



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: July 31, 2020

TIME: 1:29 PM

WSR 20-16-111

Agency: Department of Fish and Wildlife (Order 20-149)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 3, 2020

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

- Yes No If Yes, explain:

Purpose: The purpose of this rule is to close sockeye retentions seasons in Baker Lake, effective August 3, 2020.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000Q
 Amended:
 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 close sockeye retention seasons in Baker Lake. The recreational sockeye fishery in Baker Lake opened when WDFW and treaty comanagers agreed to a limited Baker Lake sockeye fishery provided catch did not exceed a level where less than 1,500 sockeye remained in the lake to spawn naturally. Based on total catch, the number of fish remaining in the lake is approaching the escapement floor of 1,500 fish and trap returns have slowed. Current estimates show that the escapement floor will be met by the end of the day August 2. The fishery is being closed to ensure conservation objectives are met.

Immediate repeal of WSR 20-15-082 is necessary for the preservation of the public health, safety, or general welfare. Observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest. 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	___	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: July 31, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

REPEALER

The following section of the Washington Administrative Code is repealed effective August 3, 2020:

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