



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: May 16, 2019

TIME: 1:42 PM

WSR 19-11-072

Agency: Washington Department of Fish and Wildlife (19-104)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) May 29, 2019

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: Closes Heart Lake for kids fishing event

Citation of rules affected by this order:

New:
Repealed: WAC 220-312-04000Q
Amended: WAC 220-312-040
Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 and 77.12.047

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: This emergency rule is needed to ensure a successful Kids Fishing event. The closure is needed before the event as the fish will be planted in the lake two days prior to the event to better acclimate them. On the day of the event only children 14 years of age or less will be allowed to fish in the lake. There is insufficient time to adopt permanent rules.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	<u>1</u>	Amended	___	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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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: May 16, 2019

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-312-04000Q Freshwater exceptions to statewide rules—Puget Sound.

Notwithstanding the provisions of WAC 220-312-040, effective 12:01 a.m. May 29 through June 1, 2019, it is unlawful to fish in those waters of Heart Lake, except open to fishing 7:00 a.m. to 12:00 p.m. June 1, 2019, to anglers participating in the kids fishing event. Juvenile anglers can continue to fish on June 1, 2019, after the kids fishing event closes.

REPEALER

The following section of the Washington Administrative Code is repealed effective June 2, 2019:

WAC 220-312-04000Q Exceptions to statewide rules—Heart Lake (Skagit Co.)