



# 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, 2018

TIME: 12:46 PM

WSR 18-20-075

**Agency:** Washington Department of Fish and Wildlife (WDFW) 18-273

**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:** This change will include GMUs 568, 572, 574, and 578 to the Game Management Units in WAC 220-413-200 that makes it unlawful to transport the hooves of harvested elk beyond the site where the animal was killed.

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

New:  
Repealed:  
Amended: WAC 220-413-200  
Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.240, and 77.32.470.

**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:** Because Treponeme Associated Hoof Disease (TAHD) was confirmed in Game Management Unit (GMU) 578, the department seeks to reduce the spread of TAHD by adding GMU 568, 578 and neighboring GMUs 572 and 574 to WAC 220-413-200. While a CR-103P has been filed, there is still a gap in time of approximately 31 days for the permanent rule to take effect. Consequently, the department needs to adopt an emergency rule to cover this gap in order to allow WDFW police officers an effective rule to enforce.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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	___
-----	-----	---------	-----	----------	-----

**The number of sections adopted on the agency's own initiative:**

New	___	Amended	1	Repealed	___
-----	-----	---------	---	----------	-----

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	___	Repealed	___
-----	-----	---------	-----	----------	-----

**The number of sections adopted using:**

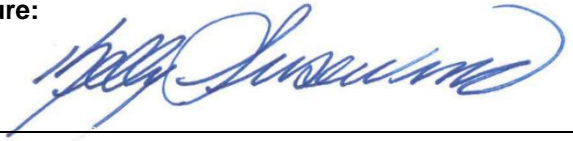
Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

**Date adopted:** September 28, 2018

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



NEW SECTION

**WAC 220-413-20000B Reducing the spread of hoof disease-Unlawful transport of elk hooves.**

Notwithstanding the provisions of WAC 220-413-200, effective immediately, until further notice, the change shall read as follows under section (1):

(1) It is unlawful to transport the hooves of harvested elk beyond the site where the animal was killed in Game Management Units 407, 418, 437, 454, 501 through 564, 568, 572, 574, 578, 633, 636 and 642 through 699, except 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.