

WSR 21-24-022
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-261—Filed November 19, 2021, 12:34 p.m., effective November 19, 2021, 12:34 p.m.]

Effective Date of Rule: Immediately upon filing.

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. The Washington department of fish and wildlife (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: Amending WAC 220-413-030.

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.

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.

Reasons for this Finding: CWD 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.

WDFW, wildlife program, will be filing a preproposal on or before December 1, 2021, to initiate permanent rule making.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 19, 2021.

Kelly Susewind
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.