**RULE-MAKING ORDER**  
**EMERGENCY RULE ONLY**

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

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**Agency:** Department of Fish and Wildlife  
(Order 22-08)

**Effective date of rule:**  
☐ Immediately upon filing.  
☒ Later (specify) January 22, 2022

**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 reopen gamefish seasons in the Nooksack River and its forks under permanent rules.

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

Repealed: WAC 220-312-04000Y  
Amended:  
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:** Recreational gamefish seasons were closed throughout the Nooksack River and its forks to maximize egg-take for the hatchery winter steelhead return in mid-December. Kendall hatchery steelhead broodstock needs have been met and the fishing closure is no longer necessary.

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**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:**

<table>
<thead>
<tr>
<th>Category</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal statute</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Federal rules or standards</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recently enacted state statutes</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The number of sections adopted at the request of a nongovernmental entity:

<table>
<thead>
<tr>
<th></th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th></th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td>1</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th></th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
</table>

The number of sections adopted using:

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<tr>
<th>Method</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Negotiated rule making</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pilot rule making</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Other alternative rule making</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Date Adopted:** January 21, 2022

**Name:** Kelly Susewind

**Title:** Director

**Signature:**

[Signature Image]
The following section of the Washington Administrative Code are repealed, effective January 22, 2022.

WAC 220-312-04000Y Freshwater exceptions to statewide rules—Puget Sound. (21-275)