



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: May 10, 2019

TIME: 12:47 PM

WSR 19-11-045

Agency: Department of Fish and Wildlife (Order 19-102)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) May 13, 2019

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 Chehalis River; Chehalis River, South Fork; Newaukum River, North Fork; Newaukum River, South Fork; and the Skookumchuck River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-02000M; WAC 220-312-02000Q
 Amended: WAC 220-312-020
 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 emergency rule is needed to close the Chehalis River and listed tributaries to fishing. Low predicted spring Chinook returns make them more vulnerable to fishing pressure. Spring Chinook stage in the Chehalis River, South Fork Chehalis River, North and South forks of the Newaukum Rivers and the Skookumchuck River. Any incidental encounters of spring Chinook during game fishing could subject this fish to stress, injury, or death, which during a year of low predicted returns could harm future runs. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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: May 10, 2019
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-312-02000Q Freshwater exceptions to statewide rules—Coast.

Notwithstanding the provisions of WAC 220-312-020, effective May 13 through June 30, 2019, the following waters are closed to all fishing:

- 1) Chehalis River (Grays Harbor County)
- 2) Chehalis River, South Fork (Grays Harbor County)
- 3) Newaukum River, North Fork (Lewis County)
- 4) Newaukum River, South Fork (Lewis County)
- 5) Skookumchuck River (Lewis/Thurston County)

REPEALERS

The following section of the Washington Administrative Code is repealed effective May 13, 2019:

WAC 220-312-02000M Freshwater exceptions to statewide rules—Coast. (19-71)

The following section of the Washington Administrative Code is repealed effective July 1, 2019:

WAC 220-312-02000Q Freshwater exceptions to statewide rules—Coast.