



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 16-126

- Immediately upon filing.
- Later (specify) June 4, 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 in Lake Washington to allow for a one day kids fishing event

Citation of existing rules affected by this order:

Repealed: WAC 220-310-19000E
 Amended: WAC 220-310-190
 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: An emergency rule is needed to reopen portions of Lake Washington previously closed by WSR 16-10-068 which was needed because Endangered Species Act (ESA) coverage for Chinook and steelhead impacts expired April 30, 2016. This emergency rule will allow for two fishing events that will offer youths an opportunity to participate and learn about fishing who would otherwise not get the chance. There is insufficient time to adopt permanent rules.

Date adopted: May 31, 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: May 31, 2016

TIME: 2:25 PM

WSR 16-12-097

(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	_____
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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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 220-310-19000G Freshwater exceptions to statewide rules—Puget Sound.

Notwithstanding the provisions of WAC 220-310-190, effective immediately the following waters are closed to fishing:

(1) Lake Washington (King Co.)

(a) Effective June 4, 2016, from 9:00 a.m. to 1:00 p.m. it is permissible for youth anglers participating in the CAST for Kids Fishing event to fish in the nets pens in Lake Washington at Gene Coulon Memorial Beach Park.

(b) Effective June 4, 2016, from 8:00 a.m. to 12:00 p.m. it is permissible for youth anglers participating in the Northshore Chapter Trout Unlimited Kids Fishing event to fish in the net pens in Lake Washington at Tracy Owen Station at Log Boom Park.

(2) Lake Union (King Co.)

(3) Lake Sammamish (King Co.)

(4) Monte Cristo Lake (Snohomish Co.)

(5) Cushman Lake (Mason Co.)

(6) Barney Lake (Skagit Co.)

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-310-19000E Freshwater exceptions to statewide rules—Puget Sound (16-95)

EMERGENCY RULE ONLY

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(x) 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 , 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: An emergency rule is needed to reopen two portions of Lake Washington which were previously closed by WSR 16-10-068 which was needed as Endangered Species Act (ESA) coverage for Chinook and steelhead impacts expired April 30, 2016. This emergency rule will allow for two fishing events that will offer youths an opportunity to participate and learn about fishing who would otherwise not get the chance. There is insufficient time to adopt permanent rules. **(16-126, 5/31/2016)**

