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220.01 General

Refer to the [Design Manual](#) for safety and documentation requirements. The [Environmental Manual](#) contains references to laws and directives applicable to the environment.

Roadside restoration and the correction of unsightly conditions is a highway purpose:

220.02(1) RCW 47.40.010, Improvement and beautification a highway purpose

The planting and cultivating of any shrubs, trees, hedges or other domestic or native ornamental growth, the improvement of roadside facilities and view points, and the correction of unsightly conditions, upon the right-of-way of any state highway is hereby declared to be a proper state highway purpose.

The following is a brief summary of other major state acts and directives affecting roadsides.

220.02 Planning

WSDOT must comply with primary planning statutes and regulations to receive state and federal funds. A complete listing of all planning relevant RCWs and CFRs can be found on the [WSDOT Transportation Planning](#) web page. The following list is specific to Roadside Development.

220.02(1) RCW 47.06, Amended in 1993 by Engrossed House Bill 1007

Directs the Transportation Commission to develop the Transportation Policy Plan for Washington State, and directs WSDOT to develop the Statewide Multimodal Transportation Plan.

220.02(2) Washington State Growth Management Act of 1990 and Amendments

Sets goals to guide planning for growth in all communities exceeding a set threshold. Requires designations of natural resource lands and critical areas. Provides for regional transportation planning program.

Requires state agencies to comply with local comprehensive plans and development regulations. Requires local governments to develop a process for siting “essential public facilities.”

Requires certain cities and counties to designate environmentally sensitive areas, including wetlands, flood plains, and habitat.

220.03 Environmental

The following list includes legislation, regulations, and guidelines most commonly encountered in roadside activities. For more complete information on state environmental legislation, regulations, and guidelines directly affecting WSDOT actions, see the WSDOT [Environmental Manual](#) or contact the Headquarters Environmental Services Office.

220.03(1) General

220.03(1)(a) State Environmental Policy Act (SEPA) and [RCW 43.21C](#)

Declares a state environmental policy and promotes efforts to prevent or eliminate damage to the environment, including visual impacts.

220.03(1)(b) State Environmental Policy Act Rules: [WAC 197-11](#)

Establishes uniform requirements for agencies and developers to comply with SEPA regulations.

220.03(1)(c) Transportation Commission and Transportation Department Environmental Policy Act Rules: [WAC 468-12](#)

Integrates the policies and procedures of SEPA into the programs, activities, and actions of the department.

220.03(2) Water Quality

220.03(2)(a) Puget Sound Water Quality Authority Act: [RCW 90.70](#)

Established the Puget Sound Water Quality Authority and directed the Authority to develop a Puget Sound Water Quality Management Plan.

220.03(2)(b) Puget Sound Runoff Program: [WAC 173-270](#)

Provides guidelines and criteria for implementation of the program.

220.03(2)(c) Shoreline Management Act of 1971: [RCW 90.58](#)

Manages Washington State's shorelines by planning for and supporting all reasonable and appropriate uses.

220.03(2)(d) State Water Pollution control Act: [RCW 90.48](#)

Protects all surface and underground waters.

220.03(2)(e) Water Resources Act of 1971; [RCW 90.54](#)

Provides for utilization and management of waters in Washington State.

220.03(3) Biology/Wetlands

220.03(3)(a) Hydraulic Code of Washington, [RCW 77.55](#)

Establishes program for regulating activities within the waters of the state for fish protection. Requires hydraulic project approval for actions within the ordinary high

water mark. Administered by the Washington State Department of Fish and Wildlife and the tribes.

220.03(3)(b) Fish Passage – See the [Environmental Manual, Chapter 436](#)

220.03(3)(c) Protection of Wetlands – See the [Environmental Manual, Chapter 431](#)

220.03(4) Noise

220.03(4)(a) Noise Control Act of 1974: [RCW 70-107](#)

Expands efforts to abate and control noise while considering the social and economic impact upon the community and the state.

220.03(4)(b) Sound Level Measurement Procedures: [WAC 173-58](#)

Establishes standardized procedures to measure sound levels from sources including environmental and construction noise.

220.03(4)(c) Maximum Environmental Noise Levels: [WAC 173-60](#)

Establishes maximum noise levels for identified environments.

220.03(5) Visual Quality

220.03(5)(a) Scenic and Recreational Highway Act of 1967: [RCW 47.39](#)

Establishes the Scenic and Recreational (S&R) Highways Program and designates more than 1900 miles of scenic highways.

220.03(5)(b) Roadside Improvement and Beautification: [RCW 47.40](#)

Outlines permit process for persons wishing to use highway right of way for improvement and beautification. Establishes penalty for destroying native flora on state lands. Mandates litter removal and authorizes state and local Adopt-a-Highway programs.

220.03(5)(c) Junkyards Adjacent to Interstate and Primary Highways: [RCW 47.41](#)

Establishes controls for junkyards adjacent to highways.

