



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: September 30, 2024

TIME: 2:31 PM

WSR 24-20-099

Agency: Department of Fish and Wildlife (Order 24-216)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 1, 2024

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

- Yes No If Yes, explain:

Purpose: Current emergency wildfire rules in effect for Eastern Washington need to be repealed due to the reduced threat of fire danger. However, the same rules need to remain in effect for Lincoln, Whitman, and Spokane counties. These foregoing counties need the rules to remain in effect 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 Repealed: WACs 220-500-03000F; 220-500-04000N; 220-500-11000F; 220-500-14000F
 Amended: WACs 220-500-030; 220-500-040; 220-500-110;
 Suspended:

Statutory authority for adoption: RCWs 77.04.012, 77.04.055, 77.12.047, and 77.12.240

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: Due to a reduced risk of fire danger in parts of Eastern Washington, current emergency wildlife rules need to be repealed while the same rules need to stay in effect for Whitman, Lincoln and Spokane counties.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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 3 Amended ____ Repealed 4

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

New ____ Amended ____ 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: September 30, 2024	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-500-0300G Behavior and conduct.

Notwithstanding the provisions of WAC 220-500-030, effective July 1, 2024, until further notice, rules regarding allowable behavior in wildlife areas and access areas in Lincoln, Whitman, and Spokane counties (as described in WAC 220-200-020) owned or controlled by the department shall be modified as follows, other provisions of WAC 220-500-030 not addressed herein remain in effect unless otherwise amended by emergency rule:

- (1) In wildlife areas and access areas in Lincoln, Whitman and Spokane counties 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 77.15.1606

NEW SECTION

WAC 220-500-04000P Regulating public access.

Notwithstanding the provisions of WAC 220-500-040, effective July 1, 2024, until further notice, rules regarding operating motor vehicles off of developed roadways in department managed wildlife and access areas shall be modified as follows, other provisions of WAC 220--500-040 not addressed herein remain in effect unless otherwise amended by emergency rule:

- (1) It is unlawful to operate a motor vehicle off developed roadways in wildlife areas and access areas owned or controlled by the department in Lincoln, Whitman, and Spokane counties. 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 unless otherwise posted.
- (2) A violation of this section is an infraction punishable under RCW 77.15.160.

NEW SECTION

WAC 220-500-11000G Fires and campfires.

Notwithstanding the provisions of WAC 220-500-110, effective July 1, 2024, until further notice, rules regarding fires, campfires, and smoking in wildlife areas and access areas owned or

controlled by the department shall be modified as follows, other provisions of WAC 220-500-110 not addressed herein remain in effect unless otherwise amended by emergency rule:

- (1) It is unlawful to build, start, or maintain fires or campfires in wildlife areas and access areas owned or controlled by the department in Lincoln, Whitman and Spokane counties 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) It is unlawful to smoke in wildlife areas and access areas owned or controlled by the department in Lincoln, Whitman, and Spokane counties, except in an enclosed vehicle.
- (3) A violation of this section is an infraction punishable under RCW 77.15.160.

REPEALERS

The following sections of Washington Administrative Code are repealed, effective October 1, 2024:

- WAC 220-500-03000F Behavior and conduct (24-107);
- WAC 220-500-04000N Regulating public access (24-107);
- WAC 220-500-11000F Fires and campfires (24-107);
- WAC 220-500-14000F Firearms and target practicing. (24-107).