



RULE-MAKING ORDER EMERGENCY RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 13, 2017

TIME: 9:31 AM

WSR 17-21-044

Agency: Department of Fish and Wildlife (17-281)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) October 16, 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 in the Quillayute River system

Citation of rules affected by this order:

New:
Repealed: WAC 220-312-02000H, WAC 220-312-02000K
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: This emergency rule is needed because unusually low river flows in recent weeks have created difficult migrating conditions for returning salmon, impeding their movement upstream and increasing their vulnerability to treaty and sport fisheries. The closure is intended to protect these fish until flow conditions change sufficiently to enable normal migration and attainment of escapement goals. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	<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	___

Date: October 13, 2017

Name: James B Scott for J W Unsworth

Title: Director

Signature:



NEW SECTION

WAC 220-312-02000M Freshwater exceptions to statewide rules—Coastal.

Notwithstanding the provisions of WAC 220-312-020, effective October 16, 2017, until further notice:

- (a) Quillayute River (Clallam County): Closed to fishing.
- (b) Sol Duc River (Clallam County): Closed to fishing.
- (c) Dickey River (Clallam County): Closed to fishing.
- (d) Bogachiel River (Clallam County):
 - (i) from mouth to Wilson's boat launch: Closed to fishing.
 - (ii) from Wilson's boat launch to Highway 101 Bridge: Closed to fishing for or retaining salmon.
 - (iii) from Highway 101 Bridge upstream: Closed to fishing
- (e) Calawah River (Clallam County):
 - (i) from mouth to Highway 101 Bridge: Closed to fishing for or retaining salmon.
 - (ii) from Highway 101 Bridge upstream: Closed to fishing.

REPEALERS

The following sections of the Washington Administrative Code are repealed effective October 16, 2017:

WAC 220-312-02000H Freshwater exceptions to statewide rules—Coastal. (Order 17-166)

WAC 220-312-02000K Freshwater exceptions to statewide rules—Coastal. (Order 17-232)

