

**WSR 23-05-016
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-17—Filed February 3, 2023, 2:29 p.m., effective February 4, 2023]

Effective Date of Rule: February 4, 2023.

Purpose: The purpose of this emergency rule is to return Nooksack River, North Fork fisheries to permanent rules.

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000C.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: This emergency rule is necessary to return Nooksack River, North Fork fisheries to permanent rules, as written in WAC 220-312-040. Kendall Hatchery eggtake goals for hatchery steelhead have been reached, allowing opportunity for recreational anglers to access surplus hatchery steelhead that remain in the system.

There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: February 3, 2023.

Kelly Susewind
Director

REPEALER

The following section of Washington Administrative Code is repealed, effective February 4, 2023:

WAC 220-312-04000C Freshwater exceptions to statewide rules—Puget Sound. (23-02)