



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: December 17, 2019

TIME: 4:07 PM

WSR 20-01-156

Agency: Department of Fish and Wildlife (Order 19-309)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) December 19, 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 freshwater in Puget Sound..

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- Repealed: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 needed to close portions of the listed rivers to the retention of hatchery steelhead. Whitehorse Ponds, Wallace River, Reiter Ponds and Tokul Creek hatcheries do not currently have enough broodstock on hand to reach early winter steelhead egg take goals. These closures are necessary to ensure hatchery broodstock goals are met. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____

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: December 17, 2019

Name: Kelly Susewind

Title: Director

Signature:



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

Notwithstanding the provisions of WAC 220-312-040, effective December 19, 2019, until further notice the following waters are closed to the retention of hatchery steelhead.

- (1) Stillaguamish River, from the mouth upstream to confluence of the North Fork and South Fork Stillaguamish Rivers
- (2) North Fork Stillaguamish River, from the mouth upstream to Swede Heaven Bridge.
- (3) Snohomish River, from the mouth upstream to confluence of the Skykomish and Snoqualmie rivers.
- (4) Skykomish River, from the mouth upstream to the confluence of the North Fork Skykomish and South Fork Skykomish rivers.
- (5) Wallace River.
- (6) Snoqualmie River, from the mouth upstream to Snoqualmie Falls.
- (7) Tokul Creek.