



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: October 17, 2019

TIME: 1:26 PM

WSR 19-21-109

Agency: Department of Fish and Wildlife (Order 19-262)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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 Wallace River.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-04000B
- 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 needed to open part of the Wallace River to hatchery coho retention. Coho broodstock goals have been met at the Wallace Hatchery and the remainder of hatchery coho are available for harvest. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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New ____ Amended ____ Repealed ____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: October 16, 2019	Signature: 
Name: Amy Windrope for Kelly Susewind	
Title: Director	

NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-040, effective immediately through December 31, 2019:

Wallace River: From the mouth (farthest downstream railroad bridge) to 200 feet upstream of the water intake to the salmon hatchery:

Salmon: Minimum size 12". Daily limit 2; release all salmon other than hatchery coho.

REPEALER

The following section of the Washington Administrative Code is repealed effective January 1, 2020:

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