



**RULE-MAKING ORDER
EMERGENCY RULE ONLY**

**CR-103E (December 2017)
(Implements RCW 34.05.350
and 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 13, 2021

TIME: 3:51 PM

WSR 21-17-102

Agency: Department of Fish and Wildlife (Order 21-149)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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

- Yes No If Yes, explain:

Purpose: The purpose of this emergency rule is to open waters surrounding Dash Point to fishing for food fish.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-311-020
- 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 the City of Tacoma has closed the Dash Point Pier due to structural concerns. Due to the pier being closed it is no longer necessary to close the surrounding waters as a measure to prevent gear conflicts with beach and boat fishers. Opening the surrounding area will provide publicly accessible opportunity that would otherwise be lost. There is insufficient time to 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____

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

New 1 Amended ____ Repealed ____

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

New ____ Amended ____ Repealed ____

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: August 13, 2021
Name: Kelly Susewind
Title: Director

Signature:


NEW SECTION

WAC 220-311-02000A Puget Sound public fishing piers—Restricted fishing areas.

Effective immediately, until further notice, the following provisions of WAC 220-311-020 regarding fishing for food fish within 100 yards of the Dash Point public fishing pier shall be as described below. All other provisions of WAC 220-211-020 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

It is permissible fish for and possess food fish taken within 100 yards of the Dash Point public fishing pier.