



RULE-MAKING ORDER

CR-103E (May 2009)
(Implements RCW 34.05.360)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) 12:01 a.m. September 1, 2009

Emergency Rule 09-155

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

- Yes
 - No
- If Yes, explain:

Purpose: To amend permit and licensing requirements for hunting pheasant in Western Washington.

Citation of existing rules affected by this order:

Repealed: WAC 232-28-34200C
 Amended: WAC 232-28-342
 Suspended:

Statutory authority for adoption: RCW 77.12.047; 77.12.020; 77.12.570; 77.12.210; 77.12.150; 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.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: The 2009 Washington State Legislature passed new legislation, effective July 26, 2009, that changed the licensing requirements for Western Washington pheasant hunting. The time between the effective date of the new legislation and the beginning of the Western Washington pheasant hunting season was insufficient to complete the permanent rule making process.

Date adopted: August 18, 2009

NAME (TYPE OR PRINT)

Philip Anderson

SIGNATURE

TITLE

Interim Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 21, 2009

TIME: 10:24 AM

WSR 09-18-015

(COMPLETE REVERSE SIDE)

**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	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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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	_____

NEW SECTION

WAC 232-28-34200C 2009-10, 2010-11, 2011-12 Small game seasons .

Notwithstanding the provisions of WAC 232-28-342, effective immediately through December 15, 2009, the following changes replace the previous permit requirements for hunting western Washington pheasant:

(1) A Western Washington Pheasant Permit is required to hunt pheasant in Western Washington.

There are three permit options available:

- (a) Full Season Option;
- (b) Youth Option; and
- (c) 3-Day Option.

(2) For the 2009 season, a western Washington pheasant permit OR the combination of a small game license and a 2009 western Washington pheasant punch card are considered a full season permit.

(3) Only a western Washington pheasant permit is required to train dogs on wild pheasants in western Washington.

SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt on either odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, all hunting sites on Whidbey Island, and at the Dungeness Recreation Area. Also, these hunters must indicate their choice on the Western Washington Pheasant Permit by choosing "odd" or "even." Hunters who select the 3-day option, hunters 65 years of age or older, and youth hunters may hunt during either weekend day morning. Youth hunters must be accompanied by an adult at least 18 years old who must have an appropriately marked pheasant permit if hunting.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11: 59 p.m. December 15, 2009.

WAC 232-28-34200C 2009-10, 2010-11, 2011-12 Small game seasons.