



**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: August 29, 2019

TIME: 2:12 PM

WSR 19-18-039

Agency: Department of Fish and Wildlife (Order 19-204)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 1, 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 Snohomish River recreational salmon fishing rules.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-04000X
- 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 rule is needed to open pink salmon retention on the Snohomish River. The Snohomish River was originally closed for pink salmon retention under a state and tribal co-manager agreement to protect pink salmon. Early information indicates that the return of pinks to the Snohomish River is large enough to support a small recreational fishery in the river. There is insufficient time to adopt permanent rules.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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: August 29, 2019
Name: Jim Scott for Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-040, effective September 1 through September 3, 2019:

Snohomish River (Snohomish County), from the mouth (Burlington-Norther Railroad bridges) (including all channels, sloughs, and interconnected waterways, but excluding all tributaries) upstream to confluence of the Skykomish and Snoqualmie Rivers: Salmon: Daily limit 1; release all salmon other than coho and pink salmon.

REPEALER

The following sections of the Washington Administrative Code is repealed effective September 4, 2019:

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