



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: July 25, 2019

TIME: 3:08 PM

WSR 19-16-014

Agency: Department of Fish and Wildlife (Order 19-164)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 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 Chehalis, Newaukum, and Skookumchuck Rivers.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-02000S
 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 set openings of fishing seasons for the Chehalis River and select tributaries. Staggered openings are necessary to protect spring Chinook returning to the Chehalis system. The abundance of spring Chinook is far below the escapement goal of 1,400 fish. As returning fish move farther upstream, it is possible to begin opening lower sections to angling while upstream and tributary closures achieve conservation objectives by protecting staging spring Chinook from fishing pressure.

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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: July 25, 2019

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-020:

- 1) Chehalis River (Grays Harbor County):
 - (a) from South Elma Bridge (Wakefield Rd.) to Black River, including all channels, sloughs, and interconnected waterways, effective August 1 through September 15, 2019: Closed Waters.
 - (b) from Black River upstream, effective August 1 through September 30: Closed Waters.
- 2) Chehalis River, South Fork (Grays Harbor County), effective August 1 through September 30: Closed Waters.
- 3) Newaukum River, including North and South Forks (Lewis County), effective August 1 through October 15, 2019: Closed Waters.
- 4) Skookumchuck River (Lewis/Thurston County), effective August 1 through October 15, 2019: Closed Waters.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 1, 2019:

WAC 220-312-02000S Freshwater exceptions to statewide rules—Coast. (19-149)