



April 10, 2006

Jason Guthrie
Lincoln County Planning Department
27234 SR 25 N
Davenport, WA 99122

RECEIVED
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LINCOLN COUNTY
PUBLIC WORKS DEPT

RE: PUBLIC HUNTING & FISHING ON DNR MANAGED LANDS

Dear Mr. Guthrie:

I am responding to your telephone call last week regarding hunting and fishing on Department of Natural Resources (DNR) managed lands. All lands leased for agriculture and grazing uses are to be open to the public as outlined in RCW 79.10.195 unless written authorization has been provided by the DNR to our lessee. (Rarely, do we grant the permission for a lessee to post state land.) However, one cannot trespass across privately owned lands to reach DNR managed lands that do not have legal access unless the landowner has granted permission.

Enclosed you will find a sample letter the DNR provides to the public if they request written documentation of the state law along with the actual citation.

Should you have any further questions feel free to call our local contact for Lincoln County, Dale Warriner, Ritzville Unit Land Manager, at (509) 659-0230 or myself at (509) 925-0931.

Sincerely,

Mark Grassel
Natural Resource Specialist 4, Leasing

enclosures

c: Dale Warriner

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RCW 79.10.125**Land open to public for fishing, hunting, and nonconsumptive wildlife activities.**

All state lands hereafter leased for grazing or agricultural purposes shall be open and available to the public for purposes of hunting and fishing, and for nonconsumptive wildlife activities, as defined by the board of natural resources, unless closed to public entry because of fire hazard or unless the department gives prior written approval and the area is lawfully posted by lessee to prohibit hunting and fishing, and nonconsumptive wildlife activities, thereon in order to prevent damage to crops or other land cover, to improvements on the land, to livestock, to the lessee, or to the general public, or closure is necessary to avoid undue interference with carrying forward a departmental or agency program. In the event any such lands are so posted it shall be unlawful for any person to hunt or fish, or pursue nonconsumptive wildlife activities, on any such posted lands. Such lands shall not be open and available for wildlife activities when access could endanger crops on the land or when access could endanger the person accessing the land.

The department shall insert the provisions of this section in all new grazing and agricultural leases.

[2003 c 334 § 371; 2003 c 182 § 1; 1979 ex.s. c 109 § 9; 1969 ex.s. c 46 § 1; 1959 c 257 § 29; 1947 c 171 § 1; 1927 c 255 § 61; RRS § 7797-61. Prior: 1915 c 147 § 4; 1903 c 79 § 4; 1897 c 89 § 19; 1895 c 178 § 32. Formerly RCW 79.01.244, 79.12.430.]

Notes:

Reviser's note: (1) This section does not apply to state tidelands, shorelands, harbor areas, and the beds of navigable waters. See RCW 79.02.095.

(2) This section was amended by 2003 c 182 § 1 and by 2003 c 334 § 371, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Intent -- 2003 c 334: See note following RCW 79.02.010.

Severability -- Effective date -- 1979 ex.s. c 109: See notes following RCW 79.11.040.



Date

Lessee Name

Address

City, State and Zip

Dear Mr./Ms. Lessee Name :

I am responding to your telephone call (office visit) from Date . All Department of Natural Resource (DNR) lands leased for agriculture and grazing are open to the public for fishing and hunting unless closed for certain exceptions as outlined in RCW 79.10.125 (formerly RCW 79.01.244). (See enclosed.)

DNR includes a standard lease clause in all agriculture and grazing leases which reads as follows:

“Public Hunting or Fishing. The premises shall be open and available to the public for purposes of hunting and fishing unless a closure is authorized in writing by the State. In the event that a closure is authorized for either hunting or fishing, or both, the Lessee shall post the premises accordingly with signs to inform the general public of such closure. Authority to close the premises may be given to protect interests of the Lessee, the State, or the general public.”

However, you cannot trespass across privately owned lands without legal access or landowner permission.

I am enclosing a Washington State Major Public Lands map which shows all Department of Natural Resource (DNR) ownership greater than 160 acres. If you wish to get more detailed maps, Public Lands Quadrangle maps can be ordered for \$6.03 each plus shipping and handling, and state tax over the internet by going to our homepage at www.dnr.wa.gov clicking on **Publications & Data** choosing **Maps** and then scrolling down to **Public Lands Quadrangles – 100K.**

If you have any further questions I can be contacted by calling (509) 925-0931.

Sincerely,

Mark Grassel
Natural Resource Specialist 4, Leasing

