



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 15-308

- Immediately upon filing.
- Later (specify) _____

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

Citation of existing rules affected by this order:

Repealed: WAC 220-310-18000U, WAC 220-310-19000Y
 Amended: WAC 220-310-180
 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: Recent rains and cooling temperatures have increased water levels, allowing fish to move more freely upriver and alleviating the need for additional protection. Upper portions of these rivers remain closed due to protect spring/summer Chinook and the potential for falling below normal flows before fall rains are consistent. The Department is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

Date adopted: September 2, 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: September 02, 2015

TIME: 2:27 PM

WSR 15-19-007

**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>2</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 220-310-18000B Freshwater exceptions to statewide rules—Coastal.

Notwithstanding the provisions of WAC 220-310-180, effective immediately until further notice, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

(1) Bogachiel River:

- (a) From mouth to Hwy 101 bridge:
 - (i) Open.
 - (ii) Salmon: Daily limit 6 fish, only 1 of which may be an adult.
- (b) From Hwy 101 upstream: Closed.
- (c) All tributaries except Calawah River: Closed.

(2) Calawah River:

- (a) From mouth to Hwy 101 bridge:
 - (i) Open.
 - (ii) Salmon: Daily limit 6 fish, only 1 of which may be an adult.
- (b) From Hwy 101 bridge upstream: Closed.
- (c) All tributaries: Closed.

(3) Dickey River:

- (a) From the Olympic National Park boundary upstream to the confluence of the East and West forks:
 - (i) Open.
 - (ii) Salmon: Daily limit 6 fish, only 1 of which may be an adult.
- (b) From the confluence of the East and West forks upstream: Closed.
- (c) All tributaries: Closed.

(4) Quillayute River:

- (a) Upstream of the Olympic National Park boundary near the mouth of the Quillayute River:
 - (i) Open.
 - (ii) Salmon: Daily limit 6 fish, up to 3 may be adults, of which only 1 may be a wild adult.
- (b) All tributaries except Dickey, Sol Duc, and Bogachiel rivers: Closed.

(5) Sol Duc River

- (a) From mouth to concrete pump station at Sol Duc Hatchery:
 - (i) Open.
 - (ii) Salmon: Daily limit 6 fish, up to 3 may be adults, of which only 1 may be a wild adult.
- (b) From concrete pump station at Sol Duc Hatchery upstream: Closed.
- (c) All tributaries: Closed.

(6) Clearwater River (Jefferson County):

(a) From the mouth to the Snahapish River:

(i) Open.

(ii) Salmon: Daily limit 6 fish, only 1 of which may be an adult; release wild coho.

(b) From Snahapish River upstream: Closed.

(c) All tributaries: Closed.

(7) Salmon River (Jefferson County):

(a) Outside of Olympic National Park and the Quinault Indian Reservation: Open.

(b) Salmon: Daily limit 6 fish, up to 3 may be adults, of which only 2 may be adult Chinook and only 1 may be a wild adult Chinook; release wild adult coho.

(8) Queets River tributaries, except Clearwater and Salmon rivers: Closed.

R E P E A L E R S

The following section of the Washington Administrative Code is repealed:

WAC 220-310-18000U Freshwater exceptions to statewide rules—Coastal. (15-227).

WAC 220-310-18000Y Freshwater exceptions to statewide rules—Coastal. (15-250)

EMERGENCY RULE ONLY

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(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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(15-308, 9/2/2015)

