



# 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: 4:22 PM

WSR 19-16-017

**Agency:** Department of Fish and Wildlife (Order 19-160)

**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:** Amend recreational salmon fishing rules for Marine Areas 2-1 and 2-2 ,as well as Naselle, North Nemah, Willapa, and South Fork Willapa Rivers.

**Citation of rules affected by this order:**

New:  
 Repealed: WAC 220-312-02000S; WAC 220-313-07000Q  
 Amended: WAC 220-312-020; WAC 220-313-070  
 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 Department is in the process of adopting permanent rules that are necessary to implement the state's share of the fishing plans agreed to with resource co-managers at the 2019 North of Falcon proceedings. These emergency rules are necessary to take advantage of the state's fishing opportunity that is imminent and will be available prior to the permanent rule, in a manner consistent with co-manager agreed fisheries.

The reason for the emergency rules are to meet conservation objectives and because the current 2018 permanent rule is inconsistent with the agreed 2019 North of Falcon fishery sharing package.

**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 2 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:** July 25, 2019

**Name:** Kelly Susewind

**Title:** Director

**Signature:**

