RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:
Emergency Rules 11-320
☐ Immediately upon filing.
☒ Later (specify) February 1, 2012

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

Purpose: Amend recreational 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Repealed: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 year 2009, 2010, 2011, 2012, or 2013, 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 finding: The 2011-2012 forecast of wild steelhead returning to the Stillaguamish 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 5, 2012

NAME (TYPE OR PRINT)
Philip Anderson

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 05, 2012
TIME: 4:09 PM

WSR 12-03-025

(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Federal statute:	New	_____	Amended	_____	Repealed	_____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 232-28-61900V Exceptions to statewide rules- Stillaguamish River system.

Notwithstanding the provisions of WAC 232-28-619:

(1) **Stillaguamish River:** From Marine Drive upstream to the forks: Closed to all fishing, effective February 1, 2012.

(2) **North Fork Stillaguamish River:** From the mouth to the mouth of French Creek: Closed to all fishing, effective February 1, 2012.

(3) **North Fork Stillaguamish River:** From the mouth of French Creek to the Swede Heaven Bridge: Closed to all fishing, effective February 16, 2012.

(4) **South Fork Stillaguamish River:** From the mouth to 400 feet below the Granite Falls fishway outlet: Closed to all fishing, effective February 1, 2012.

(5) **Pilchuck Creek:** From the mouth to the Highway 9 bridge: Closed to all fishing, effective February 1, 2012.

(6) **Canyon Creek:** From the mouth upstream: Closed to all fishing, effective February 1, 2012.

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( ) That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, 2011, 2012 or 2013 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.

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