# RULE-MAKING ORDER

**CR-103E (May 2009)**
**(Implements RCW 34.05.360)**

**Agency:** Washington Department of Fish and Wildlife

**Emergency Rule Only**

**Effective date of rule:**
**Emergency Rules 11-58**
☐ Immediately upon filing.
☒ Later (specify) April 20, 2011

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**
☐ Yes ☒ No If Yes, explain:

**Purpose:** Amend personal use fishing rules

**Citation of existing rules affected by this order:**
Repealed: WAC 232-28-61900W
Amended: WAC 232-28-619
Suspended:

**Statutory authority for adoption:** RCW 77.12.047 and RCW 77.04.020

**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.
☐ That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this for this finding: A kids fishing event is planned for April 23 and a closure to the general public is needed to ensure adequate numbers of fish are available for the kids fishing day. Hood Park Pond will be closed to the general public on April 20 through 22 and open only to juvenile anglers (under age 15) during April 23. The pond reopens to the general public on April 24. There is insufficient time to adopt permanent rules.

**Date adopted:** April 15, 2011

**NAME (TYPE OR PRINT)**
Philip Anderson

**SIGNATURE**

**TITLE**
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 15, 2011
TIME: 12:02 PM

WSR 11-09-040

**(COMPLETE REVERSE SIDE)**

**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 in the agency's own initiative:**

New 1 Amended _____ Repealed 1

**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 | _____ |

ORDER NO. 11-58

N E W  S E C T I O N

**WAC 232-28-61900W  Exceptions to statewide rules—Hood Park Pond.**

Notwithstanding the provisions of WAC 232-28-610, effective April 20 through April 23, 2011, it is unlawful to fish in waters of Hood Park Pond, except open to juvenile anglers 8:00 a.m. through 1:00 p.m. on April 23, 2011.

R E P E A L E R

The following section of the Washington Administrative Code is repealed effective April 24, 2011:

WAC 232-28-61900W  Exceptions to statewide rules—Hood Park Pond.

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( ) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

( ) That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding:  A kids fishing event is planned for April 23 and a closure to the general public is needed to ensure adequate numbers of fish are available for the kids fishing day.  Hood Park Pond will be closed to the general public on April 20 through 22 and open only to juvenile anglers (under age 15) during April 23.  The pond reopens to the general public on April 24. There is insufficient time to adopt permanent rules.

**(11-58, 4/15/2011)**