



# RULE-MAKING ORDER EMERGENCY RULE ONLY

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

**Agency:** Washington Department of Fish and Wildlife (WDFW) 20-50

**Effective date of rule:**

**Emergency Rules**

- 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:** WDFW is closing all lands, including all wildlife area units and all water access areas. All areas closed to public access due to the Governor's order to "stay home and stay healthy."

Additionally, WDFW is closing all lands to camping, until further notice. It is our intent to keep the camping closure in place through April 30, 2020, at a minimum, and we will reassess the need for the public access and camping closures as more information becomes available. This includes campgrounds, water access areas, and dispersed camping on Wildlife Areas. We are doing this in order to comply with the social distancing and public safety precautions associated with the COVID-19 threat.

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

New:  
Repealed:  
Amended: WAC 220-500-040 and 220-500-100  
Suspended:

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

**Other authority:** None

**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:** Use of all WDFW lands, water access and camping on WDFW Lands encourages gatherings of people in locations without the ability to maintain the social distancing and sanitation measures to prevent the spread of COVID-19. Due to much work and school being suspended due to the COVID-19 threat, we are seeing increasing use at our campgrounds. Data indicates most state campground users travel significant distances to experience camping, thus increasing the potential incidence of human interaction and contact that we are all trying to minimize. Additionally, we are aware that the following local, state and federal campground closures will lead to increasing demand on our Lands for camping: Snohomish County, Grant County PUD, State Parks and State forestlands in Oregon, State Parks in California, Washington State Parks, Washington Department of Natural Resources, Mount Baker Snoqualmie National Forest. We are coordinating with our sister state land management agencies and the Governor's office on this decision.

**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 on the agency's own initiative:**

New	___	Amended	<u>1</u>	Repealed	___
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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	___

**Date Adopted:** March 25, 2020

**Name:** Kelly Susewind

**Title:** WDFW Director

**Signature:**



| N \_ E \_ W \_ S \_ E \_ C \_ T \_ I \_ O \_ N

**WAC 220-500-10000A Camping.**

Notwithstanding the provisions of WAC 220-500-100, effective immediately, until further notice:

- (1) It is unlawful to establish or occupy a camp on department lands.
- (2) It is unlawful to establish or occupy a residence camp on department lands. For purposes of this section, a residence camp is an encampment, occupancy, or presence on department lands that is the principal place of residence for the person or occupant.
- (3) A residence camp on department lands is declared to be a public nuisance and may be abated by the department after ten days of notice by the department.

N E W   S E C T I O N

**WAC 220-500-04000C   Regulating public access.**

Notwithstanding the provisions of WAC 220-500-040, effective immediately, until further notice, the change shall read as follows:

(1) All WDFW lands, including all Wildlife Area Units and all Water Access Areas are closed to public access due to the Governor's order to "stay home and stay healthy."