moorage fee for any vessel riding on its own anchor: Provided further, There shall be no charge for temporary moorage for the purpose of loading or unloading a vessel, such temporary moorage shall be limited to thirty minutes.

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

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

[Statutory Authority: RCW 79A.05.030, 79A.05.055, and 79A.05.070. WSR 04-01-068, § 352-12-020, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040. WSR 99-04-117, § 352-12-020, filed 2/3/99, effective 3/6/99. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-12-020, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. WSR 93-08-025, § 352-12-020, filed 3/30/93, effective 5/1/93. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-020, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. WSR 91-09-001, § 352-12-020, filed 4/4/91, effective 5/15/91; WSR 90-07-062, § 352-12-020, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 88-07-074 (Order 103), § 352-12-020, filed 3/18/88, effective 5/15/88; WSR 87-08-008 (Order 100), § 352-12-020, filed 3/23/87, effective 5/15/87. Statutory Authority: RCW 43.51.040, 43.51.055 and 43.51.060. WSR 85-08-003 (Order 88), § 352-12-020, filed 3/22/85, effective 5/15/85. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 84-09-045 (Order 77), § 352-12-020, filed 4/16/84; WSR 82-08-027 (Order 59), § 352-12-020, filed 3/31/82.]

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

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

(3) Annual permits shall be visible from outside the vessel, and permanently affixed to the lower left corner of the vessel's left (port) forward windshield, or to the left (port) outside transom, or if a sailboat, on the forward portion of the left (port) cabin trunk, or as otherwise instructed by the director or designee.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.070, 79A.05.075, and 79A.05.065. WSR 08-24-006, § 352-12-030, filed 11/20/08, effective 12/21/08. Statutory Authority: RCW 79A.05.030, 79A.05.055, and 79A.05.070. WSR 04-01-068, § 352-12-030, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040. WSR 99-04-117, § 352-12-030, filed 2/3/99, effective 3/6/99. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-12-030, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040. WSR 93-08-025, § 352-12-030, filed 3/30/93, effective 5/1/93. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-030, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. WSR 91-09-001, § 352-12-030, filed 4/4/91, effective 1/1/92; WSR 90-07-062, § 352-12-030, filed 3/20/90, effective 4/20/90. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 82-08-027 (Order 59), § 352-12-030, filed 3/31/82.]

WAC 352-12-040 Use of onshore campsites. If any person or persons from a vessel moored at a designated facility also occupies any designated campsite onshore, the appropriate fee for such campsite(s) shall be paid in addition to any moorage fee charged pursuant to this chapter as published by state parks. Except as provided in WAC 352-12-060, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040. WSR 99-04-117, § 352-12-040, filed 2/3/99, effective 3/6/99. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-12-040, filed 10/30/95, effective 1/1/96. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-040, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 82-08-027 (Order 59), § 352-12-040, filed 3/31/82.]

WAC 352-12-050 Self-registration. In those designated facilities so posted by the manager, park visitors shall register for the use of facilities, overnight parking and onshore campsites, and pay the appropriate moorage, campsite fees or unattended vehicle overnight parking permit fee, on a self-registration basis, in accordance with all posted instructions. Failure to so register and pay required fees may result in a surcharge for failure to pay said fees and/or in eviction from moorage and campsite space, in addition to any other penalty prescribed by law for violation of commission rules and regulations. Except as provided in WAC 352-12-060, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.055, and 79A.05.070. WSR 04-01-068, § 352-12-050, filed 12/12/03, effective 1/12/04. Statutory Authority: RCW 43.51.040. WSR 99-04-117, § 352-12-050, filed 2/3/99, effective 3/6/99; WSR 93-06-001, § 352-12-050, filed 2/17/93, effective 3/20/93. Statutory Authority: RCW 43.51.040 and 43.51.060. WSR 82-08-027 (Order 59), § 352-12-050, filed 3/31/82.]

WAC 352-12-060 Penalties. Any violation designated in this chapter as a civil infraction shall constitute a misdemeanor until the violation is included in a civil infraction monetary schedule adopted by rule by the state supreme court pursuant to chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-12-060, filed 9/17/92, effective 10/18/92.]

Chapter 352-20 WAC

USE OF MOTOR DRIVEN VEHICLES IN STATE PARKS—PARKING RESTRICTIONS—VIOLATIONS

WAC

352-20-005 Definitions.
352-20-010 Stopping, standing or parking prohibited in specified areas.
352-20-020 Motor vehicles on roads and trails.
352-20-030 Speed limits.
352-20-040 Vehicles in snow areas.
352-20-050 Trucks and commercial vehicles.
352-20-070 Penalties.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

352-20-060 Definitions. [Order 9, § 352-20-060, filed 11/24/70.] Repealed by WSR 05-24-030, filed 11/30/05, effective 12/31/05. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610.

WAC 352-20-005 Definitions. Whenever used in this chapter, the following terms shall be defined as indicated herein:

(1) "Motor vehicle" shall mean any self-propelled device capable of being moved upon a road, and in, upon, or by which any persons or property may be transported or drawn, and shall include, but not be limited to, automobiles, trucks, motorcycles, motorbikes, motor scooters, jeeps, or similar type 4-wheel drive vehicles, and snowmobiles, whether or not they can legally be operated upon the public highways.

(2) "Trail" shall mean any path or track designed for use of pedestrians or equestrians and which is not of sufficient width, nor graded or paved with concrete, asphalt, gravel, or similar substance, so as to permit its use by standard passenger automobiles; or any other right of way specifically designated and posted for nonvehicular use.

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-20-005, filed 11/30/05, effective 12/31/05.]

WAC 352-20-010 Stopping, standing or parking prohibited in specified areas. (1) No operator of any automobile, trailer, camper, boat trailer, or other vehicle, shall park such vehicle in any state park area, except where the operator obtains and properly displays the required state parks' permit and the vehicle is parked either in a designated parking area, or in another area with the permission of a ranger.

(2) No person shall park, leave standing, or abandon a vehicle in any state park area after closing time, except when camping in a designated area, or with permission from the ranger.

(3) No person shall park, leave standing, or abandon a vehicle being used for commercial purposes in any state park area without written permission from the ranger.

(4) Any vehicle found parked in violation of subsection (1), (2), or (3) of this section may be towed away at the owner's or operator's expense.

(5) In any infraction involving stopping, standing or parking of vehicles, proof that the particular vehicle described in the notice of infraction was stopping, standing or parking in violation of any such provision of this section together with proof that the person named in the notice of infraction was at the time of the violation the registered owner of the vehicle, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which the violation occurred.

(6) Except as provided in WAC 352-20-070, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-20-010, filed 11/30/05, effective 12/31/05. Statutory Authority: RCW 43.51.060, 43.51.055, 43.51.050 and 43.51.040. WSR 96-22-018, § 352-20-010, filed 10/29/96, effective 1/1/97. Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-20-010, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. WSR 90-07-062, § 352-20-010, filed 3/20/90, effective 4/20/90; Order 9, § 352-20-010, filed 11/24/70; Rule filed 8/24/67.]

WAC 352-20-020 Motor vehicles on roads and trails. (1) No person shall operate any motor vehicle on a trail in any state park area unless such trail has been specifically designated and posted for such use.

(2) Subject to the provisions of subsection (1) of this section, no person shall operate a motor vehicle within the boundaries of a state park area except on roads, streets, highways, parking lots, parking areas, ATV areas or snowmobile trails and areas.

(3) Except as provided in WAC 352-20-070, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-20-020, filed 9/17/92, effective 10/18/92; Order 29, § 352-20-020, filed 1/26/77; Order 9, § 352-20-020, filed 11/24/70; Resolution filed 12/11/67.]

WAC 352-20-030 Speed limits. No person shall drive a motor vehicle within any state park area at a speed greater than is reasonable and prudent, having due regard for the traffic on, and the surface and width of the road, and in no event at a speed which endangers the safety of persons, property, or wildlife: Provided, however, That in no event shall a vehicle be driven at a speed greater than 15 miles per hour in camp, picnic, utility, or headquarters areas, or in areas of general public assemblage: And provided further, That in no event shall a vehicle be driven at a speed greater than 25 miles per hour in any other area except designated ATV areas and trails. In no event shall a person operate a vehicle in a designated ATV area or trail at a speed which is not reasonable and prudent for the activity and existing conditions. The commission, however, upon finding that the safety of persons and the condition of the road and the traffic thereon so warrants, may

establish lower speed limits and shall post the same in the area where so established. Except as provided in WAC 352-20-070, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-20-030, filed 9/17/92, effective 10/18/92; Order 29, § 352-20-030, filed 1/26/77; Order 9, § 352-20-030, filed 11/24/70.]

WAC 352-20-040 Vehicles in snow areas. All vehicles operating upon roads within the boundaries of any state park area when such roads are covered with snow or ice, and so posted, shall be equipped with approved snow tires or chains. Roads and conditions will be posted and traffic permitted only at the discretion of the ranger. Except as provided in WAC 352-20-070, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-20-040, filed 9/17/92, effective 10/18/92; Order 9, § 352-20-040, filed 11/24/70.]

WAC 352-20-050 Trucks and commercial vehicles. No person shall cause a truck or other vehicle while being used for commercial purposes to enter upon, use, or traverse any portion of any state park area or any park road therein except in the service of the commission at the request of an employee or concessionaire of the commission, or by express permission of the director for a special activity not inconsistent with state park use: Provided, That the provisions of this section shall not apply to county roads or state highways.

Any vehicle in violation of this section may be towed away at the owner's or operator's expense. Except as provided in WAC 352-20-070, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-20-050, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040. WSR 90-07-062, § 352-20-050, filed 3/20/90, effective 4/20/90; Order 9, § 352-20-050, filed 11/24/70.]

WAC 352-20-070 Penalties. Any violation designated in this chapter as a civil infraction shall constitute a misdemeanor until the violation is included in a civil infraction monetary schedule adopted by rule by the state supreme court pursuant to chapter 7.84 RCW.

[Statutory Authority: RCW 43.51.040 and 43.51.180(7). 92-19-098, § 352-20-070, filed 9/17/92, effective 10/18/92.]

WASHINGTON STATE PARKS AND RECREATION COMMISSION POLICY/PROCEDURE

65-13-1 Use of Other Power-Driven Mobility Devices by Persons with Mobility Disabilities at State Park Facilities

See Also:

28 CFR 35 Title II	State and Local Government Services
28 CFR 36 Title III	Public Accommodations and Commercial Facilities
WAC 352-20-005	Definitions
WAC 352-20-020	Motor Vehicles on Roads and Trails
WAC 352-20-030	Speed Limits
WAC 352-28-050	Protecting and Restoring Degraded Natural Resources
WAC 352-32-075	Use of Non-motorized Cycles or Similar Devices

1. Purpose

This Policy applies to all employees of the Washington State Parks and Recreation Commission (State Parks). Its purpose is to provide guidance for agency staff to comply with rules issued by the federal Department of Justice pursuant to the 1990 Americans with Disabilities Act Title II and Title III that became effective on March 15, 2011. These rules deal with the use of power-driven mobility devices other than wheelchairs used by persons with disabilities

State Parks is committed to stewardship that transmits high quality park assets to future generations and is dedicated to safe outdoor recreation and public enjoyment that welcomes all our citizens, including those with disabilities to their public parks.

2. Definitions

Dune area: The portion of the ocean beach area lying landward of the line of ordinary high tide.

Long-distance trails: Stand-alone trails or trails within linear parks, usually located on former railroad rights-of-way. The trails are approximately 10 feet wide, with typical grades being under 3%. Trail surfaces are usually asphalt or crushed rock, except in undeveloped areas, where the surface is usually loose railroad ballast. Trails in this category include John Wayne Pioneer Trail, Willapa Hills Trail, Columbia Plateau Trail, Klickitat Trail, and Spokane River Centennial Trail. Rocky Reach Trail will also fall into this category, once it is developed.

Non-motorized trails within state parks: Trails intended for non-motorized use, located entirely within non-linear state parks. They are often part of a trail system within the park. Trail widths vary, but are generally under 6 feet wide, sometimes as narrow as 2 feet. Grades also vary, ranging from flat trails to grades of 20% or more. Trail surfaces can be paved with asphalt, concrete, wood, or crushed rock, but are often bare soil. Trail use is generally higher on these trails than on long-distance trails.

Ocean beaches: Pacific coastal beaches under the ownership or control of the Washington State Parks and Recreation Commission, including the Seashore Conservation Area (as defined in RCW 79A.05.605), landward of the line of extreme low tide.

Off-road vehicle (ORV) trails: Recreational trails for motorized vehicles. State Parks currently has only one area open to ORV use, located within Riverside State Park.

Other Power-Driven Mobility Device (OPDMD): Power-driven devices other than wheelchairs used for locomotion by individuals with mobility disabilities. They are devices powered by batteries, fuel, or other engines, and may or may not be designed primarily for use by individuals with mobility disabilities. OPDMDs include golf carts, electronic personal assistance mobility devices, such as the Segway® PT, or any other mobility device designed to operate in areas without defined pedestrian routes.

Outdoor recreation access route: A continuous unobstructed path designated for pedestrian use that connects accessible elements within a picnic area, camping area, or designated trailhead. Examples include the paths connecting parking spaces to a picnic or camp unit, or a picnic unit to a toilet building, or those connecting accessible picnic tables to other accessible camping elements.

Sensitive beach areas: Beach areas that are used by threatened or endangered species. These areas include:

1. The Long Beach Peninsula, between Oysterville Road and Leadbetter Point; and
2. The Copalis River spit, between Benner Road and the Copalis River.

Uppermost hard sand area: The area over which the tide ebbs and flows on a daily basis, and which is sufficiently hard or firm to support the weight of, and to provide unhindered traction for, an ordinary passenger vehicle, and which is landward of the clam beds.

Winter recreation trails: Trails, or trail sections, on lands owned by State Parks, that are used for motorized or non-motorized winter trail sports, such as snowmobiling, cross-country skiing, snowshoeing, or dogsledding.

3. Policy

General The Washington State Parks and Recreation Commission will follow all federal and state laws as established by the 1990 Americans with Disabilities Act Title II and Title III, and all subsequent United States Department of Justice revisions. This policy specifically addresses the requirement that a public agency "*shall make reasonable modifications in its policies, practices, or procedures to permit the use of other power-driven mobility devices by individuals with mobility disabilities*" (28 CFR Part 35).

In general, OPDMD use by persons with mobility disabilities will be allowed wherever they do not: 1) pose a risk to the safety of the operator or other members of the public, or 2) create a substantial risk of serious harm to the environment, or to natural or cultural resources.

Who May Use OPDMDs With the exception of off-road vehicle parks, the use of OPDMDs in Washington State Parks is restricted to people with mobility disabilities as defined in §35.104 of Title II of the Americans with Disabilities Act. Users of OPDMDs must provide credible assurance that the mobility device is required because of their disability. Credible assurance may be provided by showing park staff a government-issued pass showing evidence of a qualified mobility disability or any state's valid disabled parking placard or card assigned to the person who will be using the OPDMD. Individuals who provide only verbal representation, not contradicted by observable fact, that the device is required because of a mobility disability will not be denied the benefit of this program. Park staff shall not ask an individual using a wheelchair or OPDMD questions about the nature or extent of the individual's disability.

Use of Assessment Factors and Land Classifications This policy is based on federal rules that specify the assessment factors public agencies must use as the basis for decisions as to whether it is reasonable to allow the use of a class of OPDMD by individuals with disabilities in specific venues such as park trails and public buildings. These are:

1. The type, size, weight, dimensions, and speed of the device,
2. Pedestrian traffic volume,
3. Facility design and operational characteristics.
4. Whether legitimate safety requirements can be established to permit the safe operation of the other power-driven mobility device in the specific facility.
5. Whether the use of the other power-driven mobility device creates a substantial risk of serious harm to the immediate environment or natural or cultural resources, or poses a conflict with Federal land management laws and regulations.

