



# 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**

- Immediately upon filing. 15-430
- 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:** Reduce the risk of disease for the deer, elk, and moose populations in the Washington state. These natural resources are incredibly important to the citizens of Washington.

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

Repealed:  
 Amended: WAC 232-12-021  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.020, 77.04.055, 77.12.047, and 77.12.455.

**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: On May 26, 2015 the Michigan Department of Natural Resources announced that they had detected chronic wasting disease for the first time in wild, free-ranging white-tailed deer. To date, Washington has not detected chronic wasting disease in its deer, elk, or moose populations. If exposed to chronic wasting disease the deer, elk, and moose populations will be negatively impacted which will negatively impact hunting, wildlife viewing, and the overall state's economy. The current rule reduces this risk for Washington by requiring additional processing of harvested animals before bringing them home from states that have the disease in wild populations. Adding Michigan to the rule will further reduce the risk. There is insufficient time to adopt permanent rules. The Department plans to engage in permanent rulemaking with a public hearing anticipated in March 2016.

**Date adopted:** November 20, 2015

**CODE REVISER USE ONLY**

**NAME (TYPE OR PRINT)**

Jim Unsworth

**SIGNATURE**

**TITLE**

Director

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: November 20, 2015**

**TIME: 4:26 PM**

**WSR 15-24-038**

**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		Amended	<u>1</u>	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:**

<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 232-12-02100F Importation and retention of dead nonresident wildlife.**

Notwithstanding the provisions of WAC 232-12-021, effective immediately until further notice, it is unlawful to import or possess deer, elk, or moose, or parts thereof, harvested in Michigan with the following exceptions:

- (1) Meat that has been deboned in the state or province where it was harvested and is imported as boned-out meat;
- (2) Skulls and antlers, antlers attached to the skull plate, or upper canine teeth (buglers, whistlers, ivories) from which all soft tissue has been removed;
- (3) Hides or capes without heads attached;
- (4) Tissue imported for use by a diagnostic or research laboratory; and
- (5) Finished taxidermy mounts.