



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (August 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 01, 2017

TIME: 4:09 PM

WSR 17-18-069

Agency: Fish and Wildlife (Order 17-232)

Effective date of rule:

Emergency Rules

- 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 in the Humptulips River

Citation of rules affected by this order:

New:

Repealed: WAC 220-312-020001

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: 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..

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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 on 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	Amended	___	Repealed	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	___

Date adopted: September 1, 2017

Name: Nate Pamplin for J W Unsworth

Title: Director

Signature:



NEW SECTION

WAC 220-312-02000K Freshwater exceptions to statewide rules – Coast.

Notwithstanding the provisions of WAC 220-312-020, effective immediately until further notice, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

- (1) **Bear Creek (Clallam County) (Bogachiel tributary):** Open September 1, 2017 until further notice.
- (2) **Bear Creek (Clallam County) (Sol Duc tributary):** Open September 1, 2017 until further notice.
- (3) **Beaver Creek (Clallam County) (Sol Duc River tributary), from mouth upstream to Beaver Falls:** Open September 1, 2017 until further notice.
- (4) **Bogachiel River (Clallam County), from mouth to Hwy. 101 bridge:** Open September 1, 2017 until further notice
- (5) **Bogachiel River (Clallam County); from Highway 101 Bridge to Olympic National Park boundary:** Open September 1, 2017 until further notice.
- (6) **Calawah River (Clallam County), from mouth to Hwy. 101 bridge:**
 - (a) Open September 1, 2017 until further notice.
 - (b) Salmon: Open September 1, 2017 until further notice; daily limit 3, only 1 adult may be retained.
- (7) **Calawah River (Clallam County), from Hwy. 101 bridge to forks:** Open September 1, 2017 until further notice.
- (8) **Calawah River North Fork (Clallam County):** Open September 1, 2017 until further notice.
- (9) **Calawah River, South Fork (Clallam County), from mouth to Olympic National Park boundary:** Open September 1, 2017 until further notice.

- (10) Clearwater River (Jefferson County), from mouth to Snahapish River:**
- (a) Open September 1 through September 30, 2017.
 - (b) Salmon: Open September 1 through September 30, 2017 minimum size 12"; daily limit 3, only 1 adult may be retained, release wild coho.
- (11) Clearwater River (Jefferson County), from Snahapish River upstream: Open September 1 through September 30, 2017.**
- (12) Dickey River (Clallam County), from Olympic National Park boundary upstream to the confluence of the East and West forks:**
- (a) Open September 1, 2017 until further notice.
 - (b) Salmon: Open September 1 until further notice; minimum size 12"; daily limit 3, only 1 adult may be retained.
- (13) Dickey River (Clallam County), from the confluence of the East and West forks upstream (for both forks): Open September 1, 2017 until further notice.**
- (14) Hoh River (Jefferson County), from Olympic National Park boundary upstream to Dept. Natural Resources' Oxbow Campground boat launch:**
- (a) September 1 through September 15, 2017: closed to fishing.
 - (b) Open September 16 until further notice.
 - (c) Salmon: Open September 16 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained of which only 1 may be a Chinook.
- (15) Hoh River (Jefferson County), from Dept. Natural Resources' Oxbow Campground boat launch to Morgan's Crossing boat launch:**
- (a) Bait prohibited except from October 16 until further notice.
 - (b) September 1 through September 15, 2017: closed to fishing.
 - (c) Open September 16, 2017 until further notice.
 - (d) Salmon: Open October 16, 2017 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained of which only 1 may be a Chinook.
- (16) Hoh River (Jefferson County), from Morgan's Crossing boat launch upstream to Olympic National Park boundary: September 1 through September 15, 2017: closed to fishing.**
- (17) Hoh River, South Fork (Jefferson County): September 1 through September 15, 2017: closed to fishing.**
- (18) Matheny Creek (Jefferson County) (Queets River tributary), outside Olympic National Park: Open September 1 through September 30, 2017.**

