



# RULE-MAKING ORDER EMERGENCY RULE ONLY

## CR-103E (August 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: November 28, 2017

TIME: 5:05 PM

WSR 17-24-028

**Agency:** Department of Fish and Wildlife (Order 17-327)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify) December 01, 2017

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

- Yes  No If Yes, explain:

**Purpose:** Amends recreational fishing rules for the Nisqually River.

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

New:  
Repealed:  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.

**Reasons for this finding:** This emergency rule is necessary because current run estimates indicate that winter chum returns for the Nisqually River will fall short of escapement goals. There is insufficient time adopt permanent rules.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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 on 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	Amended	___	Repealed	___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:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

**Date adopted:** November 28, 2017

**Name:** Nate Pamplin for J W Unsworth

**Title:** Director

**Signature:**



NEW SECTION

**WAC 220-312-04000A Freshwater exceptions to statewide rules—Puget Sound.**

Notwithstanding the provisions of WAC 220-312-040, effective December 01, 2017 until further notice:

The Nisqually River from the mouth to military tank crossing bridge (located one mile upstream of mouth of Muck Creek) is closed to fishing.

