



**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: July 05, 2023

TIME: 12:41 PM

WSR 23-15-003

Agency: Washington Department of Fish and Wildlife (WDFW) (Admin # - 23-105)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 7, 2023

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

- Yes No If Yes, explain:

Purpose: Additional regulations are needed to prevent wildfires on Department lands during the current period of high fire danger. The new rules will help reduce the threat of wildfires on Department lands and provide protection of human health, safety, and wildlife habitat.

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- Repealed: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: RCWs 77.04.012, 77.04.055, 77.12.047, and 77.12.240

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: An emergency rule is necessary to protect Department lands from imminent risk of wildfire damage during a high fire danger period which is occurring currently and before permanent rules can be adopted. These additional prohibitions are needed immediately to protect humans, wildlife, 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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	____

Date Adopted: July 5, 2023	Signature: 
Name: Kelly Susewind	
Title: WDFW Director	

ORDER 23-105

NEW SECTION

WAC 220-500-03000E Behavior and conduct.

(1) Notwithstanding the provisions of WAC 220-500-030, effective July 7, 2023, until further notice, in wildlife areas and access areas 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) Other provisions of WAC 220-500-030 not addressed herein remain in effect unless otherwise amended by emergency rule.

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

NEW SECTION

WAC 220-500-04000M Regulating public access.

(1) Notwithstanding the provisions of WAC 220-500-040, effective July 7, 2023, until further notice, it is unlawful to operate a motor vehicle off developed roadways in wildlife areas and access areas 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) Other provisions of WAC 220-500-040 not addressed herein remain in effect unless otherwise amended by emergency rule.

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

NEW SECTION

WAC 220-500-11000E Fires and campfires.

(1) Notwithstanding the provisions of WAC 220-500-110, effective July 7, 2023, until further notice, it is unlawful to build, start, or maintain fires or campfires in wildlife areas and access areas 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 July 7, 2023, until further notice, it is unlawful to smoke in wildlife areas and access areas owned or controlled by the department in eastern Washington, except in an enclosed vehicle.

(3) Other provisions of WAC 220-500-110 not addressed herein remain in effect unless otherwise amended by emergency rule.

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

NEW SECTION

WAC 220-500-14000E Firearms and target practicing.

(1) Notwithstanding the provisions of WAC 220-500-140, effective July 7, 2023, it is unlawful to discharge firearms on department owned or controlled lands in eastern Washington except at the following department shooting ranges through August 15 between sunrise and 10:00 a.m. unless otherwise posted:

- (a) Methow Shooting Range on the Methow Wildlife Area Unit
- (b) Asotin Creek Shooting Range on the Asotin Creek Wildlife Area Unit

(2) It is unlawful to discharge firearms on department owned or controlled lands in eastern Washington from August 16 through September 15 unless otherwise posted.

(3) The provisions of Sections (1) and (2) of this emergency rule do not apply if engaged in lawful hunting. Other provisions of WAC 220-500-140 not addressed herein remain in effect unless otherwise amended by emergency rule.

(4) 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.