

Diana Dupuis
Director



STATE OF WASHINGTON
WASHINGTON STATE PARKS AND RECREATION COMMISSION

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April 11, 2024

Item E-2: Washington Administrative Code (WAC) 352-12-030 Annual Moorage Permit - Requested Action

EXECUTIVE SUMMARY: This item asks the Washington State Parks and Recreation Commission to adopt revisions of the Washington Administrative Code (WAC) 352-12-030 Annual Moorage Permit. This revision advances the Commission’s strategic goal: “Obtain and effectively manage resources needed to create and sustain an exceptional park system”.

SIGNIFICANT BACKGROUND INFORMATION: During the 2022 summer season, staff working at parks with freshwater facilities witnessed the following improper use of the Annual Moorage Permit which prompted regional manager conversations to clarify the intent and use of the permit.

- 1) Permit holders were using their vessels as short-term overnight rentals resulting in commercial use.
- 2) Permit holders expected the permit to be valid at reservable moorage facilities.

Annual Moorage Permits:

- Waives moorage fee at State Park marine facilities. The Annual Moorage permits \$5 per foot of a vessel's length, with a \$60 minimum. It is assigned to one vessel, by vessel registration number, and is not interchangeable. The permit is valid from Jan 1 - Dec 31.
- Can be purchased online, at WSPRC Headquarters, and 11 Park Locations (Blake Island, Deception Pass, Dosewallips, Fort Flagler, Fort Worden, Jarrell Cove, Lime Kiln Point, Illahee, Penrose Point, Sequim Bay, and Sucia Island).
- Sales information:
 - Jul 22 – Jun 23 = \$435,895;
 - Jul 21-Jun 22 = \$437,760;
 - Jul 20 – Jun 21= \$461,046;
 - Jul 19-Jun 20 = \$340,954

Brief explanations of the proposed changes are listed below.

WAC 352-12-030 Annual Moorage.

Clarify distinction between saltwater and freshwater annual moorage user, non-recreational and commercial use of the annual moorage permit.

STAFF RECOMMENDATION: Staff recommends that the Commission adopt the proposed amendments to WAC 352-12-030 as included in Appendix 1.

LEGAL AUTHORITY: RCW 79A.05.030, 79A.05.070

SUPPORTING INFORMATION: Appendix 1: Full Text of Proposed Changes to Chapter 352-12-030 WAC Annual Moorage Permit

REQUESTED ACTION FROM COMMISSION:

That the Washington State Parks and Recreation Commission:

1. Declare this meeting to be a public hearing for amending WAC 352-12-030.
2. Consider the data, views, and arguments submitted by any person on the proposed rules as published in the Washington State Register and as further modified herein.
3. Formally amend WAC 352-12-030.

Authorize the Director to file the regulations and to comply with all necessary procedural requirements.

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Reviewer(s):

Sarah Thirtyacre, SEPA REVIEW: The above referenced Requested Action is categorically exempt from the procedural requirements of the State Environmental Policy Act pursuant to WAC 197-11-800 (19)(b). Future actions associated with State Parks moorage will be reviewed under SEPA, as appropriate.

Van Church, Fiscal Impact Statement: Adopting the proposed updates to the WAC will have negligible immediate financial impact though future annual moorage permit revenue inflows may increase as permit misuse decreases.

Andy Woo, Assistant Attorney General: 3/19/2024

Approved for Transmittal to Commission



Diana Dupuis, Director

APPENDIX 1 TITLE

AMENDATORY SECTION (Amending WSR 08-24-006, filed 11/20/08, effective 12/21/08)

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))~~ office locations, or by submitting an application to the Commission Headquarters, P.O. Box 42650, Olympia, WA 98504-2650, or online at ((www.parks.wa.gov)) https://parks.wa.gov.

(2) Annual moorage permits will be issued for a ~~((particular))~~ specific recreational 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. Annual moorage permits are intended for recreational use only and are not valid for commercial use.

(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) Annual moorage permits are only accepted at state parks saltwater sites that are designated first come, first served. Annual moorage permits are not valid at reservable marinas or freshwater facilities.

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