



**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: October 31, 2018
TIME: 8:56 AM

WSR 18-22-051

Agency: Washington Department of Fish and Wildlife (18-307)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 1, 2018

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

- Yes No If Yes, explain:

Purpose: Extends the recreational fishing season in Padden Lake (Whatcom Co.)

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000B
 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: The Washington Department of Fish and Wildlife stocked 1,100 catchable-size Rainbow trout for a Heritage Fishing Day event conducted by the Sportsman’s Alliance Foundation. There are many of the fish left over in the lake and WDFW is extending the season providing additional angling opportunity through the holidays. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____

The number of sections adopted on 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New 1 Amended ____ Repealed 1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	____

Date Adopted: October 31, 2018

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-040, effective November 1, 2018 through January 6, 2019, it is permissible to fish for gamefish in those waters of Padden Lake (Whatcom Co.). Statewide minimum size and daily limits apply.

REPEALER

The following section of the Washington Administrative Code is repealed effective January 7, 2019:

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