



**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 14, 2019

TIME: 4:11 PM

WSR 19-03-092

Agency: Department of Fish and Wildlife (Order 19-08)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

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 Skykomish and Wallace Rivers.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000G; WAC 220-312-04000F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 reopen fishing in portions of the Skykomish, and Wallace Rivers. Whitehorse hatchery on the North Fork Stillaguamish does not currently have enough broodstock on hand to reach early winter steelhead egg take goals and will remain closed. Wallace River, and Reiter Ponds hatcheries have collected enough early winter steelhead broodstock to meet egg take goals. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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 14, 2019
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

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

(1) Stillaguamish River, North Fork (Snohomish County): from the mouth to Swede Heaven Bridge: Closed waters.

(2) 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.

REPEALERS

The following section of the Washington Administrative Code is repealed effective immediately:

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

The following section of the Washington Administrative Code is repealed effective February 16, 2019:

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