

WSR 21-16-015
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-126—Filed July 23, 2021, 8:56 a.m., effective July 23, 2021]

Effective Date of Rule: July 23, 2021.

Purpose: The purpose of this emergency rule is to create additional regulations that are needed to prevent wildfires on department lands in eastern Washington during the current period of very high and extreme fire danger. The new rule will help reduce the threat of wildfires on department lands in eastern Washington and provide protection of human health, safety, and wildlife habitat.

Citation of Rules Affected by this Order: Amending WAC 220-500-040.

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 very high fire danger period which is occurring currently. These additional prohibitions 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: July 23, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-500-04000E Regulating public access. (1) Notwithstanding the provisions of WAC 220-500-040, effective July 23, 2021, until further notice, it is unlawful to be present in wildlife areas, and in water access areas within wildlife areas, owned or controlled by the department in Eastern Washington from 9:00 pm - 6:00 am without written approval from the director.

(2) A violation of this section is an infraction punishable under RCW 77.15.160 and 77.15.230

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