



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: January 04, 2019

TIME: 9:41 AM

WSR 19-03-019

Agency: Department of Fish and Wildlife (Order 19-03)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) January 7, 2019

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

- Yes No If Yes, explain:

Purpose: Ammend recreational fishing rules for the Skykomish, North Fork Stillaguamish, and Wallace Rivers.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000E; WAC 220-312-04000F
 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 close fishing in portions of the North Fork Stillaguamish, Skykomish, and Wallace Rivers. Whitehorse, Wallace River, and Reiter Ponds 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| Federal statute: | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards: | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | ___ | Repealed | ___ |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 2

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: January 3, 2019 | Signature:  |
| Name: Joe Stohr for Kelly Susewind | |
| Title: Director | |

NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-040, effective January 7 through February 15, 2019:

- (1) Skykomish River (Snohomish County): from the mouth to the forks: Closed waters.
- (2) Stillaguamish River, North Fork (Snohomish County): from the mouth to Swede Heaven Bridge: Closed waters.
- (3) Wallace River (Snohomish County): from the mouth to 200 feet upstream of the water intake of the salmon hatchery: Closed waters.

REPEALERS

The following section of the Washington Administrative Code is repealed effective January 7, 2019:

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

The following section of the Washington Administrative Code is repealed effective February 16, 2019:

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