



# 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. 11-062
- 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 change the season close date for the Kapowsin hunt area from May 15 to June 15.

**Citation of existing rules affected by this order:**

Repealed: WAC 232-28-28600D  
 Amended: WAC 232-28-286  
 Suspended:

**Statutory authority for adoption:** RCW 77.12.047; 77.12.150; 77.04.020

**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 changes the season closing date for the Kapowsin area from May 15 to June 15, 2011. The change warrants emergency rule action because without a longer season, bear damage to trees will exceed the landowner's tolerance thresholds. The Commission's adopted permanent rule that is effective for the 2012 season already uses this June 15 end date. This emergency rule is needed for the 2011 spring season.

**Date adopted:** April 12, 2011

**NAME (TYPE OR PRINT)**  
Philip Anderson

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: April 12, 2011**  
**TIME: 3:29 PM**

**WSR 11-09-022**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	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	1
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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:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

NEW SECTION

**WAC 232-28-28600D 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 Kapowsin<sup>a</sup> hunt, the season dates are April 15-June 15 for 2011.

REPEALER

The following section of the Washington Administrative Code is repealed on June 16, 2011:

WAC 232-28-28600D 2010, 2011, and 2012 Spring black bear seasons and regulations.