



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (August 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 27, 2017

TIME: 2:42 PM

WSR 17-22-079

Agency: Department of Fish and Wildlife (Order 17-287)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 29, 2017

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 in the Snohomish, Skykomish, Snoqualmie, and Wallace Rivers

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-04000W
- 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 because spawning ground surveys, counts at the Sunset Falls trap, and Wallace Hatchery rack returns indicate that the run size of coho and pink salmon in the Snohomish watershed are well below pre-season forecasts. To protect future runs of coho, spawner escapement goals must be met. If indicators of abundance improve fisheries may be reopened. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___
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The number of sections adopted on 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	___

Date adopted: October 27, 2017

Name: J W Unsworth

Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-040, effective October 29 through December 31, 2017, release all salmon except for hatchery coho in the following waters:

- (a) Snohomish River (Snohomish County): from mouth to confluence of Skykomish and Snoqualmie Rivers
- (b) Skykomish River (Snohomish County): from mouth to confluence of North and South Forks
- (c) Snoqualmie River (King/Snohomish County): from mouth to Snoqualmie Falls
- (d) Wallace River (Snohomish County): from mouth to 200 feet upstream of the water intake of the salmon hatchery

REPEALER

The following section of the Washington Administrative Code is repealed effective October 29, 2017:

WAC 220-312-04000W Freshwater exceptions to statewide rules—Puget Sound. (Order 17-258)