220.03(5)(d) Highway Advertising Control Act-Scenic Vistas Act of 1971: [RCW 47.42](#)

Amends the Highway Advertising Control Act to include the designated Scenic and Recreational Highways. Controls advertising signs along state highways and their interference with views.

220.03(5)(e) Amended Scenic and Recreational Highway Act of 1967: [RCW 47.39](#) (1990)

Directs WSDOT to develop criteria and a threshold methodology to evaluate highways for possible inclusion in the S&R system. States that scenic and recreational highways are designated because of a need to develop management plans that will protect and preserve the scenic and recreational resources from loss through inappropriate development. States that protection of these resources includes managing land use outside normal highway rights of way, and adds additional routes to the S&R System.

220.03(5)(f) Amended Scenic and Recreational Highway Act of 1967: [RCW 47.39](#) (1993)

Includes 45% of state highways in the Scenic and Recreational Highway (S&R) system. Directs the department to consider the use of the designated system by bicycles and pedestrians. Delegates authority for establishment of planning and design standards for S&R highways.

220.03(5)(g) Scenic Enhancement for Utilities Accommodation on State Highway Rights of Way: [WAC 468-34-330](#)

Describes a scenic classification system for utilities accommodation on state highway rights of way as developed through cooperation of WSDOT and the Aerial Utility Industry.

220.04 Maintenance

The following list includes legislation, regulations, and guidelines most commonly encountered in roadside activities. For more information on processes and guidelines directly affecting WSDOT maintenance actions, see the WSDOT [Maintenance Manual](#) or contact the Headquarters Maintenance Office.

220.04(1) General**220.04(1)(a) Roadway Safety, [RCW 47.32.130](#)**

Provides for the removal of elements, such as vegetation, outside WSDOT right of way to increase roadway safety.

220.04(1)(b) Noxious Weed Control, [RCW 17.10.145](#)

Directs state agencies to control noxious weeds on their lands.

220.04(1)(c) Preservation, restoration and cleanup of areas disturbed through utility installation, maintenance and repairs: [WAC 468-34-340](#)

Outlines criteria for utility use of highway right of way, requires utilities to repair or replace unnecessarily removed or disfigured trees and shrub, and specifies vegetation management practices.

220.04(1)(d) Vegetation Management Program, [WAC 173-270-040](#)

States that the purposes of vegetation management in highway rights of way are to establish and maintain stable plant communities that resist encroachment by undesirable plants, noxious weeds, and other pests; meet WSDOT operational, health, natural resources and environmental standards; be cost effective; and protect the public investment with minimal negative impacts on the environment. Requires a vegetation management program for all state highways with the Puget Sound basin.

220.05 Materials

220.05(1) Compost Products

RCW 43.19A.050 Instructs the department to prepare a strategy to increase purchases of recycled-content products.

- Compost products as a percentage of the total dollar amount (spent on soil cover or soil amendments) on an annual basis:
 - At least eighty percent by 1998

RCW 70.95.030 Defines “compost” and “soil amendment”

220.05(2) Fertilizers **RCW 15.54**

- Requires license for distribution of bulk fertilizers.
- Requires identification of those products that are (i) waste derived fertilizers, (ii) micronutrient fertilizers, or (iii) fertilizer materials containing phosphate.
- Requires a minimum labeling statement that it meet Washington standards for arsenic, cadmium, cobalt, mercury, molybdenum, lead, nickel, selenium, and zinc.

220.06 Partnerships

Partnership opportunities for roadside activities generally occur through the Adopt-a-Highway program. For more information on this program, see the WSDOT [Adopt-a-Highway](#) page or contact the Headquarters Maintenance Office.

220.06(1) *General*

220.06(1)(a) Adopt a Highway, **RCW 47.40.100** and **WAC 468-72**

Establishes and provides guidelines for state Adopt-a-Highway program. The purpose of the program is to provide volunteers and businesses an opportunity to contribute to a cleaner environment, enhanced roadsides, and protection of wildlife habitats.

220.07 Safety Rest Areas

The following list includes legislation, regulations, and guidelines most commonly encountered in roadside activities. For more information on Safety Rest Areas, see the WSDOT [Safety Rest Areas](#) web page.

220.07(1) General

220.07(1)(a) Acquisition of Property for Preservation of Beauty, Historic Sites, Viewpoints, Safety Rest Areas, Buffer Zones: [RCW 47.12.250](#)

Authorizes acquisition of property, or interests, or rights to property adjacent to state highways for the stated purposes.

220.07(1)(b) Roadside Areas-Safety Rest Areas: [RCW 47.38](#)

Directs the development of rules and establishes limitations on use of rest areas and other roadside areas. Authorizes development of information centers. Establishes recreational vehicle sanitary disposal systems.

220.07(1)(c) Uniform Building Code Requirements for Barrier-Free Accessibility: [RCW 19.27](#) and [70.92](#)

Requires all new structures, and those being substantially renovated, be approachable and usable by persons with disabilities.