



**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: February 28, 2020
TIME: 3:26 PM

WSR 20-06-046

Agency: Washington Department of Fish and Wildlife (20-37)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) March 2, 2020

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 Willapa Bay tributaries.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-02000A; WAC 220-312-02000B
 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: This rule is needed to close fishing on all Willapa Bay tributaries. The preseason forecasted return of wild steelhead in these waters is projected to be below escapement goals. Concerns of meeting escapement goals have elevated due to potential increased pressure as anglers shift from the Chehalis Basin to other open waters. All waters within the Chehalis Basin closed to fishing February 17, 2020. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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 2

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: February 28, 2020

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-312-02000B Freshwater exceptions to statewide rules—Coastal.

Notwithstanding the provisions of WAC 220-312-020:

- a. Effective immediately through May 22, 2020, the following waters are closed to all fishing:

Chehalis, Elk, Johns, Hoquiam, Newaukum, Satsop, Skookumchuck, Wishkah, and Wynoochee rivers and their tributaries, and Cloquallum and Elk creeks and their tributaries.

- b. Effective March 2 through May 22, 2020, the following waters are closed all fishing:

Willapa River; Forks Creek; Palix River and all forks; Nemah River North, South, and Middle; Naselle River and Bear River.

REPEALERS

The following section of the Washington Administrative Code is repealed effective March 2, 2020:

WAC 220-312-02000A Freshwater exceptions to statewide rules—Coastal. (20-30)

The following section of the Washington Administrative Code is repealed effective May 23, 2020:

WAC 220-312-02000B Freshwater exceptions to statewide rules—Coastal.