



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:

Emergency Rules 15-406

- Immediately upon filing.
- 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: This rule change will enable better understanding of the prevalence of a disease that is impacting an important natural resource. For the welfare of the public who are vested in this important natural resource.

Citation of existing rules affected by this order:

Repealed:
 Amended: 232-12-286
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, and 77.12.150

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 year 2009, 2010, 2011, 2012, or 2013, 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:

As part of WDFW's ongoing efforts to better understand the prevalence of hoof disease in southwest Washington, WDFW biologists are collecting hooves from harvested elk in this area. Select hunters will be asked to collect the hooves from elk harvested and provide them for examination. The Department will engage in permanent rulemaking regarding this issue.

Date adopted:

October 27, 2015

NAME (TYPE OR PRINT)

James Unsworth

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 27, 2015

TIME: 4:34 PM

WSR 15-22-033

(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		Amended	<u>1</u>	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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 232-12-28600A Reducing the spread of hoof disease—Unlawful transport of elk hooves.

Notwithstanding the provisions of WAC 232-12-286, effective immediately, until further notice, the prohibition against the transport of hooves of harvested elk beyond the site where the animal was killed in Game Management Units 501 through 564, and 642 through 699 does not apply when specifically authorized by the department or when acting as an agent of the department in the limited capacity of cooperating with research or management actions regarding hoof disease as directed by the department.