



# 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 13-160**

- 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

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

Repealed: WAC 232-28-61900J  
 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: Harvestable salmon are available allowing the Puyallup River to open for recreational angling opportunity. Conservation objectives are met based upon the Endangered Species Act guidelines. There is insufficient time to adopt permanent rules.

**Date adopted:** July 25, 2013

**NAME (TYPE OR PRINT)**

Philip Anderson

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: July 25, 2013**

**TIME: 3:22 PM**

**WSR 13-16-013**

**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	New	_____	Amended	_____	Repealed	_____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	<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:**

<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	_____

NEW SECTION

**WAC 232-28-61900J Exceptions to statewide rules -- Puyallup River.**

Notwithstanding the provisions of WAC 232-28-619, effective immediately until further notice, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

**(1) Puyallup River (Pierce County):**

- (a) 11<sup>th</sup> Street Bridge to city of Puyallup outfall structure near junction of Freeman Road and North Levee Road: Trout minimum length 14 inches. Night closure, anti-snagging rule, and barbless hooks required from August 16 until further notice. Salmon and gamefish open August 16 until further notice, except closed on September 1, 2, 8, 9, 10, 15, 16, 17, 22, 23, 24, 25, 29, and 30. Salmon daily limit of 6 fish. No more than 4 may be adults, of which only 2 may be any combination of Chinook, coho, and chum. Release wild adult Chinook.
- (b) From city of Puyallup outfall structure near junction of Freeman Road and North Levee Road to mouth of the White River: Trout minimum length 14 inches. Night closure, anti-snagging rule, and barbless hooks required from August 1 until further notice. Salmon and gamefish open August 1 until further notice, except closed on August 11 and September 1, 2, 8, 9, 10, 15, 16, 17, 22, 23, 24, 25, 29, and 30. Salmon daily limit of 6 fish. No more than 4 may be adults, of which only 2 may be any combination of Chinook, coho, and chum. Release wild adult Chinook.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. September 30, 2013:

WAC 232-28-61900J Exceptions to statewide rules—Puyallup River.

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**EMERGENCY RULE ONLY**

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(x) 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, 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:** Harvestable salmon are available allowing the Puyallup River to open for recreational angling opportunity. Conservation objectives are met based upon the Endangered Species Act guidelines. There is insufficient time to adopt permanent rules.  
**(13-160, 7/25/2013)**

