



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:

Emergency Rules 15-130

- Immediately upon filing.
- Later (specify) May 17, 2015

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 Grays River

Citation of existing rules affected by this order:

Repealed: WAC 220-310-18500A
 Amended: WAC 220-310-185
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 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.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: Stray hatchery spring Chinook have been found in the system. These fish are also not needed for broodstock. Opening the rivers two weeks early will allow additional opportunity to harvest surplus hatchery spring Chinook and hatchery steelhead. There is insufficient time to adopt permanent rules.

Date adopted: May 15, 2015

NAME (TYPE OR PRINT)

J W Unsworth

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 15, 2015

TIME: 11:47 AM

WSR 15-11-052

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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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	_____

NEW SECTION

WAC 220-310-18500A Freshwater exceptions to statewide rules—Southwest.

Notwithstanding the provisions of WAC 220-310-185, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

- (1) **Grays River (Wahkiakum Co.):** Effective May 17 through June 5, it is permissible to fish in waters of the Grays River from mouth to the South Fork:
 - (a) Daily limit is six fish of which no more than two may be hatchery adult Chinook or hatchery steelhead, or one of each.
 - (b) Salmon minimum size is 12 inches.
 - (c) Wild Chinook and wild steelhead must be released.
 - (d) Release all fish except hatchery Chinook and hatchery steelhead.

- (2) **West Fork Grays River (Wahkiakum Co.)** Effective May 17 through June 5, it is permissible to fish in waters of the West Fork Grays River from the mouth upstream to the hatchery intake/footbridge:
 - (a) Daily limit is six fish of which no more than two may be hatchery adult Chinook or hatchery steelhead, or one of each.
 - (b) Salmon minimum size is 12 inches.
 - (c) Wild Chinook and wild steelhead must be released.
 - (d) Release all fish except hatchery Chinook and hatchery steelhead.

REPEALER

The following section of the Washington Administrative Code is repealed effective June 6, 2015:

WAC 220-310-18500A Freshwater exceptions to statewide rules—Southwest.

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (x) 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.

- () That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, 2011, 2012 or 2013 which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

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