



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (August 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 27, 2017

TIME: 7:41 AM

WSR 17-20-026

Agency: Washington Department of Fish and Wildlife: 17-263

Effective date of rule:

Emergency Rules

- 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: The purpose of these emergency rule actions is to create a new Elk Area that would facilitate directing hunting pressure in a specific location and to incorporate that new Elk Area into the existing hunting season structure. Both of these emergency rule actions will help mitigate agricultural damage caused by elk.

Citation of rules affected by this order:

New:
Repealed:
Amended: WAC 220-415-040; WAC 220-415-060
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.

Reasons for this finding: Agricultural damage by elk can be a very dynamic, site-specific development. Occasionally, the department has to adapt to changing circumstances in order to meet the mandate in statute that requires agricultural damage caused by elk to be addressed. Emerging conditions in the Cloverland area require creating new areas where existing hunting season structures can be directed.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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 on the agency's own initiative:

New	___	Amended	<u>2</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:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date adopted: September 27, 2017

Name: Jim Unsworth

Title: Director

Signature:



NEW SECTION

WAC 220-415-04000A Elk area descriptions

Notwithstanding the provisions of WAC 220-415-040, effective immediately, until further notice, add the following Elk Area description:

Elk Area 1075 (Asotin Co): Private Land (Excluding WDFW Lands) within GMU 175 within the following area: From the intersection of the South Fork Asotin Creek Road and Campbell Grade Road, continuing south until the South Fork Asotin Creek Road crosses the South Fork of Asotin Creek. South along the South Fork of Asotin Creek until it intersects with the USFS property line, due south along the USFS boundary until it reaches the Cloverland Road. NE along the Cloverland Road to the intersection of the Back Road, north along the Back Road to Campbell Grade Road, West on Campbell Grade Road to the intersection with South Fork Asotin Creek Road and the to the point of beginning.

NEW SECTION

WAC 220-415-06000A Elk special permits

Notwithstanding the provisions of WAC 220-415-060, effective immediately, until further notice, add Elk Area 1075 to the boundary of the following elk special permit hunt:

Antlerless Elk

Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Couse	EM	Any	Dec. 1-31	Antlerless	Elk Areas <u>1075, 1081</u>	35