



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 15-306

- Immediately upon filing.
- Later (specify) September 2, 2015

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Repealed: WAC 232-28-61900F
 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: An emergency rule is needed to reopen the Skykomish and Stillaguamish rivers as flows and water temperature in the rivers have responded positively to a change in the weather pattern. Lifting these closures will provide angling opportunity. There is insufficient time to adopt permanent rules.

Date adopted: September 2, 2015

NAME (TYPE OR PRINT)
J W Unsworth

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 02, 2015

TIME: 1:45 PM

WSR 15-19-003

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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 220-310-19000J Freshwater exceptions to statewide rules—Puget Sound.

Notwithstanding the provisions of WAC 220-310-190, effective immediately until further notice, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

- (1) **Raging River** (King Co.) From the mouth upstream closed to all fishing.
- (2) **Skykomish River** (Snohomish Co.) From the mouth upstream to the mouth of the Sultan River, open to fishing. From the mouth of the Sultan River upstream to the Highway 2 Bridge in Gold bar (Big Eddy Access), closed to fishing. The section around Reiter Ponds remains open from the Gold Bar/Big Eddy Access (Hwy. 2 Bridge) upstream to the confluence of the North and South Forks.
- (3) **North Fork Skykomish River** (Snohomish Co.) From mouth upstream including all tributaries closed to all fishing daily 2:00 p.m. to midnight.
- (4) **South Fork Skykomish River** (Snohomish/King Co.) From Sunset Falls upstream and all tributaries, including the Beckler, Foss, Miller and Rapid rivers and their tributaries closed to all fishing daily 2:00 p.m. to midnight.
- (5) **Wallace River** (Snohomish Co.). From the mouth upstream including all tributaries closed to all fishing.
- (6) **Stillaguamish River** (Skagit/Snohomish Co.) From Marine Drive upstream to the forks. Open to fishing.
- (7) **Stillaguamish River** North and South Forks and all tributaries closed to fishing.
- (8) **Suiattle River (Skagit Co.)** Tributaries Buck, Downey and Sulpher Creeks are closed to fishing.
- (9) **Samish River** (Skagit Co.) From I-5 to headwaters and Friday Creek from the mouth upstream closed to all fishing daily 2:00 p.m. to midnight.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-310-19000F Freshwater exceptions to statewide rules—Puget Sound. (15-278)

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() 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, 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.

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(15-306, 9/2/2015)