



**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: November 30, 2018

TIME: 3:04 PM

WSR 18-24-078

Agency: Department of Fish and Wildlife (Order 18-330)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) December 1, 2018

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 Repealed: WAC 220-312-04000E
 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 a gamefish season for the section of the Wallace River from 200 feet downstream to 200 feet upstream of the salmon hatchery water intake. Wallace Hatchery salmon broodstock goals have been met and the hatchery weir is open and passable to fish. The return of steelhead is forecast to be sufficient to provide harvestable opportunity. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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: November 30, 2018	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-040, effective December 1, 2018 through February 15, 2019:

Wallace River (Snohomish Co.) from 200 feet downstream to 200 feet upstream of the water intake of the salmon hatchery:

- (a) It is unlawful to fish from any floating device.
- (b) Game fish: Statewide minimum length/daily limit, except:
 - (i) Cutthroat trout and wild rainbow trout: minimum length 14 inches.
 - (ii) Dolly varden/bull trout: minimum length 20 inches as part of the trout limit.

REPEALER

The following section of the Washington Administrative Code is repealed effective February 16, 2019:

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