RULE-MAKING ORDER

CR-103E (May 2009)
(Implements RCW 34.05.360)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:
Emergency Rules 10-61
☒ Immediately upon filing.
☐ Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
☐ Yes ☒ No If Yes, explain:

Purpose: Amend personal use fishing rules

Citation of existing rules affected by this order:
Repealed: WAC 232-28-61900Q, WAC 232-28-61900G
Amended: WAC 232-28-619
Suspended:

Statutory authority for adoption: RCW 77.12.047 and RCW 77.04.020

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 years 2009, 2010, or 2011, 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 for this finding: To reduce incidental mortality of wild steelhead. The 2009-2010 forecast of wild steelhead returning to the Snohomish River is 2,552 fish, which is well below the spawning goal of 6,500 steelhead. This action will reduce the incidental hooking mortalities of wild steelhead. There is insufficient time to adopt permanent rules.

Date adopted: March 17, 2010

NAME (TYPE OR PRINT)
Philip Anderson

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 17, 2010
TIME: 11:45 AM

WSR 10-07-081

(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Federal statute:	New	_____	Amended	_____	Repealed	_____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 _____

The number of sections adopted in the agency's own initiative:

New 1 Amended _____ Repealed 2

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	_____

N E W S E C T I O N

WAC 232-28-61900G Exceptions to statewide rules—Snohomish, Snoqualmie, Skykomish, North Fork Skykomish, South Fork Skykomish, Pilchuck, Sultan, Tolt and Raging rivers.

Notwithstanding the provisions of WAC 232-28-619, effective immediately through June 4, 2010, it is unlawful to fish for game fish in the following waters:

(1) The Snohomish River from the mouth (Burlington Northern railroad bridges) to the confluence of the Skykomish and Snoqualmie rivers, including all channels, sloughs, and interconnected waterways.

(2) The Snoqualmie River from the mouth to the boat launch at Plum Landing (¼ mile below Tokul Creek).

(3) The Skykomish River from the mouth to the forks.

(4) The North Fork of the Skykomish from the mouth to Deer Falls (about ¼ mile upstream of Goblin Creek).

(5) The South Fork of the Skykomish from the mouth to the Sunset Falls Fishway.

(6) The Pilchuck River from the mouth to the Snohomish City diversion dam.

(7) The Sultan River from the mouth to the diversion dam at river mile 9.7.

(8) The Tolt River from the mouth to the confluence of the North and South Fork.

(9) The Raging River from the mouth to the Highway 18 Bridge.

R E P E A L E R S

The following section of the Washington Administrative Code is repealed:

WAC 232-28-61900Q Exceptions to statewide rules—Snohomish, Snoqualmie, Skykomish, North Fork Skykomish, South Fork Skykomish, Pilchuck, Sultan, Tolt and Raging rivers. (10-24)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. June 5, 2010:

WAC 232-28-61900G Exceptions to statewide rules—Snohomish, Snoqualmie, Skykomish, North Fork Skykomish, South Fork Skykomish, Pilchuck, Sultan, Tolt and Raging rivers.