State Parks land classifications, as described in WAC 352-16-020, are designations of the natural, cultural, or recreational resource values of lands managed by the Washington State Parks and Recreation Commission. The land classification process inventories and evaluates a park's natural, cultural, and recreational resources. Land classifications will therefore be used to determine resource sensitivity for the purposes of assessing whether a particular class of OPDMD creates a risk of serious harm to them.

Standards for Use of OPDMDs In order to ensure that OPDMD operation does not pose significant safety or environmental risks, all OPDMDs operated in State Parks must meet the following standards.

Long-distance trails:

1. OPDMD use is permitted, except in classified Natural Area Preserves, provided the OPDMD meets the other criteria in this section.
2. Internal combustion engines are not permitted in classified Natural Areas or Natural Forest Areas.
3. OPDMD shall not exceed 48" in width[1].
4. If powered by an internal combustion engine, the OPDMD engine shall be equipped with a US Forest Service-approved spark arrestor, in working condition with no modifications. The OPDMD is required to have an operating muffler device, and to meet Clean Air standards in effect at the time of its manufacture.
5. Speed shall not exceed 15 miles per hour, except within 30 feet of other trail users, where speed shall not exceed 5 miles per hour.

Non-motorized trails within state parks:

1. OPDMD use is permitted, except in classified Natural Area Preserves, provided the OPDMD meets the other criteria in this section.
2. In classified Natural Areas, Natural Forest Areas, and Heritage Areas, OPDMD use is permitted only on trails with a paved, wood, or crushed rock surface.
3. If the trail has wider areas to allow for passing at 1000-foot maximum intervals, the OPDMD width shall not exceed 90% of the width of the trail, up to a maximum of 48".
4. If the trail does not have wider areas to allow for passing at 1000-foot maximum intervals, the OPDMD width shall not exceed 45% of the width of the trail, up to a maximum of 48".
5. If powered by an internal combustion engine, the OPDMD engine shall be equipped with a US Forest Service-approved spark arrestor, in working condition with no modifications. The OPDMD is required to have an operating muffler device, and to meet Clean Air standards in effect at the time of its manufacture.
6. Speed shall not exceed 5 miles per hour.[2]

Outdoor recreation access routes:

1. OPDMD use is permitted, provided the OPDMD meets the other criteria in this section.
2. If the outdoor recreation access route has wider areas to allow for passing at 200-foot maximum intervals, the OPDMD width shall not exceed 90% of the width of the outdoor recreation access route, up to a maximum of 48".

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[1] 48" maximum width is needed in order to safely allow two OPDMDs to pass, and to allow OPDMDs to pass between bollards designed to prevent street vehicles operated by people without mobility disabilities from accessing the trails.

[2] 5 miles per hour is the maximum speed on non-motorized trails within state parks because these trails are often unpaved, and steeper than long-distance trails. Under these conditions, faster speeds would lead to soil erosion. Also, since these trails are more heavily used, the lower speed limit is needed for the protection of other trail users.

3. If the outdoor recreation access route does not have wider areas to allow for passing at 200-foot maximum intervals, the OPDMD width shall not exceed 45% of the width of the outdoor recreation access route, up to a maximum of 48".
4. If powered by an internal combustion engine, the OPDMD engine shall be equipped with a US Forest Service-approved spark arrestor, in working condition with no modifications. The OPDMD is required to have an operating muffler device, and to meet Clean Air standards in effect at the time of its manufacture.
5. Speed shall not exceed 5 miles per hour.

Off-Road Vehicle (ORV) trails:

1. OPDMD use is permitted, provided the OPDMD meets the standards required of ORVs.

Winter recreation trails:

1. OPDMD use is permitted on trails or trail sections managed for snowmobile use during the winter recreation season, provided the OPDMD meets the standards required for other motorized winter users.
2. OPDMD use is permitted on ungroomed trails or trail sections managed for non-motorized winter trail use, provided the following criteria are met:
    a. The OPDMD meets the standards required for other motorized winter users.
    b. Internal combustion engines are required to have an operating muffler device, and to meet Clean Air standards in effect at the time of their manufacture.
    c. If the trail has wider areas to allow for passing at 1000-foot maximum intervals, the OPDMD width shall not exceed 90% of the width of the trail, up to a maximum of 48".
    d. If the trail does not have wider areas to allow for passing at 1000-foot maximum intervals, the OPDMD width shall not exceed 45% of the width of the trail, up to a maximum of 48".
    e. Speed shall not exceed 15 miles per hour, except within 30 feet of other trail users, where speed shall not exceed 5 miles per hour.

3. OPDMD use is not permitted on groomed cross-country ski trails, except in areas where there is sufficient space to avoid damage to the set tracks and skating lanes. The following criteria must be met:
    a. The OPDMD meets the standards required for other motorized winter users.
    b. Internal combustion engines are required to have an operating muffler device, and to meet Clean Air standards in effect at the time of their manufacture.

c. If the trail outside the set tracks has wider areas to allow for passing at 1000-foot maximum intervals, the OPDMD width shall not exceed 90% of the width of the trail, up to a maximum of 48".
d. If the trail outside the set tracks does not have wider areas to allow for passing at 1000-foot maximum intervals, the OPDMD width shall not exceed 45% of the width of the trail, up to a maximum of 48".
e. Speed shall not exceed 15 miles per hour, except within 30 feet of other trail users, where speed shall not exceed 5 miles per hour.

Off-trail use:

1. OPDMD use is not permitted off-trail, except in open turf areas managed for active or passive recreational activities.

Ocean Beaches:

1. OPDMD use is permitted in all areas where motor vehicles are permitted, provided the following criteria are met:
   a. The OPDMD is driven on the uppermost hard sand area.
   b. Internal combustion engines are required to have an operating muffler device, and to meet Clean Air standards in effect at the time of their manufacture.
   c. Speed shall not exceed posted speed limits.
2. Except in designated sensitive beach areas, OPDMD use is also permitted in areas where motor vehicles are prohibited, provided the following criteria are met:
   a. OPDMDs are not permitted in dune areas,[3] except on designated trails or boardwalks. On such trails, refer to the criteria for non-motorized trails within state parks.
   b. Internal combustion engines are required to have an operating muffler device, and to meet Clean Air standards in effect at the time of their manufacture.
   c. OPDMD shall not exceed 48" in width[4].
   d. In uppermost hard sand areas, speed shall not exceed 15 miles per hour, except within 30 feet of other beach users, where speed shall not exceed 5 miles per hour.
   e. In clam beds, speed shall not exceed 3 miles per hour[5].
3. In sensitive beach areas, OPDMD use is permitted, provided the following criteria are met:

[3] Dune areas are fragile ecosystems, and also have highly irregular and shifting terrain.
[4] Larger OPDMDs are more likely to crush shellfish in the clam beds.
[5] A low speed is needed in clam beds to avoid disturbing or crushing the shellfish, particularly while turning.

a. OPDMDs are not permitted in dune areas[3], except on designated trails or boardwalks. On such trails, refer to the criteria for non-motorized trails within state parks.
b. OPDMDs shall not produce noise levels in excess of 70 decibels[6].
c. Internal combustion engines are required to have an operating muffler device, and to meet Clean Air standards in effect at the time of their manufacture.
d. OPDMD shall not exceed 48" in width[7].
e. Speed shall not exceed 5 miles per hour, except in clam beds, where speed shall not exceed 3 miles per hour[8].

4. OPDMD use is not allowed in beach areas closed for wildlife protection.

Puget Sound or Freshwater Beaches:

1. OPDMD use is permitted, except in classified Natural Area Preserves, provided the OPDMD meets the other criteria in this section.
2. Internal combustion engines are required to have an operating muffler device, and to meet Clean Air standards in effect at the time of their manufacture.
3. OPDMD shall not exceed 48" in width.[9] On some beaches, the only access is via non-motorized trails within state parks or outdoor recreation access routes; in those cases, refer to the width limits in those sections of the policy.
4. Speed shall not exceed 5 miles per hour.[10]
5. OPDMDs shall not be driven over surface plants or animals, which include, but are not limited to oysters, muscles, barnacles, and seaweed.

