



RULE-MAKING ORDER EMERGENCY RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 21, 2024

TIME: 12:45 PM

WSR 24-11-135

Agency: Department of Fish and Wildlife (Order 24-73)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) May 25, 2024

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 close recreational fishing seasons in the Nooksack River and it's forks.

Citation of rules affected by this order:

New:
 Repealed:
 Amended: WAC 220-312-040
 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: 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 NOF season setting process. These rules are interim until permanent rules take effect.

**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:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New ____ Amended ____ Repealed ____

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

New 1 Amended ____ Repealed ____

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

New ____ Amended ____ Repealed ____

The number of sections adopted using:

Negotiated rule making:	New	____	Amended	____	Repealed	____
Pilot rule making:	New	____	Amended	____	Repealed	____
Other alternative rule making:	New	____	Amended	____	Repealed	____

Date Adopted: May 21, 2024
Name: Kelly Susewind
Title: Director

Signature:



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.