



# RULE-MAKING ORDER EMERGENCY RULE ONLY

## CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: June 28, 2019

TIME: 7:33 AM

WSR 19-14-053

**Agency:** Washington Department of Fish and Wildlife (WDFW) 19-145

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) July 1, 2019

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

- Yes
  - No
- If Yes, explain:

**Purpose:** To prevent new and multiple wildfires during this period of high fire danger; and to prevent the severe deterioration of air quality, which exacerbates the risk to life, health, and property.

**Citation of rules affected by this order:**

New:  
 Repealed:  
 Amended: WAC 220-500-030, 220-500-040, 220-500-110, and 220-500-140.  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055.

**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.

**Reasons for this finding:** Addresses an emergency need to prevent new and multiple wildfires during this period of high fire danger, and reduces the risk to life, health, and property.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**The number of sections adopted on the agency's own initiative:**


New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New \_\_\_\_ Amended 4 Repealed \_\_\_\_

**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 ____

<b>Date Adopted:</b> June 28, 2019	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-500-03000B Behavior and conduct.**

(1) Notwithstanding the provisions of WAC 220-500-030, effective July 1, 2019, until further notice, in wildlife areas and access sites in eastern Washington owned or controlled by the department, it is unlawful to:

- (a) Operate a chainsaw without a permit or approval from the director; or
- (b) Weld or operate an acetylene torch or other open flame without a permit or approval from the director.

(2) A violation of this section is an infraction punishable under RCW 77.15.160(5)(b).

## NEW SECTION

### **WAC 220-500-04000B Regulating public access.**

(1) Notwithstanding the provisions of WAC 220-500-040, effective July 1, 2019, until further notice, it is unlawful to operate a motor vehicle off developed roadways in wildlife areas and access sites owned or controlled by the department in eastern Washington. However, it is permissible to park in an area devoid of vegetation within 10 feet of the roadway, and to park overnight in developed campgrounds and at trailheads.

(2) A violation of this section is an infraction punishable under RCW 77.15.160(5)(b).

## NEW SECTION

### **WAC 220-500-11000B Fires and campfires.**

(1) Notwithstanding the provisions of WAC 220-500-110, effective July 1, 2019, until further notice, it is unlawful to build, start, or maintain fires or campfires in wildlife areas and access sites owned or controlled by the department in eastern Washington without a permit or approval from the director. However, it is permissible to use personal camp stoves or lanterns fueled by liquid petroleum, liquid petroleum gas, or propane.

(2) Effective immediately until further notice, it is unlawful to smoke in wildlife areas and access sites owned or controlled by the department in eastern Washington, except in an enclosed vehicle.

(3) A violation of this section is an infraction punishable under RCW 77.15.160(5)(b).

NEW SECTION

**WAC 220-500-14000B Firearms and target practicing.**

(1) Notwithstanding the provisions of WAC 220-500-140, effective July 1, 2019, until further notice, it is unlawful to discharge firearms on department owned or controlled lands unless engaged in lawful hunting.

(2) Unless otherwise provided, violation of any of the provisions of this section constitutes an infraction, pursuant to RCW [77.15.020](#) and [77.15.160](#).