



# 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 16-255**

- Immediately upon filing.
- Later (specify) October 1, 2016

**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 for the South Fork Nooksack River

**Citation of existing rules affected by this order:**

Repealed: WAC 220-310-19000L  
 Amended:  
 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:** This emergency rule is needed to reopen an area of the South Fork Nooksack River which was closed by filing WSR 16-17-085. Wild Chinook, and Chinook from the recovery program at Skookum Hatchery in the South Fork Nooksack River will have completed spawning by October 1, 2016. Reopening the area for game fish will provide for additional angling opportunity.

**Date adopted:** September 21, 2016

**NAME (TYPE OR PRINT)**  
Joe Stohr for J W Unsworth

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: September 21, 2016**

**TIME: 1:46 PM**

**WSR 16-20-002**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	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	_____	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:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

ORDER NO. 16-255

REPEALER

The following section of the Washington Administrative Code is repealed effective October 1, 2016:

WAC 220-310-19000L Freshwater exceptions to statewide rules—Puget Sound. (16-212)

**Reason for the finding:** This emergency rule is needed to reopen an area of the South Fork Nooksack River which was closed by filing WSR 16-17-085. Wild Chinook, and Chinook from the recovery program at Skookum Hatchery in the South Fork Nooksack River will have completed spawning by October 1, 2016. Reopening the area for game fish will provide for additional angling opportunity.

**(16-255, 9/21/2016)**

