WAC 332-30-145 Booming, rafting and storage of logs. All re-
quirements in this section shall apply to the department and to port
districts managing aquatic lands under a management agreement (WAC
332-30-114).

(1) Unless specifically exempted in writing, all log dumps loca-
ted on aquatic lands, or operated in direct association with booming
grounds on aquatic land, must provide facilities for lowering logs in-
to the water without tumbling, which loosens the bark. Free rolling of
logs is not permitted.

(2) Provision must be made to securely retain all logs, chunks,
and trimmings and other wood or bark particles of significant size
within the leased area. Lessee will be responsible for regular cleanup
and upland disposal sufficient to prevent excessive accumulation of
any debris on the leased area.

(3) Unless permitted in writing, aquatic land leased for booming
and rafting shall not be used for holding flat rafts except:
(a) Loads of logs averaging over 24" diameter.
(b) Raft assembly, disassembly and log sort areas.

(4) Unless permitted in writing, grounding of logs or rafts is
not allowed on tidelands leased for booming and rafting. However,
tidelands which were leased for booming and rafting prior to January
1, 1980, are exempt from this provision.

(5) No log raft shall remain on aquatic land for more than one
year, unless specifically authorized in writing.

(6) For leases granted to serve the general needs of an area such
as an island, the leased area shall be made available to others for
booming and rafting and at a reasonable charge.

(7) Areas within a lease boundary meeting the definition of log
booming are water-dependent uses. The rent for these areas will be
calculated according to WAC 332-30-123.

(8) Areas leased for log storage shall have the rent calculated
by applying a statewide base unit rent per acre. Temporary holding of
logs alongside a vessel for the purpose of loading onto the vessel is
neither booming nor storage.

(9) The base unit rent, application to existing leases, and sub-
sequent annual rents will be determined as provided for water-depend-
ent uses under WAC 332-30-123 except for the following modifications:
(a) A formula rental calculation will be made for each such area
leased as of July 1, 1984, as though the formula applied on July 1,
1984.

(b) The assessment for an upland parcel shall not be used when
the following situations exist:
(i) The parcel is not assessed.
(ii) The size of the parcel in acres or square feet is not known.
(c) When necessary to select an alternative upland parcel, the
nearest assessed waterfront parcel shall be used if not excluded by
the criteria under (b) of this subsection.
(d) Because of the large size and shape of many log storage
areas, there may be more than one upland parcel that could be used in
the formula. The department shall treat such multiple parcel situa-
tions by using:
(i) The per unit value of each upland parcel applied to its por-
tion of the lease area. If it is not possible or feasible to delineate
all portions of the lease area by extending the boundaries of the up-
land parcel, then;
(ii) The total of the assessed value of all the upland parcels divided by the total acres of all the upland parcels shall be the per unit value applied in the formula.

(e) The total formula rents divided by the total acres under lease for log storage equals the annual base unit rent for fiscal years 1985-1989. That figure is $171.00 per acre.

(f) For purposes of calculating stairstepping of rentals allowed under WAC 332-30-123, the base unit rent multiplied by the number of acres shall be the formula rent. In cases of mixed uses, the log storage formula rent shall be added to the formula rent determinations for the other uses under leases before applying the criteria for stairstepping.

(g) Inflation adjustments to the base rent shall begin on July 1, 1990.

(10) On July 1, 1989, and each four years thereafter, the department shall establish a new base unit rent.

(a) The new base rent will be the previous base rent multiplied by the result of dividing the average water-dependent lease rate per acre for the prior fiscal year by the average water-dependent lease rate per acre for the fiscal year in which the base unit rent was last established. For example, the formula for the base unit rent for fiscal year 1990 would be:

\[
FY90 \ BUR = FY85 \ BUR \times \frac{\text{FY89 \ AWLR}}{\text{FY85 \ AWLR}}
\]

(b) When necessary to calculate the average water-dependent lease rate per acre for a fiscal year, it shall be done on or near July 1. The total formula rent plus inflation adjustments divided by the total acres of water-dependent uses affected by the formula during the prior fiscal year shall be the prior fiscal year's average.

(11) If portions of a log storage lease area are open and accessible to the general public, no rent shall be charged for such areas provided that:

(a) The area meets the public use requirements under WAC 332-30-130(9);

(b) Such areas are in a public use status for a continuous period of three months or longer during each year;

(c) The lease includes language addressing public use availability or is amended to include such language;

(d) The department approves the lessee's operations plan for public use, including safety precautions;

(e) Changes in the amount of area and/or length of time for public use availability shall only be made at the time of rental adjustment to the lease; and

(f) Annual rental for such areas will be prorated by month and charged for each month or part of a month not available to the general public.

[Statutory Authority: 1984 c 221 and RCW 79.90.540. WSR 84-23-014 (Resolution No. 470), § 332-30-145, filed 11/9/84. Statutory Authority: RCW 43.30.150. WSR 80-09-005 (Order 343), § 332-30-145, filed 7/3/80.]