



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: December 22, 2017

TIME: 3:55 PM

WSR 18-02-041

Agency: Washington Department of Fish and Wildlife (17-344)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) January 1, 2018

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: Amends fishing rules for recreational coastal marine and freshwater areas

Citation of rules affected by this order:

New:
Repealed:
Amended: WAC 220-312-020, WAC 220-313-070
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: In-season run-size assessment using spawning ground survey data as well as hatchery rack return information has downgraded the run-size of coho in Willapa Bay, for both natural and hatchery-origin coho to below the escapement goals. This in-season modification is needed to optimize both wild and hatchery broodstock escapements. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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New	2	Amended	___	Repealed	___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:

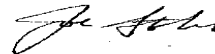
Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date adopted: December 22, 2017

Name: Joe Stohr for J W Unsworth

Title: Director

Signature:



NEW SECTION

WAC 220-312-02000U Freshwater exceptions to statewide rules—Coast.

Notwithstanding the provisions of WAC 220-312-020, effective January 1, 2018, until further notice the following rules apply. Unless otherwise amended, all permanent rules remain in effect.

- (1) It is unlawful to retain wild (unmarked) coho salmon; daily limit one adult salmon.
 - (a) Bear River
 - (b) Fork Creek
 - (c) Naselle River and all forks
 - (d) Nemah River and all forks
 - (e) Niawiakum River
 - (f) North River
 - (g) Palix River
 - (h) Smith Creek
 - (i) Willapa River and South Fork Willapa River

NEW SECTION

WAC 220-313-07000E Salmon—Saltwater seasons and daily limits.

Notwithstanding the provisions of WAC 220-313-070, effective January 1, 2018, until further notice, in the waters of Willapa Bay (Marine Area 2.1) it is unlawful to retain wild (unmarked) coho salmon; daily limit one adult salmon. Unless otherwise amended, all permanent rules remain in effect.