



# 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 17-161**

- Immediately upon filing.
- Later (specify) August 1, 2017

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** Amend recreation fishing rules for listed Skagit basin streams

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

Repealed:  
 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.
- 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: The Department is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

**Date adopted:** July 13, 2017

**NAME (TYPE OR PRINT)**  
J W Unsworth

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER**  
**STATE OF WASHINGTON**  
**FILED**

**DATE: July 13, 2017**

**TIME: 2:18 PM**

**WSR 17-15-059**

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

New	<u>1</u>	Amended	_____	Repealed	_____
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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:**

<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 220-312-04000Q Freshwater exceptions to statewide rules**

Notwithstanding the provisions of WAC 220-312-040, effective immediately until further notice the following rules apply. Unless otherwise amended all permanent rules remain in effect.

(1) Effective August 1, 2017, until further notice the following waters are closed to angling:

- (a) Buck Creek (Snohomish/Skagit Co.)
- (b) Camp Creek (Snohomish Co.)
- (c) Downey Creek (Snohomish/Skagit Co.)
- (d) Found Creek (Skagit Co.)
- (e) Kindy Creek (Skagit Co.)
- (f) Lime Creek (Snohomish Co.)
- (g) Marble Creek (Skagit Co.)
- (h) Milk Creek (Snohomish Co.)
- (i) Pugh Creek (Snohomish Co.)
- (j) Straight Creek (Snohomish Co.)
- (k) Sulphur Creek (Snohomish Co.)
- (l) Texas Creek (Skagit Co.)

(2) Effective August 16, 2017, until further notice the following waters are closed to angling:

- (a) All Creek (Snohomish/Skagit Co.)
- (b) Bacon Creek (Skagit/Whatcom Co.)
- (c) Boulder Creek (Skagit Co.)
- (d) Diobsud Creek (Skagit Co.)
- (e) Goodell Creek (Whatcom Co.)
- (f) Illabot Creek (Skagit Co.)
- (g) Jordan Creek (Skagit Co.)
- (h) Ladder Creek (Whatcom Co.)