



**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: October 03, 2018

TIME: 4:18 PM

WSR 18-21-004

**Agency:** Department of Fish and Wildlife (Order 18-275)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) October 6, 2018

**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 salmon fishing rules for the Grays River, West Fork Grays River, Toutle River, and North Fork Toutle River.

**Citation of rules affected by this order:**

- New:
- Repealed:
- 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:** The Grays River Hatchery coho return to date is below what is needed for hatchery broodstock. Similarly, the fall Chinook return to the North Toutle Hatchery is tracking well below the preseason forecast and currently is projected not to meet the hatchery broodstock goal. This emergency rule is needed to close coho retention in the Grays River and West Fork Grays River and to close Chinook retention in the Toutle River and North Fork Toutle River. Closing these rivers (Grays, West Fork Grays, Toutle and North Fork Toutle rivers) to retention of the salmon species as describes above will increase the number of hatchery fish available for broodstock and help ensure fishing opportunities in future years. 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 1 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 3, 2018  
**Name:** Kelly Susewind  
**Title:** Director

**Signature:**  


NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-030, effective October 6, 2018 until further notice:

- (1) **Grays River (Wahkiakum Co.):** From the mouth upstream to the mouth of the South Fork: release all coho.
  
- (2) **Grays River, West Fork (Wahkiakum Co.):** From the mouth upstream: release all coho.
  
- (3) **Toutle River (Cowlitz Co.):** from the mouth to the forks: release all Chinook.
  
- (4) **Toutle River, North Fork (Cowlitz Co.):** from the mouth to the posted markers downstream of the fish collection facility: release all Chinook.