



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 10-150

- Immediately upon filing.
- Later (specify) 8:00 a.m. June 12, 2010

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Repealed: WAC 232-28-61900R
 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: The Reiter Ponds Hatchery has collected enough summer steelhead broodstock to meet production needs. Opening of the closed area will provide additional recreational fishing opportunity. There is insufficient time to adopt permanent rules.

Date adopted: June 10, 2010

NAME (TYPE OR PRINT)

Philip Anderson

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 10, 2010

TIME: 12:41 PM

WSR 10-13-060

(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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____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	<u>1</u>	Amended	_____	Repealed	<u>1</u>
-----	----------	---------	-------	----------	----------

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	_____

ORDER NO. 10-150

NEW SECTION

**WAC 232-28-61900R Exceptions to statewide rules—Skykomish River
(Reiter Ponds) (Skykomish Co.)**

Notwithstanding the provisions of WAC 232-28-619, effective 8:00 a.m. June 12, through July 31, 2010, a person may fish for and possess gamefish in those waters of the Skykomish Rearing Ponds (Reiter Ponds) area from 1500 feet upstream to 1000 feet downstream of the pond's outlet. Night closure and anti-snagging rule in effect. Also, fishing from a floating device is prohibited. Dolly Varden/bull trout minimum size is 20 inches in length, and these may be retained as part of the trout, daily limit. All other trout daily limit of two, minimum size 14 inches in length. All other game fish statewide size and daily limits apply.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 1, 2010:

WAC 232-28-61900R Exceptions to statewide rules—Skykomish River
(Reiter Ponds) (Skykomish Co.)

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

(a) 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.

(b) 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 Reiter Ponds Hatchery has collected enough summer steelhead broodstock to meet production needs. Opening of the closed area will provide additional recreational fishing opportunity. There is insufficient time to adopt permanent rules.

(10-150, 6/10/2010)