



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 31, 2017

TIME: 4:10 PM

WSR 17-22-124

Agency: Department of Fish and Wildlife (Order 17-303)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) November 01, 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 (Cowlitz County).

Citation of rules affected by this order:

New:
Repealed: WAC 220-312-03000K; 220-312-03000L
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: This emergency rule is needed to allow coho retention because the North Toutle Hatchery is now on track to meet egg take goals for coho salmon but remains short of egg take goals for Chinook salmon. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	Amended	___	Repealed	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 adopted: October 31, 2017

Name: J W Unsworth

Title: Director

Signature:



NEW SECTION

WAC 220-312-03000L Southwest – Freshwater exceptions to statewide rules.

Notwithstanding the provisions of WAC 220-312-030, effective November 1 through November 30, 2017, in the waters of the North Fork Toutle and Green Rivers (Cowlitz County):

Daily limit is 6 salmon, up to 2 may be adults, release salmon other than hatchery coho.

REPEALERS

The following section of the Washington Administrative Code is repealed effective November 1, 2017:

WAC 220-312-03000K Freshwater exceptions to statewide rules—Southwest. (17-284)

The following section of the Washington Administrative Code is repealed effective December 1, 2017:

WAC 220-312-03000L Freshwater exceptions to statewide rules—Southwest. (17-303)