



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: February 22, 2019

TIME: 10:44 AM

WSR 19-06-008

Agency: Washington Department of Fish and Wildlife (19-23)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) March 1, 2019

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 fishing rules for the Yakima River

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-05000A
 Amended: WAC 220-312-050
 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: The Yakima/Klickitat Fisheries Project managers (Yakama Nation and WDFW) are using the two main gravel pit ponds at Easton to acclimate and release hatchery-reared coho salmon smolts this spring. This emergency rule is needed to temporarily close the ponds during the smolt acclimation period. Both ponds will be stocked with catchable trout before reopening. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____

Recently enacted state statutes: New ____ Amended ____ Repealed ____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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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: February 22, 2019

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-312-05000A Freshwater exceptions to statewide rules—Eastside.

Notwithstanding the provisions of WAC 220-312-050, effective March 1 through April 26, 2019, it is unlawful to fish in the waters of Easton Ponds 1 and 2 (Kittitas Co.).

REPEALER

The following section of the Washington Administrative Code is repealed effective April 27, 2019:

WAC 220-312-05000A Freshwater exceptions to statewide rules—Eastside.

