



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Department of Fish and Wildlife

- Preproposal Statement of Inquiry was filed as WSR 11-06-058 _____ ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____ ; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)
WAC 232-16-700 Swinomish Spit Game Reserve

Hearing location(s):
Natural Resources Building, Conference Room 172
1111 Washington Street SE
Olympia, WA 98501

Date: June 3-4, 2011 Time: 8:30 am

Submit written comments to:
Name: Wildlife Program commission meeting Public Comments
Address: 600 Capitol Way North, Olympia WA 98501-1091

e-mail Wildthing@dfw.wa.gov
fax (360) 902-2162 by (date) Wednesday, May 11, 2011

Assistance for persons with disabilities: Contact
Susan Galloway by May 27, 2011
(360) 902-2267 or TTY (800) 833-6388

Date of intended adoption: August 5-6, 2011
(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: This amendment is intended to clarify the boundary description in the existing rule.

Reasons supporting proposal: The amendment will allow more effective enforcement of the rule by clarifying and updating the boundary description for this game reserve.

Statutory authority for adoption: 77.12.047, 77.15.440

Statute being implemented: 77.12.047, 77.15.440

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE
April 19, 2011

NAME (type or print)
Lori Preuss

SIGNATURE
Lori Preuss

TITLE
Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 20, 2011
TIME: 9:22 AM
WSR 11-09-082

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization)

Washington Fish and Wildlife Commission

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Nate Pamplin	Natural Resources Building, Olympia	(306) 902-2693
Implementation.... Nate Pamplin	Natural Resources Building, Olympia	(360) 902-2693
Enforcement..... Bruce Bjork	Natural Resources Building, Olympia	(360) 902-2373

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

These rules do not directly regulate small business.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: These are not hydraulics rules.

AMENDATORY SECTION (Amending Order 00-50, filed 5/23/00, effective 6/23/00)

WAC 232-16-700 Swinomish Spit Game Reserve. It shall be unlawful to hunt wild animals and wild birds within the following described boundary November 15 through March 31, and it shall be unlawful to hunt brant at any time within the following described boundary: Beginning at the Burlington Northern railroad tracks on the west shoreline of the Swinomish Channel; thence in a northwesterly direction along the west side of the Swinomish Channel to the ~~((red channel mark buoy N "20" (as indicated on Navigation Map #18427, 13th Ed., July 16, 1983)))~~ reserve boundary sign on the northernmost sand island (48.474801N, 122.530770W (all coordinates NAD83/WGS84)); thence ~~((6,000))~~ 10,500 feet ENE (east-northeast) to the reserve boundary sign (48.480630N, 122.488388W); thence ~~((3,300))~~ 1,800 feet ~~((SSE))~~ SW ~~((south-southeast))~~ southwest to the reserve boundary sign (48.476983N, 122.493716W); thence ~~((4,200))~~ 7,000 feet SSW ~~(south-southwest)~~ to the reserve boundary sign on the dike at the south end of Padilla Bay (48.459498N, 122.504967W); thence continue westerly along said dike to the intersection of the Burlington Northern railroad tracks and the east shoreline of the Swinomish Channel; thence continue along said railroad tracks (across swing bridge) to the west shoreline of the Swinomish Channel and the point of beginning.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 232-16-130

Ellensburg Game Farm Reserve.

WAC 232-16-360

South Tacoma Game Farm Reserve.