State Park roads:

1. OPDMD use is permitted on internal state park roads, provided the OPDMD meets the other criteria in this section.
2. Internal combustion engines are required to have an operating muffler device, and to meet Clean Air standards in effect at the time of their manufacture.
3. Speed shall not exceed posted speed limits.

Indoor facilities:

1. OPDMD use is permitted provided the OPDMD does not exceed 32" in width.
2. Internal combustion engines are not permitted.

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[6] Excessive noise can disturb the threatened or endangered species that use sensitive beach areas.
[7] Larger OPDMDs are more likely to disturb threatened or endangered species, or to crush shellfish.
[8] Slower speeds are needed to avoid disturbing threatened or endangered species, and to avoid crushing shellfish.
[9] 36" maximum width is needed because Puget Sound and freshwater beaches are often crowded, and because they often have sensitive surface plants or animals that would be more easily crushed by a larger device.
[10] 5 miles per hour is the maximum speed on Puget Sound or freshwater beaches because they are often crowded, and because slower speeds are less likely to disturb sub-surface animals.

3. Speed shall match the walking speed of others in the facility, not to exceed 3 miles per hour.

Operator responsibilities:

1. OPDMD operators shall yield to other trail users. In particular, to ensure the safety of all trail users, the OPDMD shall come to a complete stop and shut off the OPDMD if it makes noise when encountering equestrians, and the operator should communicate with the rider to determine the best way to proceed safely.
2. OPDMDs must be kept entirely within the width of the trail bed at all times. Driving off the edge of the trail bed is damaging to vegetation and soils, and is not permitted.

4. Finding Out Where OPDMDs are Permitted in State Parks

To determine in advance of arriving at a park whether a particular OPDMD is permitted:

- Information on land classifications within some parks is available by viewing the park's management plan at http://www.parks.wa.gov/plans/
- Prospective visitors may contact park staff directly to determine land classifications, trail widths, and features.
- It is recommended that OPDMD users contact park staff in advance to discuss current trail conditions that might impact OPDMD use.

In the future, more information will be available on the State Parks website. The agency is in the process of developing online maps and a searchable trail database that will show trail features. Land classifications, trail surfaces, trail widths, and wide spots for passing are planned to be included.

5. Risk

Individuals with mobility disabilities using State Park facilities do so at their own risk. Washington State Parks makes no claims that any facility is designed, maintained, or managed for any OPDMD. Operating an OPDMD on state park trails requires caution. Rough surfaces, mud, vegetation, tree roots, and water crossings may be present.

6. Requesting an exception to this policy

Requests for exceptions to this policy will be considered on a case-by-case basis. Requests should be directed to the State Parks ADA Coordinator at ada@parks.wa.gov, or at the phone number on the agency Contacts page: http://www.parks.wa.gov/contacts/.

7. Posting

This policy shall be posted on the agency website and with the Park Rules in each park.

Commission Action Date: August 8, 2013

Agenda Item: ***Item E-5: Other Power-Driven Motorized Devices Policy—Requested Action***

Approved for publishing Date: 10-22-2013

Director Signature

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Chapter 352-37 WAC
OCEAN BEACHES

WAC

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352-37-020	Definitions.
352-37-030	Vehicular traffic—Where permitted—Generally.
352-37-040	Long Beach Peninsula.
352-37-050	South Beach.
352-37-060	North Beach.
352-37-070	Conditions under which motor vehicles may be used in the exclusive pedestrian/nonmotorized use areas.
352-37-080	Equestrian traffic.
352-37-090	Pedestrians to be granted right of way.
352-37-095	Disturbances.
352-37-100	Parking.
352-37-105	Fires and campfires.
352-37-110	Overnight parking or camping prohibited.
352-37-120	Operator's license required.
352-37-130	Speed limits.
352-37-140	Certain practices prohibited.
352-37-150	Rules of the road incorporated.
352-37-160	Certain vehicle lighting and equipment standards incorporated.
352-37-170	Aircraft.
352-37-190	Excluded/limited recreation activities.
352-37-200	Special group recreation event permit.
352-37-210	Severability clause.
352-37-220	Disrobing.
352-37-230	Firearms.
352-37-240	Fireworks.
352-37-250	Games or activities.
352-37-255	Geocache.
352-37-260	Intoxication in the seashore conservation area.
352-37-270	Peace and quiet.
352-37-280	Pets.
352-37-290	Rubbish.
352-37-300	Sanitation.
352-37-310	Solicitation.
352-37-320	Other weapons.
352-37-325	Seashore conservation area closures.
352-37-330	Penalties.
352-37-340	Small-scale beach prospecting and placer mining.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

352-37-180	Violations—Penalty. [Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-180, filed 3/19/90, effective 4/19/90.] Repealed by WSR 92-19-098, filed 9/17/92, effective 10/18/92. Statutory Authority: RCW 43.51.040 and 43.51.180(7)

WAC 352-37-010 Purpose. The purpose of this chapter is to implement the provisions of RCW 79A.05.600 through 79A.05.695 which require local governments which have a portion of the Seashore Conservation Area within their boundaries to prepare recreation management plans for the ocean beaches designating at least forty percent of the beach for use by pedestrians and nonmotorized vehicles from April 15 to the day following Labor Day of each year.

This chapter sets forth those sections of the plans which the commission has adopted as rules.

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.070, and 79A.05.165. WSR 05-01-068, § 352-37-010, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-010, filed 3/19/90, effective 4/19/90.]

WAC 352-37-020 Definitions. Whenever used in this chapter the following terms shall have the meanings herein defined unless the context clearly indicates otherwise:

"Aggregate" shall mean a mixture of minerals separable by mechanical or physical means.

"Aircraft" shall mean any machine designed to travel through the air, whether heavier or lighter than air; airplane, dirigible, balloon, helicopter, etc. The term aircraft shall not include paraglider or remote controlled aircraft.

"Campfires" shall mean any open flame from a wood source.

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

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

"Concentrate" shall mean the valuable mineral content separated from aggregate.

"Concentrator" shall mean a device used to physically or mechanically separate the valuable mineral content from aggregate.

"Director" shall mean the director of the Washington state parks and recreation commission or the director's designee.

"Driveable beach" shall mean that area of the ocean beaches lying between the upper or landward limit of the hard sand area and the clam beds.

"Dry sand area" shall mean that area lying above and to the landward side of the hard sand area as defined in this section.

"Excavation site" shall mean the pit, furrow, or hole from which aggregate is removed to process and recover minerals or into which wastewater is discharged to settle out sediments.

"Fire" shall mean any open flame from any source or device including, but not limited to, campfires, stoves, candles, torches, barbeques and charcoal.

"Ganged equipment" shall mean two or more pieces of mineral prospecting equipment coupled together to increase efficiency. An example is adding a second sluice to a highbanker.

"Geocache" means geocaches, letterboxes, and related activities. Geocaching is an outdoor treasure hunting game in which participants (called geocachers) use a Global Positioning System receiver or other navigational techniques to hide and seek containers (called "geocaches" or "caches").

"Hand-held mineral prospecting tools" shall mean tools that are held by hand and are not powered by internal combustion, hydraulic, or pneumatics. Examples include metal detectors, shovels, picks, trowels, hammers, pry bars, hand-operated winches, and battery-operated pumps specific to prospecting; and vac-pacs.

"Hard sand area" shall mean that area over which the tide ebbs and flows on a daily basis; and which is sufficiently hard or firm to support the weight of, and to provide unhindered traction for, an ordinary passenger vehicle.

"High-banker" shall mean a stationary concentrator that can be operated outside the wetted perimeter of the body of water from which the water is removed, using water supplied by hand or by pumping. A high-banker consists of a sluice box, hopper, and water supply. Aggregate is supplied to the high-banker by means other than suction dredging. This definition excludes rocker boxes.

