



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. 10-051
- Later (specify) _____

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

- Yes
 - No
- If Yes, explain:

Purpose: The purpose of this emergency rule is to increase the permit level under the Lincoln^a hunt from 50 to 75 and to change the season close date from May 31 to June 15.

Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 232-28-286
 Suspended:

Statutory authority for adoption: RCW 77.12.047; 77.12.020

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: This emergency rule change is to the current spring bear WAC, increasing the permit level in the Lincoln^a hunt from 50 to 75 and changing the season close date from May 31 to June 15. The change warrants emergency rule action, because without an increase in permit levels and a longer season, bear damage will exceed the program's thresholds for tree damage. We are amending the rule now so we are covered by WAC during the permit selection process and season. We plan to make the change permanent during the March-April Commission meetings.

Date adopted: March 5, 2010

NAME (TYPE OR PRINT)
Philip Anderson

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

**OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED**

**DATE: March 05, 2010
TIME: 4:53 PM**

WSR 10-07-018

**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	1	Amended	_____	Repealed	_____
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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 232-28-28600C 2010, 2011, and 2012 Spring black bear seasons and regulations. Notwithstanding the provisions of WAC 232-28-286, effective immediately until further notice, under the Lincoln^a Hunt, increase the permit level from 50 to 75 and change the season dates from April 15-May 31 to April 15-June 15.