



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: November 01, 2017

TIME: 9:26 AM

WSR 17-22-130

Agency: Washington Department of Fish and Wildlife (17-302)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) November 1, 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Repealed: WAC 220-354-25000A
Amended:
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 rescind filing WSR 17-20-058 which modified the 2017 permanent commercial fishery rules to address the potential of overcrowding the recovery box. The concern for overcrowding originated from unanticipated environmental conditions that were likely to produce higher encounters of chinook and steelhead, together with expected high levels of chum. The resulting overcrowding from required use of recovery box for all species was expected to produce higher levels of Chinook and steelhead mortality making it harder to stay within conservation objectives, particularly for Chinook. Permanent rules take effect November 1, 2017.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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	___	Amended	___	Repealed	1
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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:



REPEALER

The following section of the Washington Administrative Code is repealed effective November 1, 2017:

WAC 220-354-25000A Willapa Bay salmon fall fishery. (17-269)