"Hovercraft" shall mean a powered vehicle supported by a cushion of air capable of transporting persons.

"Intimidate" means to engage in conduct which would make a reasonable person fearful.

"Long Beach Peninsula" shall mean that area of the ocean beaches as defined in this section lying between Cape Disappointment on the south and Leadbetter Point on the north.

"Mineral prospecting equipment" shall mean any natural or manufactured device, implement, or animal (other than the human body) that can be used in any aspect of prospecting for or recovering minerals.

"Motor vehicle" shall mean every vehicle that is self-propelled. For the purposes of this chapter, a motor vehicle must be approved for highway use in accordance with Title 46 RCW.

"North Beach" shall mean that area of the ocean beaches as defined in this section lying between Damon Point on the south and Cape Flattery on the north.

"Obstruct pedestrian or vehicular traffic" means to walk, stand, sit, lie, or place an object in such a manner as to block passage by another person or a vehicle, or to require another person or a driver of a vehicle to take evasive action to avoid physical contact. Acts authorized as an exercise of one's constitutional right to picket or to legally protest, and acts authorized by a permit issued pursuant to WAC 352-32-165 shall not constitute obstruction of pedestrian or vehicular traffic.

"Ocean beaches" shall mean all lands fronting on the Pacific Ocean between Cape Disappointment and Leadbetter Point; between Toke Point and the south jetty on Point Chehalis; and between Damon Point and the Makah Indian Reservation, and occupying the area between the line of ordinary high tide and the line of extreme low tide, as these lines now are or may hereafter be located, and, where applicable, between the Seashore Conservation Line, as established by survey of the commission and the line of extreme low tide, as these lines now are or may hereafter be located, or as defined in RCW 79A.05.605, provided, that the ocean beaches shall not include any lands within the established boundaries of any Indian reservation.

"Pan" shall mean an open metal or plastic dish that can be operated by hand to separate gold or other minerals from aggregate by washing the aggregate.

"Parasail" shall mean a parachute-type device attached to a rope pulled by a motor vehicle, resulting in the participant being lifted from the ground by the force of the wind.

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

"Placer" shall mean a glacial or alluvial deposit of gravel or sand containing eroded particles of minerals.

"Power sluice" shall mean high-banker.

"Power sluice/suction dredge combination" shall mean a machine that can be used as a power sluice, or with minor modifications as a suction dredge.

"Prospecting" shall mean the exploration for minerals and mineral deposits.

"Riffle" shall mean the bottom of a concentrator containing a series of interstices or grooves to catch and retain a mineral such as gold.

"Rocker box" shall mean a nonmotorized concentrator consisting of a hopper attached to a cradle and a sluice box that can be operated with a rocking motion.

"Seashore conservation area" shall mean all lands now or hereafter under state ownership or control as defined in RCW 79A.05.605.

"Sluice" shall mean a trough equipped with riffles across its bottom which can be used to recover gold and other minerals with the use of flowing water.

"South Beach" shall mean that area of the ocean beaches as defined in this section lying between Toke Point on the south and the south jetty on Point Chehalis on the north.

"Spiral wheel" shall mean a hand-operated or battery-powered rotating pan that is used to recover gold and minerals with the use of water.

"Suction dredge" shall mean a machine that is used to move submerged aggregate via hydraulic suction. Aggregate is processed through an attached sluice box for the recovery of gold and other minerals.

"Wetted perimeter" shall mean the areas of a watercourse covered with flowing or nonflowing water.

"Wind/sand sailer" shall mean a wheeled, wind-driven recreational conveyance.

[Statutory Authority: RCW 79A.05.030, 79A.05.165, and 79A.05.615. WSR 11-19-015, § 352-37-020, filed 9/8/11, effective 10/9/11. Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-020, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-020, filed 11/30/05, effective 12/31/05. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.070, and 79A.05.165. WSR 05-01-068, § 352-37-020, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-020, filed 3/19/90, effective 4/19/90.]

WAC 352-37-030 Vehicular traffic—Where permitted—Generally. Subject to the restrictions set forth in subsequent sections of this chapter, and except at the point of intersection of any access road and the beach, the use of motor vehicles on and along the ocean beaches shall be permitted only on that area between the extreme upper or landward limit of the hard sand area and the clam beds, defined as the "driveable beach" in WAC 352-37-020. The operation of any vehicle is prohibited above and on the landward side of the driveable beach. The provisions of this section shall not apply to official vehicles engaged in authorized law enforcement, maintenance, or sanitary patrol activities or emergency vehicles while engaged in the performance of any necessary service.

The Long Beach Peninsula, South Beach, and North Beach Recreation Management Plans, as referenced in RCW 79A.05.600 through 79A.05.695, as adopted by local govern-

ments located on the same beach and approved by the commission, identify those areas where the operation or parking of any vehicle is prohibited. Exceptions that allow for the use of any vehicles in these areas identified as exclusive pedestrian/nonmotorized use areas are found in WAC 352-37-070. Except as provided in WAC 352-37-330, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-030, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.070, and 79A.05.165. WSR 05-01-068, § 352-37-030, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-37-030, filed 9/17/92, effective 10/18/92. Statutory Authority RCW 43.51.040. WSR 90-07-050, § 352-37-030, filed 3/19/90, effective 4/19/90.]

WAC 352-37-040 Long Beach Peninsula. (1) Leadbetter Point exclusive pedestrian/nonmotorized vehicle use area is described as the area from the northern tip of Leadbetter Point to the north side of the Oysterville beach access road.

(a) Motor vehicles are not allowed year round in the area located between the northern tip of Leadbetter Point and the southern boundary of Leadbetter Point State Park.

(b) Motor vehicles are not allowed in the area located between the southern boundary of Leadbetter Point State Park to the north side of the Oysterville beach access road, from April 15 to the day following Labor Day of the same year.

(2) Long Beach/Seaview exclusive pedestrian/nonmotorized vehicle use area is described as the area from the south side of the Bolstad Avenue beach access road south to the north side of the Seaview beach access road at 38th Avenue.

Motor vehicles are not allowed from April 15 to the day following Labor Day of the same year.

(3) Ft. Canby unit exclusive pedestrian/nonmotorized vehicle use area is described as the area from the north jetty of the Columbia River located in Cape Disappointment State Park to north head/south boundary of Beard's Hollow.

Motor vehicles are not allowed on Benson Beach in front of Cape Disappointment State Park for the entire year. Motor vehicles may not be used on the beach in front of the state park for any clam season at any time of the year.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-040, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.070, and 79A.05.165. WSR 05-01-068, § 352-37-040, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-040, filed 3/19/90, effective 4/19/90.]

WAC 352-37-050 South Beach. (1) East North Cove exclusive pedestrian/nonmotorized vehicle use area is described as the beach on the Pacific County owned property described as the north half of the northeast quarter section of the southwest quarter section of the southwest quarter of Section 4, Township 14N, Range 11 WWM.

Motor vehicles are not allowed from April 15 to the day following Labor Day of the same year.

(2) The Willapa National Wildlife Refuge/Warrenton Cannery road beach access exclusive pedestrian/nonmotorized vehicle use area is described as the area south of the south edge of the Warrenton Cannery beach access road east to east boundary line of the Willapa National Wildlife Refuge.

(a) Part west of Willapa National Wildlife Refuge. In the portion of this area west of the west boundary line of the Willapa National Wildlife Refuge, motor vehicles are not allowed from April 15 to the day following Labor Day of the same year.

(b) Part within the Willapa National Wildlife Refuge. In the portion of this area within Willapa National Wildlife Refuge, motor vehicles are not allowed from April 15 to the day following Labor Day of the same year. Motor vehicles may not be used in the wildlife refuge during the portion of any clam season which is between April 15 and the day following Labor Day of the same year.

(3) Twin Harbors Gap road to the south jetty exclusive pedestrian/nonmotorized vehicle use area is described as that area from the northern edge of the Twin Harbors beach access road to the south jetty on Point Chehalis.

