



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

DETERMINATION OF NONSIGNIFICANCE (DNS)

Name of Proposal: DNS 24-026: RULE MAKING FOR CONSTRUCTION, CREATION, AND MAINTENANCE OF ROADS, TRAILS, AND STRUCTURES

Description of Proposal:

WDFW proposes to enact a new rule to protect natural, cultural, and tribal resources from damage by making the construction, creation, and maintenance of roads, trails, and structures illegal without written permission from the Washington Department of Fish and Wildlife. This will apply to all WDFW-managed lands in the state.

The majority of user-built routes (roads or trails) have not been approved by land managers and have not yet gone through the proper analyses to ensure they don't negatively impact natural or cultural resources or wildlife habitat. These trails usually do not meet land manager trail standards and can create safety issues for users. They are often located in places that are less than ideal, including sensitive habitat.

Currently WDFW law enforcement officers do not have tools to enforce the creation of these user-built trails, some of which have associated signage and infrastructure. The proliferation of user-built trails has become a major area of concern for WDFW land managers. This new rule would make the creation or maintenance of these often environmentally damaging routes and infrastructure illegal with penalties for violation.

Proponent/Applicant: Washington State Department of Fish and Wildlife (WDFW)
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Location of Proposal, including street, if any: This rule would be applied on a state-wide basis on any lands that WDFW manages.

Lead Agency: Washington Department of Fish and Wildlife (WDFW)

WDFW has determined that this proposal will likely not have a significant adverse impact on the environment. Therefore, state law¹ does not require an environmental impact statement (EIS). WDFW made this determination of nonsignificance (DNS) after we reviewed the environmental checklist and other information on file with us.

We issued this determination according to state rules.² Agencies, affected tribes, and members of the public are invited to comment on this determination. We must receive your comments within 43 days of the date of this determination. The comment period will end at **11:59 pm on August 15, 2024**.

****Please note that if you would like your comment included in data used at the August 15, 2024, Director Hearing, please submit your comment by August 8, 2024.****

Method of Comment:

SEPA documents related to this proposal can be reviewed at the WDFW SEPA website at: <http://wdfw.wa.gov/licenses/environmental/sepa/open-comments>.

The following procedures shall govern the method to comment on agency SEPA determinations. Comments received through these procedures are part of the official SEPA record for this proposal. You can submit your comments through one of the following ways:

- Online at the Public Input comment portal for this proposal: <https://publicinput.com/2024ConstructionSEPA>
- Email to: 2024ConstructionSEPA@PublicInput.com

Responsible Official: Lisa Wood

Position/Title: SEPA Responsible Official and SEPA/NEPA Coordinator, WDFW Director's Office

Address: P.O. Box 43200, Olympia, WA 98504-3200

After the comment period closes, applicants may view the updated status of this determination on the WDFW SEPA website: <https://wdfw.wa.gov/licenses/environmental/sepa/closed-final>. Once the status is posted as final, applicants and permittees may take action on the proposal. When a proposal is modified or withdrawn, notice will be given in accordance with state law.¹

If you have questions about this determination or the details of the proposal, or have difficulty with the Public Input comment portal, contact Lisa Wood at: SEPADesk2@dfw.wa.gov.

DATE OF ISSUE: July 3, 2024

SIGNATURE: 

Footnotes

1. RCW 43.21C.030(2)(c)
2. WAC 197-11-340(2).

SEPA Log Number: 24-026.dns

Individuals who need to receive this information in an alternative format or language, or who need reasonable accommodations to participate in WDFW-sponsored public meetings or other activities may contact the Title VI/ADA Compliance Coordinator by phone at 360-902-2349, TTY (711), or email (Title6@dfw.wa.gov).