

WSR 24-02-028
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-271—Filed December 22, 2023, 1:42 p.m., effective January 1, 2024]

Effective Date of Rule: January 1, 2024.

Purpose: The purpose of this emergency rule is to set closure dates for recreational fishing seasons for North Fork and South Fork, Nooksack River.

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 all game fish seasons in the Nooksack River, North and South forks. In recent years, there has been a substantial increase in angler effort on the Nooksack in areas and during times that wild steelhead are present. Early closures are needed to minimize impacts to the wild steelhead population. These closures reflect seasons agreed to with comanagers in the signed Winter Steelhead Management Plan.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: December 22, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000B Freshwater exceptions to statewide rules—Puget Sound. Effective January 1, through February 15, 2024, the following provisions of WAC 220-312-040 regarding game fish seasons for the Nooksack River, North Fork and Nooksack River, South Fork shall be modified during the dates and in locations listed and as described herein. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

(1) Nooksack River, North Fork (Whatcom Co.): From the Hwy. 9
Bridge to Maple Creek:

February 1 through February 15, 2024: Game fish: Closed.

(2) Nooksack River, South Fork (Whatcom Co.): From mouth to Skoo-
kum Creek:

January 1 through January 31, 2024: Game fish: Closed.