



PROPOSED RULE MAKING

CR-102 (June 2024) (Implements RCW 34.05.320) Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 05, 2024

TIME: 10:24 AM

WSR 24-16-111

Agency: Washington Department of Fish and Wildlife (WDFW) P2024-11

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR _____ ; or

Expedited Rule Making--Proposed notice was filed as WSR _____ ; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Amending recreational fishing rules at Park, Blue, and Deep Lakes in Grant County to address a rule petition request for season extension and at Fish Lake in Chelan County to address another rule petition request for removal of the daily bag limit.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
September 10, 2024	6:00PM-8:00PM	Virtual public hearing via Zoom	Register in advance for this webinar: https://us02web.zoom.us/webinar/register/WN_dle4OZcSSUKScYCE5mNsZA

Date of intended adoption: September 11, 2024 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name Rules Coordinator
 Address P.O. Box 4320, Olympia, WA 98504
 Email 2024lakespetitions@publicinput.com
 Fax
 Other <https://publicinput.com/2024lakepetitions> To leave voice comments, please call 855-925-2801 and enter **code 7252**.
 Beginning (date and time) August 8, 2024, 12:01AM
 By (date and time) September 10, 2024, 11:59PM

Assistance for persons with disabilities:

Contact VI/ADA Compliance Coordinator
 Phone 360-902-2349
 Fax
 TTY 711
 Email Title6@dfw.wa.gov
 Other <https://wdfw.wa.gov/accessibility/requestsaccomodation>
 By (date) September 10, 2024

Purpose of the proposal and its anticipated effects, including any changes in existing rules: This rule proposal is responding to and supporting two separate rule petitions submitted to and approved by the department. This rule proposal is based on the two petitions which together seek to amend recreational fishing rules at Park, Blue, and Deep Lakes in Grant County and at Fish Lake in Chelan County. The first petition received by the department seeks to remove harvest limits at Fish Lake; the second petition received by the department seeks to extend the fishing season at Park, Blue, and Deep lakes. Below are more specific descriptions of the rule changes for both sets of lakes:

Park, Blue, & Deep Lakes-This proposal would change the current fishing season closure date at Park, Blue, and Deep Lakes (Grant County) from September 30th to October 31st. Changing the closure date to October 31st will increase recreational fishing opportunities at these three lakes later in the fall when trout fishing is very productive.

Fish Lake-This proposal would remove the current daily bag limit (25) for yellow perch at Fish Lake (Chelan County). Yellow perch are overpopulated in Fish Lake. Removing the daily bag limit will increase harvest rates and improve average size over time. The end result will improve the quality of the yellow perch fishery..

Reasons supporting proposal: Both proposals will increase recreational fishing opportunities and improve overall fishery quality.

Statutory authority for adoption: RCW 77.04.012, 77.04.047, and 77.60.070

Statute being implemented: RCW 77.04.012, 77.04.055, and 77.12.047

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Shawn Seeger petitioner and Tyler Hicks petitioner
Type of proponent: Private. Public. Governmental.

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	Chad Jackson	Ephrata, WA	509-754-4624, X250
Implementation	Chad Jackson	Ephrata, WA	509-754-4624, X250
Enforcement	Capt. Mike Jewell	Ephrata, WA	509-754-4624, X241

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name
- Address
- Phone
- Fax
- TTY
- Email
- Other

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

- Name
- Address
- Phone
- Fax
- TTY
- Email
- Other

No: Please explain: Under RCW 34.05.328 (5), a cost-benefit analysis is not required for this rule as WDFW is not implementing RCW 77.55 with this rule.

Regulatory Fairness Act and Small Business Economic Impact Statement
Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:
This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.
Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:
- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |
- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#). (Does not affect small businesses).
- This rule proposal, or portions of the proposal, is exempt under RCW _____.
- Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name
Address
Phone
Fax
TTY
Email
Other

Date: August 5, 2024

Name: Scott Bird

Title: WDFW Rule Coordinator

Signature:

