



**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: November 12, 2019

TIME: 4:54 PM

WSR 19-23-041

**Agency:** Department of Fish and Wildlife (Order 19-282)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) November 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 salmon fishing rules for Willapa Bay and its tributaries.

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

- New:
- Repealed:
- 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:** These measures are necessary to close recreational salmon fishing in Willapa Bay and its tributaries. Coho salmon returns to tributaries in the Willapa Bay watershed have been significantly lower than preseason predictions. Retention of all salmon is prohibited in all fisheries prosecuted in the Willapa Bay watershed as a conservation measure. Managers will continue to assess coho returns and re-open if warranted. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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 2 Amended \_\_\_\_ Repealed \_\_\_\_

**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	____

<b>Date Adopted:</b> November 12, 2019	<b>Signature:</b> 
<b>Name:</b> Amy Windrope for Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-312-02000W Freshwater exceptions to statewide rules – Coast.**

Notwithstanding the provisions of WAC 220-312-020, effective November 13, 2019 until further notice, Salmon angling is closed in the following waters:

- 1) **Bear River** – (Pacific Co) from mouth (Hwy 101 Bridge) to Lime Quarry Rd (approx. 2 river miles)
- 2) **Forks Creek** – from Forks Creek Hatchery rack upstream 500' at fishing boundary sign
- 3) **Naselle River** – from the Hwy 101 Bridge to the Crown Mainline (Salme) Bridge
- 4) **Nemah River, Middle** – from mouth upstream to the Dept. of Natural Resources decommissioned bridge on Middle Nemah A-line Rd
- 5) **Nemah River, North** – from Hwy 101 Bridge upstream to N700 Rd (46° 28.58N, 123° 48.54W)
- 6) **Nemah River, South** – from mouth (Lynn Point 117 true to opposite shore) upstream
- 7) **North River** – from Hwy 105 Bridge to Fall River
- 8) **Smith Creek (Pacific Co. near North River)** – from mouth to Hwy 101 Bridge
- 9) **Willapa River** – from mouth (City of South Bend boat launch) to Hwy 6 Bridge (near the town of Lebam)
- 10) **Willapa River, South Fork** – from mouth to Pehl Rd Bridge

## NEW SECTION

### **WAC 220-313-07000T Coastal salmon—Saltwater seasons and daily limits.**

Notwithstanding the provisions of WAC 220-313-070, effective November 13, 2019 until further notice, Salmon angling is closed in Catch Record Card Area 2-1.