



RULE-MAKING ORDER EMERGENCY RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 19, 2021

TIME: 12:34 PM

WSR 21-24-022

Agency: Washington Department of Fish and Wildlife (WDFW) #21-261

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 this emergency rule is to prevent or slow the spread of Chronic Wasting Disease (CWD), a fatal disease of cervids, into Washington state from areas with CWD. WDFW prohibits the importation of cervid carcasses and parts, with some exceptions, from states and Canadian provinces that detect CWD. Recently, CWD was detected in Manitoba and Idaho in an area near the Washington-Idaho border. The causative agent of CWD is present in cervid carcasses and parts, importation of which may introduce this disease into Washington cervids.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-413-030
- Suspended:

Statutory authority for adoption: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520.

Other authority: None

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: Chronic Wasting Disease has recently been identified in Manitoba and Idaho. This disease is fatal to cervids and has no cure or treatments. Once established, this disease is extremely difficult to eradicate and manage and can lead to population declines. The best management option for this disease is prevention.

Washington Department of Fish and Wildlife, Wildlife Program, will be filing a preproposal on or before December 1, 2021 to initiate permanent rule making.

**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 1 Amended ____ 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: November 19, 2021	Signature: 
Name: Kelly Susewind	
Title: WDFW Director	

NEW SECTION

WAC 220-413-03000D Importation and retention of dead nonresident wildlife.

Effective immediately, until further notice, the following provisions of WAC 220-413-030 shall be described below. All other provisions of WAC 220-413-030 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

It shall be unlawful to import or possess deer, elk, or moose, or parts thereof, harvested in Idaho or Manitoba with the following exceptions:

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