

TEXAS PARKS AND WILDLIFE DEPARTMENT

EXECUTIVE DIRECTOR ORDER NO. 013-006

Under the provisions of Parks and Wildlife Code, §12.027, if the Texas Parks and Wildlife Commission or the Executive Director of the Texas Parks and Wildlife Department finds that there is an immediate danger to a species authorized to be regulated by the Department, the Commission or the Executive Director may adopt emergency rules as provided by Government Code, §2001.034.

On June 17, 2013, zebra mussel veligers were confirmed in Lake Bridgeport, an impoundment of the West Fork of the Trinity River in Jack and Wise counties. To protect against immediate damage to species regulated by the department, the Executive Director on June 27, 2013 issued Executive Order No. 013-003, which extended, on an emergency basis, the provisions of 31 TAC §57.972(k) to include the West Fork of the Trinity River above Lake Worth dam, including Lakes Worth, Eagle Mountain, and Bridgeport. The emergency rule is currently in effect.

On September 24, 2013, zebra mussels were confirmed in Lake Belton, an impoundment of the Leon River in Bell and Coryell counties. The Executive Director finds that zebra mussels present an immediate danger to species of wildlife regulated by the department (specifically, all indigenous aquatic species whose food supply and/or habitat quality could be altered by zebra mussels, which includes game and nongame fish, and nongame aquatic wildlife such as turtles, and mussels). The need to prevent the spread of zebra mussels from Lake Belton to additional impoundments and drainages creates an imperative necessity to engage in emergency rulemaking. The Executive Director also finds that due to the potential for the rapid spread of zebra mussels, it is necessary to adopt the rules with fewer than 30 days' notice. The Executive Director hereby adopts an amendment to 31 TAC §57.972 to extend the applicability of the provisions of 31 TAC §57.972(k) to include Lake Belton, Stillhouse Hollow Lake, and the Leon and Lampasas rivers in Bell County from their confluence upstream to Lake Belton and Stillhouse Hollow Lake, to be effective immediately upon filing, and authorizes publication of a Notice of Emergency Adoption in the *Texas Register*.

This order is issued pursuant to §12.027 of the Texas Parks and Wildlife Code and is effective immediately.

Signed this the 25th day of September, 2013.



Carter Smith
Executive Director
Texas Parks and Wildlife Department