



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: September 08, 2020

TIME: 4:42 PM

WSR 20-19-030

Agency: Department of Fish and Wildlife (Order 20-174)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 11, 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 to open gamefish to no limits or size restrictions in Hatch Lake and McDowell Lake to maximize recreational harvest prior to the lake rehabilitation effort beginning October 12, 2020.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-05000I
 Amended: WAC 220-312-050
 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: Lake rehabilitation efforts utilizing rotenone to remove undesirable fish species are scheduled to begin on Hatch Lake and McDowell Lake beginning October 12, 2020. To maximize recreational harvest of gamefish and to take advantage of the resource, all daily limits and size restrictions are being removed from these lakes prior to the rehabilitation effort. In addition, the Fly Fishing Only restriction is being removed from McDowell Lake.

Immediate adoption of this rule 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 ____

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: September 8, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-05000I Freshwater exceptions to statewide rules—Eastside.

Effective September 11 through October 11, 2020 the following provisions of WAC 220-312-050 regarding gamefish seasons for Hatch and McDowell lakes shall be as described below. All other provisions of WAC 220-312-050 not addressed herein, or otherwise amended by emergency rule, remain in effect:

- (1) **Hatch Lake (Stevens County):** Gamefish: No daily limit. No size restrictions.
- (2) **McDowell (Stevens County):** Gamefish:
 - (a) No Daily limit. No size restrictions.
 - (b) Conventional fishing gear is allowed.

REPEALER

The following section of the Washington Administrative Code is repealed, effective October 12, 2020:

WAC 220-312-05000I Freshwater exceptions to statewide rules—Eastside. (20-174)