- (19) Quillayute River (Clallam County), from Olympic National Park boundary upstream to confluence of Sol Duc and Bogachiel Rivers:**
- (a) Open September 1, 2017 until further notice.
 - (b) Trout: Minimum size 14"; no minimum size for hatchery trout. Release wild rainbow trout.
 - (c) Salmon: Open September 1, 2017 until further notice; minimum size 12"; daily limit 6. Up to 3 adults may be retained of which only 1 may be wild.
- (20) Salmon River (Jefferson County), outside Quinault Indian Reservation and Olympic National Park:**
- (a) Open September 1 through September 30, 2017
 - (b) Salmon: Open September 1, 2017; minimum size 12"; daily limit 6, up to 2 adults may be retained, of which only 1 may be a Chinook. Release wild coho.
- (21) Sitkum River (Clallam County) (Calawah River tributary):** Open September 1, 2017 until further notice.
- (22) Snahapish River (Jefferson County) (Clearwater River tributary):** Open September 1 through September 30, 2017.
- (23) Sol Duc River (Clallam County), from mouth to concrete pump station at Sol Duc Hatchery:**
- (a) Open September 1, 2017 until further notice.
 - (b) Salmon: Open September 1, 2017 until further notice; minimum size 12"; daily limit 6. Up to 3 adults may be retained of which only 1 may be wild.
- (24) Sol Duc River (Clallam County), from the concrete pump station at Sol Duc Hatchery to the Highway 101 Bridge upstream of Klahowya campground:** Open September 1, 2017 until further notice.
- (25) Sol Duc River (Clallam County), from Highway 101 Bridge upstream of Klahowya campground to Olympic National Park boundary:** Open September 1, 2017 until further notice.
- (26) Solleks River (Jefferson County):** Open September 1 through September 30, 2017.
- (27) Thunder Creek (Clallam County), from mouth to D2400 road:** September 1, 2017 until further notice.
- (28) Thunder Creek (Clallam County), from D2400 road upstream:** Open September 1, 2017 until further notice.

- (29) **Black River (Grays Harbor/Thurston Counties), from Highway 12 to bridge on 128th Ave. SW (west of Littlerock):** Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6 of which 1 wild coho and up to 2 adults may be retained. Release Chinook and chum.
- (30) **Chehalis River (Grays Harbor County), from mouth (Hwy. 101 Bridge in Aberdeen) upstream to South Elma Bridge (Wakefield Rd.) to Porter Boat Launch including all channels, sloughs, and interconnected waterways:**
- (a) Salmon: Open immediately through September 15, 2017; minimum size 12"; daily limit 6. Release adults.
 - (b) Salmon: Open September 16, 2017 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained of which 1 may be a wild coho. Release adult Chinook.
- (31) **Chehalis River (Grays Harbor County), from South Elma Bridge (Wakefield Rd.) to Porter Boat Launch including all channels, sloughs, and interconnected waterways:** Salmon: Closed immediately through September 15, 2017.
- (32) **Chehalis River (Grays Harbor County), from South Elma Bridge (Wakefield Rd.) to Black River including all channels, sloughs and interconnected waterways:** Salmon: Open September 16, 2017 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained of which 1 may be a wild coho. Release Chinook.
- (33) **Chehalis River (Grays Harbor County), from Black River upstream to high bridge on Weyerhaeuser 1000 line approx. 400 yards downstream of Roger Creek (south of Pe Ell):** Salmon: Open September 16, 2017 until further notice; minimum size 12"; daily limit 6 of which 1 wild coho and up to 2 adults may be retained. Release Chinook and chum.
- (34) **Elk River (Grays Harbor County), from mouth (Hwy. 105 Bridge) to the confluence of the Middle Branch:** Salmon: Open October 1, 2017 until further notice. Minimum size 12"; daily limit 6. Up to 2 adults may be retained of which 1 may be a wild coho. Release adult Chinook.
- (35) **Hoquiam River, including West Fork (Grays Harbor County), from mouth (Hwy. 101 Bridge on Simpson Ave.) to Dekay Rd. Bridge (West Fork):** Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6 of which 1 wild coho and up to 2 adults may be retained. Release Chinook.
- (36) **Hoquiam River, East Fork (Grays Harbor County), from mouth to confluence of Berryman Creek:** Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6 of which 1 wild coho and up to 2 adults may be retained. Release Chinook.

