



# RULE-MAKING ORDER

**CR-103E (July 2011)**  
**(Implements RCW 34.05.350)**

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

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules 16-43**

- Immediately upon filing.
- Later (specify) April 23, 2016

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

- Yes
  - No
- If Yes, explain:

**Purpose:** Amend recreational fishing rules

**Citation of existing rules affected by this order:**

Repealed: WAC 220-310-19500X  
 Amended: WAC 220-310-195  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020, 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.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, 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: Curl Lake has been utilized by the Washington Department of Fish and Wildlife (WDFW) as an acclimation pond for Endangered Species Act Listed Tucannon River spring Chinook salmon. Beginning in 2016, WDFW will also short term acclimate ESA listed Tucannon River steelhead, after the spring Chinook have been released. The additional time needed to acclimate steelhead will delay the stocking of rainbow trout into this body of water by a couple of weeks. There is insufficient time to adopt permanent rules.

**Date adopted:** March 10, 2016

**NAME (TYPE OR PRINT)**

J W Unsworth

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: March 10, 2016**

**TIME: 11:37 AM**

**WSR 16-07-034**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	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 in 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:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

ORDER NO. 16-43

NEW SECTION

**WAC 220-310-19500X Freshwater exceptions to statewide rules—Eastside.**

Notwithstanding the provisions of WAC 220-310-195, effective April 23 through May 14, 2016, it is unlawful to fish in waters of Curl Lake (Columbia Co.)

REPEALER

The following section of the Washington Administrative Code is repealed effective May 15, 2016:

WAC 220-310-19500X Freshwater exceptions to statewide rules. (16-43)

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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.

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**(16-43, 3/10/2016)**

