



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 16-310

- Immediately upon filing.
- Later (specify) December 5, 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

Citation of existing rules affected by this order:

Repealed: WAC 220-310-19000B
 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: This emergency rule is needed to closes these waters because the Tokul Creek and Whitehorse hatcheries are expecting a very low return of hatchery early winter steelhead this year as there were no smolt releases in 2014 or 2015. All returning hatchery fish will be needed for broodstock to ensure egg take goals are met. There is insufficient time to adopt permanent rules.

Date adopted: December 2, 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: December 02, 2016

TIME: 9:10 AM

WSR 16-24-053

(COMPLETE REVERSE SIDE)

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

Notwithstanding the provisions of WAC 220-310-190:

(1) Effective December 5, 2016 through February 15, 2017, the following waters are closed to fishing:

- (a) Stillaguamish River; Closed from Marine Drive (South of Stanwood) upstream to the forks.
- (b) North Fork Stillaguamish River; Closed from the mouth upstream to the mouth of French Creek.
- (c) South Fork Stillaguamish River; Closed from the mouth upstream to the Granite Falls Fishway.
- (d) Canyon Creek; Closed from mouth to forks.
- (e) Pilchuck Creek; Closed from mouth to the Highway 9 Bridge.

(2) Effective December 16, 2016 through February 15, 2017, the following waters are closed fishing:

- (a) Tokul Creek; from the mouth upstream to the hatchery intake.
- (b) Tolt River; from the mouth to the confluence with the North and South Forks.
- (c) Raging River; from the mouth to the Highway 18 Bridge (upstream of Preston).
- (d) Snoqualmie River; from the mouth upstream to Snoqualmie Falls.

(3) Effective Feb.1 through February 15, 2017, the following waters are closed to fishing:

- (a) North Fork Stillaguamish River; Closed from the mouth of French Creek upstream to Swede Heaven Bridge.

REPEALER

The following section of the Washington Administrative Code is repealed effective February 16, 2017:

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