- (37) **Humptulips River (Grays Harbor County), from mouth (Jessie Slough to confluence of East and West Forks:** Salmon: Open September 1, 2017 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained. Release wild coho and wild Chinook.
- (38) **Joe Creek (Grays Harbor County), from mouth to Ocean Beach Rd. Bridge:** Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained of which 1 may be a wild coho. Release Chinook.
- (39) **Johns River (Grays Harbor County), from mouth (Hwy. 105 Bridge) to Ballon Creek:** Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained of which 1 may be a wild coho. Release adult Chinook.
- (40) **Moclips River (Grays Harbor County), from mouth to Quinault Indian Reservation boundary:** Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained of which 1 may be a wild coho. Release Chinook.
- (41) **Newaukum River, including South Fork (Lewis County), from mouth to Leonard Rd. near Onalaska:** Salmon: Open October 16, 2017 until further notice; minimum size 12"; daily limit 6 of which 1 wild coho and up to 2 adults may be retained. Release Chinook and chum.
- (42) **Satsop River and East Fork (Grays Harbor County), from mouth to bridge at Schafer State Park:**
(a) Salmon: Closed September 1, 2017 to September 30, 2017.
(b) Salmon: Open October 1, 2017 until further notice: minimum size 12"; daily limit 6 of which 1 wild coho and up to 2 adults may be retained. Release Chinook.
- (43) **Satsop River and East Fork (Grays Harbor County), from 400' below Bingham Creek Hatchery dam to dam:**
(a) Salmon: Closed September 1, 2017 to September 30, 2017.
(b) Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6 of which 1 wild coho and up to 2 adults may be retained. Release Chinook.
- (44) **Skookumchuck River (Thurston County), from mouth to 100' below outlet of Trans Alta WDFW steelhead rearing pond located at the base of Skookumchuck Dam:**
(a) Salmon: Closed October 1, 2017 to October 15, 2017.
(b) Salmon: Open October 16, 2017 until further notice; minimum size 12"; daily limit 6 of which 1 wild coho and up to 2 adults may be retained. Release Chinook and chum.

- (45) **Van Winkle Creek (Grays Harbor County), from mouth to 400' below outlet of Lake Aberdeen Hatchery:** Salmon: Open September 16, 2017 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained of which 1 may be a wild coho. Release adult Chinook.
- (46) **Wishkah River (Grays Harbor County), from mouth to 200' below the weir at the Wishkah Rearing Ponds:** Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained of which 1 may be a wild coho. Release Chinook.
- (47) **Wynoochee River (Grays Harbor County), from mouth to WDFW White Bridge Access Site:** Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6. Up to 2 adults may be retained of which 1 may be a wild coho. Release Chinook.
- (48) **Naselle River (Pacific/Wahkiakum counties), from Highway 4 Bridge to the upstream entrance of the Naselle Hatchery Attraction Channel:**
- (a) immediately through October 15: bait or lure must be suspended below a float.
 - (b) Salmon: Open immediately through September 15, 2017; minimum size 12"; daily limit 6. Up to 2 adults may be retained. Release wild Chinook.
 - (c) Salmon: Open September 16, 2017 until further notice; minimum size 12"; daily limit 6. Up to 4 adults may be retained. Release wild Chinook.
- (49) **North River (Grays Harbor/Pacific counties), from Hwy 105 Bridge to Fall River:** Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6. Up to 4 adults may be retained. Release wild Chinook.
- (50) **Willapa River (Pacific County), from Hwy 6 Bridge (approximately 2 miles below mouth of Trap Creek) upstream to Fork Creek:**
- (a) Salmon: Open immediately through September 15, 2017; minimum size 12"; daily limit 6. Up to 2 adults may be retained. Release wild Chinook.
 - (b) Salmon: Open September 16, 2017 until further notice; minimum size 12"; daily limit 6. Up to 4 adults may be retained. Release wild Chinook.
- (51) **Willapa River (Pacific County), from Fork Creek upstream to Hwy 6 Bridge (near the town of Lebam):** Salmon: Open October 1, 2017 until further notice; minimum size 12"; daily limit 6. Up to 4 adults may be retained of which only 2 may be a wild coho. Release wild Chinook.

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 220-312-02000I Freshwater exceptions to statewide rules – Coast.