(a) On the beach in front of the Westport Light State Park, motorized vehicles are not allowed from April 15 to the day following Labor Day of the same year. Motor vehicles may not be used on the beach in front of the state park during the portion of any clam season which is between April 15 and the day following Labor Day of the same year.

(b) On the beach in front of Westhaven State Park motorized vehicles are not allowed for the entire year. Motor vehicles may not be used on the beach in front of the state park for any clam season at any time of the year.

(c) In the balance of the area, motorized vehicles are not allowed from April 15 to the day following Labor Day of the same year.

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

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

WAC 352-37-060 North Beach. (1) North jetty to Marine View Drive beach access exclusive pedestrian/nonmotorized vehicle use area is described as that area from the south edge of the Marine View Drive beach access to the north jetty of the Chehalis River.

Motor vehicles will not be allowed in this area from April 15 to the day after Labor Day of the same year.

(2) Pacific Way to Chance A La Mer beach access exclusive pedestrian/nonmotorized vehicle use area is described as the area from the north edge of the Pacific Way beach access road north to the south edge of the Chance A La Mer beach access road.

Motor vehicles are not allowed April 15 to the day after Labor Day of the same year.

(3) Ocean City beach access north for 1.8 miles exclusive pedestrian/nonmotorized vehicle use area is described as that area from the northern edge of the Ocean City beach access road north for 1.8 miles.

Motor vehicles are not allowed in this area from April 15 to the day after Labor Day of the same year.

(4) Benner Gap road north to the north bank of the Copalis River exclusive pedestrian/nonmotorized vehicle use area is described as the area from the north edge of the Benner Gap beach access road north to the north bank of the Copalis

River. If the Copalis River shifts south of the north boundary of Griffiths-Priday State Park, the north boundary of Griffiths-Priday State Park shall be the north boundary of this area.

Motor vehicles are not allowed in this area for the entire year.

(5) Copalis Rock north to Boone Creek exclusive pedestrian/nonmotorized vehicle use area is described as the area from the north edge of Copalis Rock north to the north bank of Boone Creek.

Motor vehicles are not allowed in this area from April 15 to the day following Labor Day of the same year.

(6) Roosevelt Beach Gap road north to Annelyde Gap road exclusive pedestrian/nonmotorized vehicle use area is described as the area from the north edge of the Roosevelt beach access road to the south edge of the Annelyde beach access road.

Motor vehicles are not allowed in this area from April 15 to the day following Labor Day of the same year.

(7) Moclips Gap road north to the south boundary of the Quinault Indian reservation exclusive pedestrian/nonmotorized vehicle use area is described as the area from the north edge of the Moclips beach access road (Second Street) to the south boundary of the Quinault Indian reservation.

Motor vehicles are not allowed in this area from April 15 to the day following Labor Day of the same year.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-060, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-060, filed 3/19/90, effective 4/19/90.]

WAC 352-37-070 Conditions under which motor vehicles may be used in the exclusive pedestrian/nonmotorized use areas. Unless specifically accepted in the description of the times during which motor vehicles are not allowed for each exclusive pedestrian/nonmotorized vehicle use area, motor vehicles may be used in the pedestrian/nonmotorized vehicle use areas under the following circumstances:

(1) Motor vehicles may be used in the areas during any recreational razor clam digging seasons designated by the department of fisheries which take place partially or entirely during the period when motor vehicles are otherwise not allowed to use the area.

(2) Motor vehicles may also be used in the areas during special events approved by the commission as set forth in WAC 352-37-200 Special group recreation event permit, which specifically allows the use of motorized vehicles. The vehicle may be used for access or in the event.

(3) As provided by RCW 79A.05.660, public vehicles operated in the performance of official duties and vehicles responding to an emergency can use the areas at any time.

(4)(a) Motor vehicles may be used to remove sand from a beach access, gap road, or other area provided that all required permits have been obtained and the removal complies with all applicable requirements.

(b) On the Long Beach Peninsula pursuant to RCW 4.24.210, 79A.05.035(5), and 79A.05.655(3), the Pacific County planning department and the city of Long Beach may issue permits for wood debris removal during any period of closure to vehicular traffic, in their respective jurisdictions, if in the opinion of said jurisdiction the amount, size, and location of such wood debris is determined to constitute a hazard to the general public and/or impede the movement of public vehicles on the ocean beach. Said permits shall be valid for twenty-four hours only. Persons seeking permits for removal of wood debris within the seashore conservation area must apply to the director or designee for a wood debris removal permit.

(5)(a) Motor vehicles may be used to remove wood debris under RCW 4.24.210 and 79A.05.035(5) provided that all required permits have been obtained and the removal complies with all applicable requirements.

(b) On the Long Beach Peninsula in accordance with RCW 79A.05.655(4), the Pacific County planning department and the city of Long Beach may issue permits, on their respective jurisdictions, for the removal of sand on the ocean beach during periods of closure to vehicular traffic. Said sand removal shall occur only on beach access roads and private property under the terms of a covenant, easement, or deed that allows such activity. The local jurisdictions shall exercise good judgment in setting the terms of such sand removal permits. Such terms should prohibit sand removal during weekends, holidays, festivals, and other occasions when and where there is increased use of the ocean beach by the public. The hours of sand removal shall also be specified and shall prohibit this activity from occurring too early or too late in the day in order to minimize disturbance of nearby businesses, residents, and visitors.

(6) In case of an emergency, motor vehicles may be used to maintain and construct erosion control devices, including bulkheads, provided that all required permits have been obtained and the operation of the vehicles and the construction complies with all applicable requirements.

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-070, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.070, and 79A.05.165. WSR 05-01-068, § 352-37-070, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-070, filed 3/19/90, effective 4/19/90.]

WAC 352-37-080 Equestrian traffic. (1) Equestrian traffic shall be permitted on and along the ocean beaches within the seashore conservation area year round except where prohibited by this rule or other provision of statute or rule.

(2) Equestrian traffic shall be permitted only on that area between the extreme upper and landward limit of the hard sand area and the clam beds.

(3) Equestrian access shall be permitted at the point of intersection of any access road and the beach or any equestrian trail designated by the commission. Upland owners shall also be allowed equestrian access to and from their property, except for commercial purposes.

(4) Within the seashore conservation area, equestrian traffic shall yield the right of way to all pedestrian or vehicular traffic.

(5) Horses shall be ridden at a walk or led through areas of heavy pedestrian concentration.

(6) Equestrian traffic will not be permitted on the Long Beach Peninsula between Bolstad Avenue beach access road

and 10th Street beach access road from April 15 to the day following Labor Day of the same year.

(7) Except as provided in WAC 352-37-330, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-080, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-37-080, filed 9/17/92, effective 10/18/92. Statutory Authority RCW 43.51.040. WSR 90-07-050, § 352-37-080, filed 3/19/90, effective 4/19/90.]

WAC 352-37-090 Pedestrians to be granted right of way. Vehicular and equestrian traffic shall at all times yield the right of way to pedestrians and nonmotorized vehicles on the ocean beaches. Except as provided in WAC 352-37-330, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-090, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.070, and 79A.05.165. WSR 05-01-068, § 352-37-090, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-37-090, filed 9/17/92, effective 10/18/92. Statutory Authority RCW 43.51.040. WSR 90-07-050, § 352-37-090, filed 3/19/90, effective 4/19/90.]

WAC 352-37-095 Disturbances. Disorderly conduct, or conduct with the intent to intimidate or obstruct pedestrian or vehicular traffic, or which otherwise impedes or disturbs state park employees or volunteers in the performance of their duties, or which impedes or disturbs the general public in the use and enjoyment of state park areas, is prohibited.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-095, filed 1/22/07, effective 2/22/07.]

WAC 352-37-100 Parking. Parking of vehicles shall be permitted only in an area extending one hundred feet westerly from the upper or landward limit of the hard sand area, or driveable beach area (WAC 352-37-020) or where otherwise specifically designated by the commission. Beach parking shall only be allowed in areas open for beach driving. Except as provided in WAC 352-37-220, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-100, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.070, and 79A.05.165. WSR 05-01-068, § 352-37-100, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-37-100, filed 9/17/92, effective 10/18/92. Statutory Authority RCW 43.51.040. WSR 90-07-050, § 352-37-100, filed 3/19/90, effective 4/19/90.]

