

**RCW 79.73.040 Leasing—Duties with respect to unleased portions.**

(1) The department shall offer to lease, and shall subsequently lease if a reasonable offer is made, portions of the Milwaukee Road corridor under its control to the person who owns or controls the adjoining land for periods of up to ten years commencing with June 7, 1984. The lessee shall assume the responsibility for fire protection, weed control, and maintenance of water conveyance facilities and culverts. The leases shall follow standard department leasing procedures, with the following exceptions:

(a) The lessee may restrict public access pursuant to RCW 79.73.020 and subsection (3) of this section.

(b) The right of renewal shall be to the current lessee if the lessee still owns or controls the adjoining lands.

(c) If two persons own or control opposite sides of the corridor, each person shall be eligible for equal portions of the available property.

(2) The department has the authority to renew leases in existence on June 7, 1984.

(3) The leases shall contain a provision allowing the department to issue permits to travel the corridor for recreational purposes.

(4) Unleased portions of the Milwaukee Road property under this section shall be managed by the department. On these unleased portions, the department solely shall be responsible for weed control, culvert, bridge, and other necessary maintenance and fire protection services. The department shall place hazard warning signs and close hazardous structures on unleased portions and shall regulate activities and restrict uses, including closing the corridor during seasons of high fire danger. [2003 c 334 s 459; 1984 c 174 s 9. Formerly RCW 79.08.281.]

**Intent—2003 c 334:** See note following RCW 79.02.010.

**Purpose—1984 c 174:** See note following RCW 79.73.010.