



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: October 13, 2017

TIME: 4:35 PM

WSR 17-21-054

Agency: Department of Fish and Wildlife (Order 17-282)

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: Amend recreational fishing regulations for the Hoh and South Fork Hoh rivers.

Citation of rules affected by this order:

New:
Repealed:
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| Federal statute: | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards: | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | ___ | Repealed | ___ |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 | ___ |
|-----|-----|---------|-----|----------|-----|

The number of sections adopted on the agency's own initiative:

| | | | | | |
|-----|----------|---------|-----|----------|-----|
| New | <u>1</u> | Amended | ___ | Repealed | ___ |
|-----|----------|---------|-----|----------|-----|

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

| | | | | | |
|-----|-----|---------|-----|----------|-----|
| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

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: October 13, 2017

Name: Ron Warren for J W Unsworth

Title: Director

Signature:



NEW SECTION

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

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

Hoh River (Clallam County), including South Fork; outside of Olympic National Park Waters:
Closed to fishing.