



RULE-MAKING ORDER EMERGENCY RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 25, 2018

TIME: 2:17 PM

WSR 18-16-045

Agency: Washington Department of Fish and Wildlife (18-173)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 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 recreational coastal freshwater rules

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-02000E
- 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: The Department is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1

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New ____ Amended ____ Repealed ____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: July 25, 2018
Name: Jim B Scott for Joe Stohr
Title: Director

Signature:



NEW SECTION

WAC 220-312-02000E Freshwater exceptions to statewide rules – Coast.

Notwithstanding the provisions of WAC 220-312-020, effective August 1, 2018 until further notice, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

- (1) **Naselle River** – Open for salmon August 1 until further notice from Hwy 101 Bridge to the South Fork. Min. size 12". Daily limit 6. Up to four adults may be retained, of which only one may be a wild, adult coho. Release wild Chinook. Anglers may fish with two poles provided they possess a valid two-pole endorsement. Night closure, anti-snagging rule, and barbless hooks required.
- (2) **Naselle River** – Open for salmon August 1 until further notice from the confluence of the South Fork to the Hwy 4 Bridge. Min. size 12". Daily limit 6. Up to two adults may be retained, of which only one may be a wild, adult coho. Release wild Chinook. Night closure, anti-snagging rule, barbless hooks required, and stationary gear restriction.
- (3) **Nemah River, North** – Open for salmon August 1 until further notice from Hwy 101 Bridge upstream to the bridge on Nemah Valley Road. Min. size 12". Daily limit 6. Up to four adults may be retained, of which only one may be a wild, adult coho. Release wild Chinook.
- (4) **Nemah River, North** – Open for salmon August 1 until further notice from Hancock property line upstream to the temporary weir (approximately 210 feet above the Nemah Hatchery Bridge). Min. size 12". Daily limit 6. Up to four adults may be retained, of which only one may be a wild, adult coho. Release wild Chinook. Effective August 16, 2018: Night closure and anti-snagging rules in effect. Open only for salmon for anglers that possess a senior's license.
- (5) **Nemah River, North** – from the temporary weir (approximately 210 feet above the Nemah Hatchery Bridge) upstream to the Nemah Hatchery Dam: Closed Waters.
- (6) **Niawiakum River** – from Hwy 101 Bridge to the South Bend /Palix Road Bridge: Closed to salmon fishing.
- (7) **Palix River, including all forks** – from Hwy 101 Bridge to the mouth of the Middle Fork: Closed to salmon fishing.
- (8) **Willapa River** – Open for salmon August 1 until further notice from the mouth (City of South Bend boat launch) to Hwy 6 Bridge (approximately 2 miles below mouth of Trap Creek). Min. size 12". Daily limit 6. Up to four adults may be retained, of which only one may be a wild, adult coho. Release wild Chinook.
- (9) **Willapa River, South Fork** – Open for salmon August 1 until further notice from mouth to bridge on Pehl Road. Min. size 12". Daily limit 6. Up to three adults may be retained, of which only one may be a wild, adult coho. Release wild Chinook.

The following section of the Washington Administrative Code is repealed effective August 16, 2018:

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