



**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: 3:48 PM

WSR 17-20-060

Agency: Department of Fish and Wildlife

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 02, 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 recreational fishing rules for the North Fork Toutle and Green Rivers in Cowlitz County.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-312-030
- 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 provisions of this rule are necessary because the return of fall Chinook to the Toutle Hatchery so far this year has been well below the forecast. WDFW projects that with the current salmon fishing regulations on the North Fork Toutle and Green rivers, not enough fall Chinook will reach the hatchery to meet egg take goals. Closing the Chinook salmon fishing season in these two rivers will increase the number of hatchery fish available for broodstock and ensure future hatchery returns. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	<u>1</u>	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 220-312-03000J Southwest – Freshwater exceptions to statewide rules.

Notwithstanding the provisions of WAC 220-312-030, effective October 2, 2017, until further notice, it is unlawful to retain Chinook salmon in waters of the North Fork Toutle River and the Green River (Cowlitz Co.).

