



# 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 29, 2017

TIME: 2:36 PM

WSR 17-20-058

**Agency:** Washington Department of Fish and Wildlife (17-269)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) October 2, 2017

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** Amends commercial salmon rules for Willapa Bay

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

- New:
- Repealed:
- Amended: WAC 220-354-250
- 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.

**Reasons for this finding:** This emergency rule is needed to lift the restriction that chum salmon must be placed in an operating recovery box prior to being released into the bay/river. The recovery box is prioritized for unmarked Chinook and steelhead encounters. The projected forecast of chum in Willapa Bay is likely to lead to densities occurring in the recovery box that might be detrimental to the recovery of the prioritized species. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	1	Amended	___	Repealed	___
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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:**

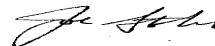
Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

**Date adopted:** September 29, 2017

**Name:** Joe Stohr for J W Unsworth

**Title:** Director

**Signature:**



NEW SECTION

**WAC 220-354-25000A Willapa Bay salmon fall fishery.**

Notwithstanding the provisions of WAC 220-354-250, effective October 2, 2017, until further notice, the restriction that all chum must be placed in an operating recovery box is rescinded.