



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 16-235

- 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 recreational fishing rules on the Nisqually River

Citation of existing rules affected by this order:

Repealed: WAC 220-310-19000N
 Amended: WAC 220-310-190
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, and 77.12.047

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 closing date was listed incorrectly in the 2016-17 Sport Fishing Rules pamphlet and the permanent Washington Administrative Code. The co-managers agreed to close the Nisqually River September 1 through November 15, 2016, to protect coho salmon. There is insufficient time to adopt permanent rules.

Date adopted: September 6, 2016

NAME (TYPE OR PRINT)
 David Giglio for J W Unsworth

SIGNATURE

TITLE
 Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: September 06, 2016

TIME: 12:07 PM

WSR 16-18-084

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

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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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	_____

NEW SECTION

WAC 220-310-19000N Freshwater exceptions to statewide rules—Puget Sound

Notwithstanding the provisions of WAC 220-310-190, effective immediately through November 15, 2016, it is unlawful to fish in waters of the Nisqually River from the mouth to military tank crossing bridge (located one mile upstream of mouth of Muck Creek).

REPEALER

The following section of the Washington Administrative Code is repealed effective November 16, 2016:

WAC 220-310-19000N Freshwater exceptions to statewide rules—Nisqually River.

Reason for Finding: The closing date was listed incorrectly in the 2016-17 Sport Fishing Rules pamphlet. The co-managers agreed to close the Nisqually River September 1 through November 15, 2016, to protect coho salmon. There is insufficient time to adopt permanent rules.
(16-235, 9/6/2016)