

**WAC 332-52-405 Construction and maintenance of trails and structures.** (1) May a person construct, modify, repair or maintain a new or existing recreation trail, structure, or other facility or improvement or cause such activities to occur on department-managed lands? No. With the exceptions noted in subsections (2) and (3) of this section, a person shall not construct, modify, repair or maintain a recreation trail, structure, or other facility or improvement, or cause such activities to occur on department-managed lands, without written authorization from the department.

(2) May a person perform routine maintenance of recreational trails or facilities on department-managed lands? Yes. With an approved department of natural resources volunteer agreement, individuals may conduct routine maintenance of recreational trails or facilities.

(3) May a person perform emergency maintenance of recreational trails without written authorization from the department? Yes. A person may perform emergency maintenance on recreational trails. Emergency maintenance for purposes of this subsection means the reasonable mitigation of immediate safety hazards, and brushing, weeding, wind-fall removal, clearing drain ditches or culverts, or tread repair to prevent immediate resource damage.

(4) Any violation of this section is an infraction under chapter 7.84 RCW except violation of subsection (1) of this section is a misdemeanor.

[Statutory Authority: Chapter 43.30 RCW and RCW 43.12.065. WSR 09-05-034, § 332-52-405, filed 2/11/09, effective 3/14/09.]