



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 16-294

- Immediately upon filing.
- Later (specify) October 22, 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 recreational fishing rules for the Nisqually River

Citation of existing rules affected by this order:

Repealed: WAC 220-310-19000N
 Amended: WAC 220-310-190
 Suspended:

Statutory authority for adoption: RCW 77.04.012, RCW 77.04.020 and RCW 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: This emergency rule is needed to reopen a portion of the Nisqually River which was closed earlier by emergency rule filing WSR 16-18-084. Egg-take goals have been met at Kalama and Clear Creek hatcheries. The co-managers agree that the coho return is strong enough to support limited sport and tribal fisheries. There is insufficient time to adopt permanent rules.

Date adopted: October 21, 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: October 21, 2016

TIME: 3:32 PM

WSR 16-22-014

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

Notwithstanding the provisions of WAC 220-310-190, effective October 22, 2016, until further notice it is permissible to fish for salmon and gamefish in those waters of the Nisqually River from the mouth to military tank crossing bridge (located one mile upstream of mouth of Muck Creek).

(1) Salmon: Daily limit of 2 hatchery adult coho only. Release all Chinook, all chum, wild coho and wild steelhead.

(2) Trout: Daily limit of 2, minimum size 14 inches. Other gamefish statewide minimum size/daily limits apply.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 22, 2016:

WAC 220-310-19000N Freshwater exceptions to statewide rules—Puget Sound. (16-235)