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 12-132
☐ Immediately upon filing.
☒ Later (specify) July 5, 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Repealed: WAC 232-28-61900R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 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 closure will reduce incidental hooking mortality on Endangered Species Act listed Chinook salmon. Anglers are abusing the game fish rules and specifically targeting Chinook salmon leading to increased mortality. There is insufficient time to adopt permanent rules.

Date adopted: July 2, 2012

NAME (TYPE OR PRINT)
Philip Anderson

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 02, 2012
TIME: 4:31 PM

WSR 12-14-093

(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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____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 1

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. 12-132

N E W S E C T I O N

WAC 232-28-61900R Exceptions to statewide rules—Skagit River.
Notwithstanding the provisions of WAC 232-28-619, selective gear rules, with a maximum hook gap of ½ inch required in the following waters:

(1) The Skagit River from the mouth to the Highway 536 Bridge at Mt Vernon (Memorial Highway Bridge, July 5 through August 31, 2012.

(2) The Skagit River from the Highway 536 Bridge to Gilligan Creek, July 16 through August 31, 2012.

(3) The Skagit River from Gilligan Creek to The Dalles Bridge at Concrete, July 5 through September 15, 2012.

(4) The Skagit River from the Dalles Bridge at Concrete to Highway 530 Bridge at Rockport July 5 through September 15, 2012.

(5) The Skagit River from Highway 530 Bridge to Cascade River Road (Marblemount Bridge), July 16 through September 15, 2012.

R E P E A L E R

The following section of the Washington Administrative Code is repealed effective September 16, 2012:

WAC 232-28-61900R Exceptions to statewide rules—Skagit River.

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( ) 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 finding: The closure will reduce incidental hooking mortality on Endangered Species Act listed Chinook salmon. Anglers are abusing the game fish rules and specifically targeting Chinook salmon leading to increased mortality. There is insufficient time to adopt permanent rules. **(12-132, 7/2/2012**