



# 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: November 15, 2019

TIME: 3:10 PM

WSR 19-23-067

**Agency:** Department of Fish and Wildlife (Order 19-292)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) November 16, 2019

**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 salmon fishing rules for Minter Creek.

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

New:  
 Repealed: WAC 220-312-04000D  
 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 emergency rule returns Minter Creek to permanent rule, thus reopening salmon angling. Minter Creek Hatchery is now expected to meet hatchery egg take goals so the salmon closure is no longer needed. There is insufficient time to adopt permanent rules.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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New 1 Amended \_\_\_\_ Repealed 1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	____

<b>Date Adopted:</b> November 15, 2019	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-312-04000F Freshwater exceptions to statewide rules—Puget Sound.**

Notwithstanding the provisions of WAC 220-312-040, effective November 16, 2019 until further notice, the following areas are closed to salmon angling:

- (1) **Green (Duwamish) River (King Co.):** from an east-west line extending through the southernmost tip of Harbor Island to Tukwila International Blvd./Old Hwy. 99 to the Tacoma Municipal Watershed Boundary Marker (1 mile downstream of Tacoma Headworks Dam)
- (2) **Kennedy Creek (Thurston Co.):** from the mouth (500 yards east of the northbound Hwy. 101 Bridge) to the northbound Hwy. 101 Bridge

## REPEALER

The following section of the Washington Administrative Code is repealed effective November 16, 2019:

WAC 220-312-04000D Freshwater exceptions to statewide rules—Puget Sound. (19-285)