



September 24, 2024

Washington Department of Fish and Wildlife
Wildlife Program
PO Box 43200, Olympia, WA 98504

RE: The Mountaineers Comments on the *Washington Department of Fish and Wildlife Proposed Rulemaking on the Construction, Creation, and Maintenance of Roads, Trails, and Structures (CR-102)*

Comments submitted electronically through the comment portal: [Construction, creation and maintenance of roads, trails, and structures- CR-102 - PublicInput](#)

Dear Washington Department of Fish and Wildlife,

Thank you for the opportunity to provide comments on CR-102. The Mountaineers is a nonprofit outdoor education, conservation, and recreation organization based in Seattle, Washington, with over 16,000 members across the Puget Sound region. Many of our members recreate on Washington Department of Fish and Wildlife-managed lands.

As other comments have noted, we believe this rulemaking should include the provisions in the Washington Department of Natural Resources' rule on the construction and maintenance of trails and structures ([WAC 332-52-405](#)). Namely, CR-102 should include language allowing an exception to the rule for both emergency maintenance and for volunteer agreements. It is critical that organizations like The Mountaineers have the ability to maintain and repair trails to mitigate immediate safety hazards, without fear of penalty. Additionally, volunteers are key to ensuring a sustainable future for trails on Washington Department of Fish and Wildlife-managed lands. The agency should encourage volunteer work by explicitly codifying volunteer agreements as an exception to the rule under CR-102. Finally, the agency should consider making the violation of this rule an infraction rather than a misdemeanor, as is the case in DNR's rule.

In summary, we strongly encourage the agency to include provisions for emergency maintenance and volunteer agreements in the final rulemaking. These additions would provide greater flexibility for recreationists while also protecting the land for future generations.

Sincerely,



**THE
MOUNTAINEERS**

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