



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 18, 2019

TIME: 11:38 AM

WSR 19-13-087

Agency: Department of Fish and Wildlife (Order 19-125)

Effective date of rule:

Emergency Rules

- 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 for the Green (Duwamish) River.

Citation of rules affected by this order:

New:
 Repealed:
 Amended: WAC 220-312-040
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 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.

Reasons for this finding: This rule is needed to close the possibility of fishing activity in waters of the Green (Duwamish) River from the Tacoma Municipal Watershed Boundary Marker (1 mile downstream of Tacoma Headworks Dam) to the Friday Creek confluence. Based upon consultation with Tacoma Water, this rule is needed to protect water quality in the associated municipal watershed. The Department is in the process of making this rule permanent. Given the immediacy of the public welfare issue, an emergency rule with immediate effect is needed until a permanent rules can be developed.

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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 on 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 ____

Date Adopted: June 14, 2019
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-312-04000R Freshwater exceptions to statewide rules—Puget Sound.

Notwithstanding the provisions of WAC 220-312-040, effective immediately until further notice:

Green (Duwamish) River (King Co.): From the Tacoma Municipal Watershed Boundary Marker (1 mile downstream of Tacoma Headworks Dam) to the Friday Creek confluence:
Closed Waters.