

WSR 22-19-003  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 22-193—Filed September 8, 2022, 3:02 p.m., effective September 16, 2022]

Effective Date of Rule: September 16, 2022.

Purpose: The purpose of this emergency rule is to close all fishing in a portion of the Wallace River.

Citation of Rules Affected by this Order: Amending WAC 220-312-040.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: This rule is necessary to close recreational fishing in a portion of the Wallace River to protect broodstock for the Wallace Hatchery.

Wallace River is experiencing very low flows and salmon are not able to move upstream into the hatchery. Chinook holding downstream of the hatchery are vulnerable to low water conditions and increased fishing pressure, impacting essential broodstock collection.

The Washington department of fish and wildlife will evaluate reopening once conditions improve and broodstock goals for Chinook and coho are assured.

There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 8, 2022.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-312-04000L Freshwater exceptions to statewide rules—Puget Sound.** Effective September 16 through November 30, 2022, the following provisions of WAC 220-312-040 regarding fishing seasons for Wallace River shall be modified during the dates and in locations lis-

ted and described herein. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

**Wallace River (Snohomish County): From the mouth (farthest downstream RR bridge) to Wallace Falls:**

All Species: Closed.

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