



**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, 2019

TIME: 12:07 PM

WSR 19-11-107

Agency: Department of Fish and Wildlife (Order 19-88)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) May 25, 2019

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 fishing rules for the Stillaguamish River.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-04000L
- 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: The Department is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1

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New ____ Amended ____ Repealed ____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, 2019	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-04000L Freshwater exceptions to statewide rules—Puget Sound.

Notwithstanding the provisions of WAC 220-312-040, effective May 25 through September 15, 2019, the following waters are closed to fishing:

- (1) **Boulder River** (Snohomish Co.) from mouth to Boulder Falls.
- (2) **Canyon Creek** (Snohomish Co.) from mouth to forks.
- (3) **Pilchuck Creek** (Skagit/Snohomish Co.) from the mouth to the highway 9 bridge.
- (4) **Squire Creek** (Snohomish Co.)
- (5) **Stillaguamish River** (Snohomish Co.), from Marine Drive to Forks.
- (6) **Stillaguamish River, North Fork** (Snohomish Co.) from mouth to North Fork Falls (approximately 1 mile above Cascade Creek).
- (7) **Stillaguamish River, South Fork** (Snohomish Co.) from the mouth to 400 feet below the Granite Falls Fishway outlet.

REPEALER

The following section of the Washington Administrative Code is repealed effective September 16, 2019:

WAC 220-312-04000L Freshwater exceptions to statewide rules—Puget Sound.