



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:

Emergency Rules 12-241

- Immediately upon filing.
- Later (specify)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: Repeal emergency rules adopted for WDFW lands due to heightened wildfire danger.

Citation of existing rules affected by this order:

Repealed: WAC 232-13-07000A, 232-13-07500A, 232-13-13000A, 232-13-14300A, 232-13-14500A, 232-13-15500A.
 Amended:
 Suspended:

Statutory authority for adoption: RCW 77.12.047 and 77.04.020

Other authority :

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: Conditions creating a high risk of wildfire that made additional restrictions on WDFW lands necessary are no longer present. Thus, the above-listed emergency rules enacted to safeguard against wildfire risks are now unnecessary. An emergency repeal of these emergency rules is appropriate given the reduced risk of wildfire and the current increased use of these lands for hunting activities.

Date adopted: October 16, 2012

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

Philip Anderson

SIGNATURE

TITLE

Director

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	6
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

ORDER NO. 12-241

REPEALERS

The following sections of the Washington Administrative Code are repealed:

WAC 232-13-07000A Fires and campfires (12-213)

WAC 232-13-07500A Smoking (12-213)

WAC 232-13-13000A Firearms and target practicing (12-213)

WAC 232-13-14300A Chainsaws and other power equipment (12-213)

WAC 232-13-14500A Welding or operating an acetylene or other torch with
open flame (12-213)

WAC 232-13-15500A Operating a motor vehicle off developed roadways (12-213)

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(x) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

() That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

() That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for findings: Conditions creating a high risk of wildfire that made additional restrictions on WDFW lands necessary are no longer present. Thus, the above-listed emergency rules enacted to safeguard against wildfire risks are now unnecessary. An emergency repeal of these emergency rules is appropriate given the reduced risk of wildfire and the current increased use of these lands for hunting activities.

