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 11-07
☐ Immediately upon filing.
☒ Later (specify) February 1, 2011

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Repealed:
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 2010-2011 forecast of wild steelhead returning to the Snohomish River system is well below the spawning goal. These closures will reduce the incidental hooking mortalities of wild steelhead. Puget Sound wild steelhead populations are listed as "Threatened" under the Endangered Species Act. There is insufficient time to adopt permanent rules.

Date adopted: January 25, 2011

NAME (TYPE OR PRINT)
Philip Anderson

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 25, 2011
TIME: 10:50 AM

WSR 11-04-044

(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Federal statute:	New	_____	Amended	_____	Repealed	_____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 _____

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 232-28-61900Q Exceptions to statewide rules.
Notwithstanding the provisions of WAC 232-28-619:

- **Snohomish River:** from the mouth (Burlington Northern railroad bridge) upstream to confluence of the Skykomish and Snoqualmie rivers will be closed to all fishing on February 1, 2011.

- **Skykomish River:** From the mouth to the Highway 2 bridge at the Big Eddy Access: Closed to all fishing, effective February 1, 2011.

- **Skykomish River:** From the Highway 2 bridge at the Big Eddy Access to confluence of North and South forks: Closed to all fishing effective, February 16, 2011.

- **North Fork Skykomish River:** From the mouth to 1000 feet downstream of Bear Creeks Falls: Closed to all fishing, effective February 1, 2011.

- **South Fork Skykomish River:** From the mouth to 600 feet downstream of Sunset Falls Fishway: Closed to all fishing, effective February 1, 2011.

- **Pilchuck River:** From the mouth to 500 feet downstream of the Snohomish City diversion dam: Closed to all fishing, effective February 1, 2011.

- **Sultan River:** From the mouth to 400 feet downstream of diversion dam (river mile 9.7): Closed to all fishing, effective February 1, 2011.

- **Wallace River:** From the mouth (farthest downstream railroad bridge) to 200 feet upstream of the water intake of the salmon hatchery: Closed to all fishing, effective February 16, 2011.

- **Wallace River:** From 200 feet upstream the of the water intake of the salmon hatchery to Wallace Falls: Closed to all fishing, effective February 1, 2011.

- **Snoqualmie River:** From the mouth to the boat ramp at Plumb access: Closed to all fishing, effective February 1, 2011.

- **Snoqualmie River:** From the boat ramp at Plumb access to Snoqualmie Falls will be closed to all fishing effective February 16, 2011.

- **Tolt River:** From the mouth to the USGS trolley cable near the confluence of the North and South Forks: Closed to all fishing, effective February 1, 2011.

- **Raging River:** From the mouth to the Highway 18 Bridge: Closed to all fishing effective February 1, 2011.

- **Tokul Creek:** From the mouth to the posted cable boundary marker: Closed to all fishing, effective February 16, 2011.

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(11-07, 1/25/2011)