



# 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 28, 2017

TIME: 2:09 PM

WSR 17-20-038

**Agency:** Washington Department of Fish and Wildlife: 17-268

**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Repealed: WAC 220-415-06000A  
Amended: 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. This emergency rule also corrects an error in filing of WSR 17-20-026. There is insufficient time to adopt permanent rules.

**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	1	Repealed	<u>1</u>
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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 28, 2017

**Name:** J W Unsworth

**Title:** Director

**Signature:**



NEW SECTION

**WAC 220-415-06000B Elk special permits**

Notwithstanding the provisions of WAC 220-415-060, effective immediately, until further notice, add Elk Area 1075 to the boundary and change the close date to January 20, 2018 for the following elk special permit hunt:

Antlerless Elk

Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Couse	EM	Any	Dec. 1- Jan. 20, 2018	Antlerless	Elk Areas 1075, 1081	35

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-415-06000A Elk special permits. (17-263)