



**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: September 28, 2018

TIME: 9:36 AM

WSR 18-20-070

**Agency:** Department of Fish and Wildlife (Order 18-268)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) September 29, 2018

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**Purpose:** Amends recreational salmon fishing rules for Snohomish, Snoqualmie, Skykomish, and Wallace Rivers.

**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 Repealed:  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 salmon fishing in portions of the Snohomish, Snoqualmie, Skykomish and Wallace Rivers and requires the release of all salmon other than hatchery coho in the sections that remain open to salmon. In-season run size updates indicate that the Snohomish wild coho run is lower than the pre-season forecast. These measures are needed to protect future runs of coho by increasing chances wild spawner escapement 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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:** September 26, 2018  
**Name:** Kelly Susewind  
**Title:** Director

**Signature:**  


NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-040, effective September 29, 2018 until further notice:

(1) **Snohomish River (Snohomish Co.):** from mouth to confluence of the Skykomish and Snoqualmie Rivers: Closed to salmon fishing.

(2) **Snoqualmie River (King/Snohomish Co.):** from mouth to Snoqualmie Falls: Closed to salmon fishing.

(3) **Skykomish River (Snohomish Co.):**

(a) From mouth to the mouth of the Wallace River: Release all salmon other than hatchery coho.

(b) From the mouth of the Wallace River to the confluence of North and South Forks: Closed to salmon fishing.

(4) **Wallace River (Snohomish Co.):** from mouth to 200' upstream of the hatchery water intake: Release all salmon other than hatchery coho.