

WSR 21-12-045
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-76—Filed May 25, 2021, 3:49 p.m., effective May 29, 2021]

Effective Date of Rule: May 29, 2021.

Purpose: The purpose of this emergency rule is to close gamefish seasons in Nisqually River tributaries downstream of Alder Dam.

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 needed to close recreational fishing seasons in Nisqually River tributaries downstream of Alder Dam that are not otherwise listed in WAC 220-312-040. These closures have been agreed to with comanagers during the 2021 North of Falcon season setting process and is necessary to protect adult steelhead and juvenile salmon. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: May 25, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000B Freshwater exceptions to statewide rules—Puget Sound. Effective May 29 through June 30, 2021, the following provisions of WAC 220-312-040 regarding recreational fishing seasons for gamefish in Nisqually River tributaries downstream of Alder Dam, shall be as described below. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

Nisqually River (Pierce/Thurston Co.) tributaries downstream of Alder Dam, unless otherwise listed in WAC 220-312-040: Closed waters.

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