



**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: December 11, 2019

TIME: 3:07 PM

WSR 20-01-078

Agency: Department of Fish and Wildlife (Order 19-305)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) December 12, 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 Hoko River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-02000Z
 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 rule is necessary to close all steelhead retention on the Hoko River. Preseason expectations of hatchery origin steelhead are low requiring the release of hatchery steelhead to meet hatchery broodstock goals. This rule change is made in conjunction with co-managers who have also closed their steelhead fishery on the river. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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: December 11, 2019	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-020:

- 1) Hoko River from mouth to 100 feet downstream of the hatchery ladder, effective December 12 through March 15, 2020: Release all steelhead.
- 2) Hoko River from hatchery fish ladder to cement bridge on Lake Ozette Hwy. (upper Hoko Bridge), effective December 12 through March 15, 2020: Release all steelhead.
- 3) Hoko River from upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5), effective December 12 through March 31, 2020: Release all steelhead.

REPEALER

The following section of Washington Administrative Code is repealed effective March 31, 2020:

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

