

**WSR 24-14-051
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 24-107—Filed June 26, 2024, 4:05 p.m., effective July 1, 2024]

Effective Date of Rule: July 1, 2024.

Purpose: Additional rules are needed to prevent wildfires on Washington department of fish and wildlife (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: Amending WAC 220-500-030, 220-500-040, 220-500-110, and 220-500-140.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.055, 77.12.047, and 77.12.240.

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.

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, before permanent rules can be adopted. These rules are needed immediately to protect humans, wildlife, and property.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 4, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: June 26, 2024.

Kelly Susewind
Director

NEW SECTION

WAC 220-500-03000F 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 Eastern Washington (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 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 77.15.1606

NEW SECTION

WAC 220-500-04000N 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 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 unless otherwise posted.

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

NEW SECTION

WAC 220-500-11000F Fire 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 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) 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) A violation of this section is an infraction punishable under RCW 77.15.160.

NEW SECTION

WAC 220-500-14000F Firearms and target practicing. Notwithstanding the provisions of WAC 220-500-140, effective July 1, 2024, until further notice, rules regarding the discharge of firearms on department owned or controlled land shall be modified as follows, other provisions of WAC 220-500-140 remain in effect unless otherwise amended by emergency rule:

(1) 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 all department owned or controlled lands in Eastern Washington from August 16 through September 15 unless otherwise posted.

(3) The provisions of subsections (1) and (2) of this emergency rule do not apply if engaged in lawful hunting.

(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.