WAC 352-37-105 Fires and campfires. All fires, except campfires, fires for stoves, candles, torches, barbeques and charcoal, are prohibited in state parks. Campfires are restricted to within the designated campfire pit, ring or other provided campfire enclosure and the flame must be no higher than two feet. On ocean beaches, campfires must be at least one hundred feet from the dunes, no more than four feet in diameter and no more than four feet high. No campfires are allowed on any shellfish bed. Park rangers may impose additional restrictions on fires for the protection of the health, safety and welfare of the public, park visitors or staff, or for the protection of park resources.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-105, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.070, and 79A.05.165. WSR 05-01-068, § 352-37-105, filed 12/9/04, effective 1/9/05.]

WAC 352-37-110 Overnight parking or camping prohibited. Overnight parking or camping shall be prohibited on any area of the ocean beaches. Except as provided in WAC 352-37-330, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-110, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-37-110, filed 9/17/92, effective 10/18/92. Statutory Authority RCW 43.51.040. WSR 90-07-050, § 352-37-110, filed 3/19/90, effective 4/19/90.]

WAC 352-37-120 Operator's license required. No person shall operate any motor vehicle on or along the ocean beaches unless such person has in his or her possession a valid Washington state driver's license issued under the provisions of chapter 46.20 RCW: Provided, That the following persons shall be exempt from the provisions of this section:

(1) Any person in the service of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States, or in the service of the National Guard of this state or any other state, when furnished with a driver's license by such service and when operating an official motor vehicle in such service; or

(2) A nonresident who is at least sixteen years of age and who has in his possession a valid driver's license issued to him in his home state; or

(3) A nonresident who is at least sixteen years of age and who has in his possession a valid driver's license issued to him in his home country.

[Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-120, filed 3/19/90, effective 4/19/90.]

WAC 352-37-130 Speed limits. (1) No person shall operate any motor vehicle on or along any ocean beach at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, animal, vehicle or other conveyance on or entering the driveable beach in compliance with legal requirements in the duty of all persons to use due care.

(2) Except when a special hazard exists that requires lower speed for compliance with subsection (1) of this section, the maximum speed limit for operation of motor vehicles on the ocean beaches shall be twenty-five miles per hour.

(3) The driver of every motor vehicle operating on the ocean beaches shall, consistent with the requirements of subsection (1) of this section, drive at an appropriate reduced speed when approaching and crossing a beach access road, when approaching one or more parked vehicles, when approaching or traveling past or in the vicinity of a pedestrian or group of pedestrians, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or beach conditions.

(4) Except as provided in WAC 352-37-330, any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-130, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-37-130, filed 9/17/92, effective 10/18/92. Statutory Authority RCW 43.51.040. WSR 90-07-050, § 352-37-130, filed 3/19/90, effective 4/19/90.]

WAC 352-37-140 Certain practices prohibited. The following practices while operating any motor vehicle on or along the ocean beaches are specifically prohibited:

(1) Squirreling;

(2) Circling;

(3) Cutting figure eights;

(4) Racing;

(5) The operation of any motor vehicle in such a manner as to constitute a threat to the operator thereof, his or her passengers, pedestrians or equestrians using the beaches, animals or any other vehicle or other property.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-140, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-140, filed 3/19/90, effective 4/19/90.]

WAC 352-37-150 Rules of the road incorporated. Except where otherwise obviously inapplicable to the use and operation of motor vehicles on the ocean beaches chapter 46.61 RCW, constituting the rules of the road, is herewith expressly incorporated herein, and the practices required or prohibited in that chapter are hereby expressly required or prohibited when operating any motor vehicles on and along the ocean beaches.

[Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-150, filed 3/19/90, effective 4/19/90.]

WAC 352-37-160 Certain vehicle lighting and equipment standards incorporated. Except where otherwise obviously inapplicable to the use and operation of motor vehicles on the ocean beaches, chapter 46.37 RCW, constituting vehicle lighting and other equipment, is herewith expressly incorporated herein, and the requirements of that chapter are hereby expressly required when operating any motor vehicles on and along the ocean beaches.

[Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-160, filed 3/19/90, effective 4/19/90.]

WAC 352-37-170 Aircraft. (1) On the North Beach airplanes may land and take off on the ocean beach in the area commencing at the Copalis River north to the "rocks."

(2) The use of the beach by aircraft shall be subject to the jurisdiction of the aeronautics commission and all state and federal laws applicable to aircraft and pilots. Except as specified in subsection (1) of this section, airplanes shall only be allowed to make emergency landings on the ocean beaches.

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

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

WAC 352-37-190 Excluded/limited recreation activities. The following forms of public outdoor recreation activities or devices are prohibited on the ocean beaches unless specifically designated therefore or authorized by the director or designee as a special recreation event.

(1) Vehicles not licensed and certificated pursuant to chapters 46.12 and 46.16 RCW.

(2) Wind/sand sailers.

(3) Parasails.

(4) Hovercraft.

(5) Powered parasail.

(6) Ultra-light aircraft.

(7) Powered hang gliders.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-190, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.070, and 79A.05.165. WSR 05-01-068, § 352-37-190, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-190, filed 3/19/90, effective 4/19/90.]

WAC 352-37-200 Special group recreation event permit. (1) Any person or group desiring to make use of a portion of the ocean beaches for a group recreation event which will require the closure of the area to certain conflicting recreational uses, may apply to the director for a special group recreation event permit. The director, or designee, may issue such a permit after consultation with the appropriate local government, if the event does not unduly interfere with normal public recreation. Such authorization shall include the closure of the specified area to recreational activities, including motor vehicle traffic, which are determined to have the potential to interfere with the event or which could risk the safety of the recreating public or the special event participants. However, no such authorization may result in the unreasonable exclusion of pedestrian recreationists from the specified portion of the ocean beach; all events authorized under this permit shall be open to public participation and/or observation.

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

(3) A special group recreation event permit shall be issued only for recreational events where there is a reasonable expectation that a minimum of twenty persons will participate. The event must be oriented towards a recreational pursuit. Not more than three permits will be issued to a given applicant for the same event during a one-year period. The group recreation activity must be consistent with the seashore conservation area (RCW 79A.05.600 through 79A.05.630), and may include an activity otherwise excluded under this chapter. Special group recreation events shall not exceed three days or seventy-two hours.

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

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

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

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-200, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.055, 79A.05.070, and 79A.05.165. WSR 05-01-068, § 352-37-200, filed 12/9/04, effective 1/9/05. Statutory Authority: RCW 43.51.040 and [43.51.]060. WSR 95-22-067, § 352-37-200, filed 10/30/95, effective 1/1/96. Statutory Authority RCW 43.51.040. WSR 90-07-050, § 352-37-200, filed 3/19/90, effective 4/19/90.]

WAC 352-37-210 Severability clause. If any provision of these rules or their application to any person or circumstance is held invalid, the remainder of these rules or their application to other persons or circumstances is not affected.

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-210, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 43.51.040. WSR 90-07-050, § 352-37-210, filed 3/19/90, effective 4/19/90.]

WAC 352-37-220 Disrobing. (1) No person shall disrobe in public in the seashore conservation area.

(2) Clothing sufficient to conform to common standards shall be worn at all times.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-220, filed 11/30/05, effective 12/31/05. Statutory Authority: RCW 43.51.040 and 43.51.180(7). WSR 92-19-098, § 352-37-220, filed 9/17/92, effective 10/18/92.]

WAC 352-37-230 Firearms. (1) No person shall discharge or propel across, in, or into the seashore conservation area a firearm, except where the commission for good cause has authorized a special recreational activity upon finding that it is not inconsistent with state park use. Any violation of this section is a gross misdemeanor.

