

WSR 24-11-135
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-73—Filed May 21, 2024, 12:45 p.m., effective May 25, 2024]

Effective Date of Rule: May 25, 2024.

Purpose: The purpose of this emergency rule is to close recreational fishing seasons in the Nooksack River and its forks.

Citation of Rules Affected by this Order: Amending WAC 220-312-040.

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 close recreational fishing seasons for Nooksack River, including North and Middle forks, beginning May 25, 2024, and is needed to conform with seasons agreed to during the 2024 North of Falcon season setting process. These rules are interim until permanent rules take effect.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: May 21, 2024.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000G Freshwater exceptions to statewide rules—Puget Sound. Effective May 25, 2024, until further notice, recreational fishing seasons for Nooksack River; Nooksack River, North Fork; Nooksack River, Middle Fork; and Nooksack River, South Fork shall be modified during dates listed as follows. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

(1) Nooksack River (Whatcom County), from Lummi Indian Reservation boundary to confluence of North and South Forks:

Effective May 25 through July 31, 2024: All species: Closed.

(2) Nooksack River, North Fork (Whatcom County):

From Hwy. 9 Bridge to Nooksack Falls: Effective May 25, 2024, until further notice: All species: Closed.

(3) Nooksack River, Middle Fork (Whatcom County), from mouth to former site of City of Bellingham diversion dam:

Effective May 25, 2024, until further notice: All species: Closed.

(4) Nooksack River, South Fork (Whatcom County), from mouth to Skookum Creek:

Effective May 25, 2024, until further notice: All species: Closed.