

WSR 23-15-003  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 23-105—Filed July 5, 2023, 12:41 p.m., effective July 7, 2023]

Effective Date of Rule: July 7, 2023.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 4, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 5, 2023.

Kelly Susewind  
Director

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 shoot-

ing 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.

[ ]

**Reviser's note:** The unnecessary underscoring in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.