



# 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 16-261**

- Immediately upon filing.
- Later (specify) September 24, 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 freshwater recreational fishing rules for the Green River

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

Repealed: WAC 220-310-19000P, WAC 220-310-19000S  
 Amended: WAC 220-310-190  
 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: These areas had been closed under a co-manager agreement to protect coho salmon. Early season test fisheries have indicated that the coho return is strong enough to support limited sport and Tribal fisheries in the lower Green River. This emergency rule is needed to open areas in addition to the area that was opened under WSR 16-19-053 and will provide additional angling opportunity. There is insufficient time to adopt permanent rules.

**Date adopted:** September 23, 2016

**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 23, 2016**

**TIME: 4:46 PM**

**WSR 16-20-015**

**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 | _____ |
|-----|-------|---------|-------|----------|-------|

**The number of sections adopted in the agency's own initiative:**

|     |          |         |       |          |          |
|-----|----------|---------|-------|----------|----------|
| New | <u>1</u> | Amended | _____ | Repealed | <u>2</u> |
|-----|----------|---------|-------|----------|----------|

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

|     |       |         |       |          |       |
|-----|-------|---------|-------|----------|-------|
| New | _____ | Amended | _____ | Repealed | _____ |
|-----|-------|---------|-------|----------|-------|

**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 220-310-19000S Freshwater exceptions to statewide rules—Puget Sound**

Notwithstanding the provisions of WAC 220-310-190, it is permissible to fish in waters of the Green River (King Co.). The following rules apply:

- (1) Open from the 1<sup>st</sup> Ave. South Bridge upstream to I-405 September 24 through October 31.
  - (a) Salmon: Daily limit six salmon, of which only three may be adults, minimum size 12 inches and release Chinook. Release all steelhead.
  - (b) Trout: Daily limit two, minimum size 14 inches.
  - (c) Other game fish: Statewide minimum size/daily limit.
  - (d) Night closure and anti-snagging rule is in effect for all species.
- (2) Open from I-405 upstream to South 277<sup>th</sup> Bridge October 1 through October 31.
  - (a) Salmon: Daily limit six salmon, of which only three may be adults, minimum size 12 inches and release Chinook. Release all steelhead.
  - (b) Trout: Daily limit two, minimum size 14 inches.
  - (c) Other game fish: Statewide minimum size/daily limit.
  - (d) Night closure and anti-snagging rule is in effect for all species.
- (3) Open from South 277<sup>th</sup> Bridge upstream to Auburn-Black Diamond Road Bridge October 16 through October 31.
  - (a) Salmon: Daily limit six salmon, of which only three may be adults, minimum size 12 inches and release Chinook. Release all steelhead.
  - (b) Trout: Daily limit two, minimum size 14 inches.
  - (c) Other game fish: Statewide minimum size/daily limit.
  - (d) Night closure and anti-snagging rule is in effect for all species.

## REPEALERS

The following section of the Washington Administrative Code is repealed effective September 24, 2016:

WAC 220-310-19000P Freshwater exceptions to statewide rules—Puget Sound. (16-251)

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

WAC 220-310-19000S Freshwater exceptions to statewide rules—Puget Sound.

