



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:

Emergency Rules 16-267

- Immediately upon filing.
- Later (specify) September 29, 2016

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: Amend recreational freshwater fishing rules for the Snohomish River

Citation of existing rules affected by this order:

Repealed: WAC 220-310-19000U
 Amended: WAC 220-310-190
 Suspended:

Statutory authority for adoption: RCW 77.12.047 and RCW 77.04.020

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.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: This emergency rule is needed to open the Snohomish River because it was originally closed to all fishing under a state and tribal co-manager agreement to protect coho salmon. The co-managers agree that the coho return is strong enough to support limited sport and tribal fisheries. Opening the river for recreational anglers will provide fishing opportunity. The co-managers will continue to monitor this fishery and may make adjustments in the coming weeks. There is insufficient time to adopt permanent rules.

Date adopted: September 28, 2016

NAME (TYPE OR PRINT)

J W Unsworth

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 28, 2016

TIME: 4:38 PM

WSR 16-20-044

**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	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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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	_____

NEW SECTION

WAC 220-310-19000U Freshwater exceptions to statewide rules—Puget Sound.

Notwithstanding the provisions of WAC 220-310-190, effective September 29 through October 2, 2016 and October 6 through October 9, 2016, it is permissible to fish for salmon in the waters of the Snohomish River from the mouth (Burlington-Northern Railroad bridges) (including all channels, sloughs, and interconnected waterways, but excluding all tributaries) upstream to confluence of the Skykomish and Snoqualmie rivers (all channels). The following rules apply:

- (1) Salmon: Daily limit 2 coho, minimum size 12 inches. All species other than coho must be released.
- (2) Night closure and anti-snagging rules are in effect.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 10, 2016:

WAC 220-310-19000U Freshwater exceptions to statewide rules—Puget Sound.