(2) The possession, display, carrying, discharge or use of a firearm is further regulated under chapter 9.41 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-230, filed 11/30/05, effective 12/31/05.]

WAC 352-37-240 Fireworks. The possession or discharge of fireworks on or into those areas of the seashore conservation area adjacent to state park areas is prohibited, except where designated by the director or designee; provided however, that the director or designee may issue permits for fireworks displays subject to conditions established by the agency and as provided in chapter 70.77 RCW. Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-240, filed 11/30/05, effective 12/31/05.]

WAC 352-37-250 Games or activities. Playing games and/or engaging in activities in a manner and/or location which subjects people or personal property, resources or facilities in the seashore conservation area to risk of injury or damage shall be prohibited. Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-250, filed 11/30/05, effective 12/31/05.]

WAC 352-37-255 Geocache. (1) In order to place a cache on state parks' property, an individual or organization must obtain a geocache placement permit from state parks. Any cache located on state parks' property that does not have a permit on file is subject to removal from its location, and after notification of the owner (if known), may be disposed of within ten days.

(2) The geocache owner must check the geocache at least every ninety days unless an extension is approved by the park manager, not to exceed one hundred eighty days. Proof of the check will be by e-mail, letter, or personal communication by the owner with the park manager or designee, and the owner's entry in the cache log book indicating the date of inspection.

(3) The geocache may be placed on Washington state parks and recreation commission managed property only by written permission from the commission.

(4) The following items shall not be placed in the geocache: Food items; illegal substances; medications; personal hygiene products; pornographic materials; inappropriate, offensive, or hazardous materials or weapons of any type. Log books are required for each cache and are to be provided by the owner of the cache.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-255, filed 1/22/07, effective 2/22/07.]

WAC 352-37-260 Intoxication in the seashore conservation area. Being or remaining in, or loitering about in the seashore conservation area while in a state of intoxication shall be prohibited. Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-260, filed 11/30/05, effective 12/31/05.]

WAC 352-37-270 Peace and quiet. To ensure peace and quiet for visitors:

(1) No person shall, at any time, use amplified sound-emitting electronic equipment that emits sound beyond the person's vehicle or immediate area of use which is at a volume that may disturb other users of the seashore conservation area, without specific permission of the park ranger.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-270, filed 11/30/05, effective 12/31/05.]

WAC 352-37-280 Pets. (1) In the seashore conservation area, pets or domestic animals, except for assistance dogs for persons with disabilities, may be prohibited for the protection of wildlife, sensitive natural systems, special cultural areas, or for other purposes, if approved by the director or designee and so posted.

(2) No person shall allow his/her pet or domestic animal to bite or in any way molest or annoy wildlife or visitors to the seashore conservation area. No person shall permit his/her pet or domestic animal to bark or otherwise disturb peace and quiet.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-280, filed 11/30/05, effective 12/31/05.]

WAC 352-37-290 Rubbish. (1) No person shall leave, deposit, drop, or scatter bottles, broken glass, ashes (except human crematory ashes), waste paper, cans, or other rubbish, in the seashore conservation area, except in a garbage can or other receptacle designated for such purposes.

(2) No person shall deposit any household or commercial garbage, refuse, waste, or rubbish, which is brought as such from any private property, in any seashore conservation area garbage can or other receptacle designed for such purpose.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-290, filed 11/30/05, effective 12/31/05.]

WAC 352-37-300 Sanitation. No person shall, in the seashore conservation area:

(1) Drain or dump refuse or waste from any trailer, camper, automobile, or other vehicle, or vessel, except in designated disposal areas or receptacles.

(2) Urinate or defecate except in designated facilities.

(3) Pollute, or in any way contaminate by dumping or otherwise depositing therein any waste or refuse of any nature, kind, or description, including human or animal bodily waste, any stream, river, lake, or other body of water running in, through, or adjacent to, the seashore conservation area.

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

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-300, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-300, filed 11/30/05, effective 12/31/05.]

WAC 352-37-310 Solicitation. Except as may be otherwise allowed in connection with a permit issued under WAC 352-32-165 or 352-32-047, or a cooperative agreement pursuant to RCW 79A.05.070(2), no person shall engage in solicitation, or sell or peddle any services, goods, wares, merchandise, liquids, or edibles for human consumption in the seashore conservation area, except by concession or permit granted by the commission. Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-310, filed 11/30/05, effective 12/31/05.]

WAC 352-37-320 Other weapons. No person shall display, discharge or propel across, in, or into the seashore conservation area, a bow and arrow, spear, spear gun, harpoon, or air or gas weapon, or any device capable of injuring or killing any person or animal, or damaging or destroying any public or private property, except where the commission for good cause has authorized a special recreational activity upon finding that it is not inconsistent with state park use. Any violation of this section is an infraction under chapter 7.84 RCW.

[Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-320, filed 11/30/05, effective 12/31/05.]

WAC 352-37-325 Seashore conservation area closures. The director or designee may, for a specified period or periods of time, close any portion of the seashore conservation area to public access if the director or designee concludes that such a closure is necessary for the protection of the health, safety and welfare of the public, park visitors or staff, or park resources.

[Statutory Authority: RCW 79A.05.030 and 79A.05.035. WSR 13-17-037, § 352-37-325, filed 8/13/13, effective 9/13/13.]

WAC 352-37-330 Penalties. Any violation designated in this chapter as a civil infraction shall constitute a misdemeanor until the violation is included in a civil infraction monetary schedule adopted by rule by the state supreme court pursuant to chapter 7.84 RCW, except that a violation of WAC 352-37-230 shall at all times be a gross misdemeanor.

[Statutory Authority: Chapter 79A.05 RCW. WSR 07-03-121, § 352-37-330, filed 1/22/07, effective 2/22/07. Statutory Authority: RCW 79A.05.030, 79A.05.035, 79A.05.070, 79A.05.165, 79A.05.605, and 79A.05.610. WSR 05-24-030, § 352-37-330, filed 11/30/05, effective 12/31/05.]

WAC 352-37-340 Small-scale beach prospecting and placer mining. (1) Small-scale beach prospecting and placer mining is allowed year-round in the seashore conservation area, except within fifty feet on either side of designated ocean beach access roads.

(2) The director may close specific areas to beach prospecting or placer mining when deemed necessary for wildlife protection or public safety.

(3) Only hand-held mineral prospecting tools and the following mineral prospecting equipment may be used in the seashore conservation area:

(a) Pans;

(b) Spiral wheels;

(c) Sluices, concentrators, rocker boxes, and high-bankers with riffle areas totaling ten square feet or less, including ganged equipment;

(d) Suction dredges that have suction intake nozzles with inside diameters that should be five inches or less, but shall be no greater than five and one-quarter inches to account for manufacturing tolerances and possible deformation of the nozzle. The inside diameter of the dredge hose attached to the nozzle may be no greater than one inch larger than the suction intake nozzle size;

(e) Power sluice/suction dredge combinations that have riffle areas totaling ten square feet or less, including ganged equipment, suction intake nozzles with inside diameters that should be five inches or less, but shall be no greater than five and one-quarter inches to account for manufacturing tolerances and possible deformation of the nozzle, and pump intake hoses with inside diameters of four inches or less. The inside diameter of the dredge hose attached to the suction intake nozzle may be no greater than one inch larger than the suction intake nozzle size; and

(f) High-bankers and power sluices that have riffle areas totaling ten square feet or less, including ganged equipment, and pump intake hoses with inside diameters of four inches or less.

(4) Upon request, other mineral prospecting equipment may be considered by the commission on a pilot basis.

(5) All trenches, depressions, or holes created in the beach during mining activities must be back-filled before working another excavation site.

(6) Setting up or using mining equipment or conducting mining activities in a manner and/or location that subjects people, personal property, or park resources to injury or damage or impedes traffic on the driveable portion of the beach is prohibited.

(7) A person may possess or transport up to ten gallons of concentrate per day.

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

[Statutory Authority: RCW 79A.05.030, 79A.05.165, and 79A.05.615. WSR 11-19-015, § 352-37-340, filed 9/8/11, effective 10/9/11.]