



**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 13, 2021

TIME: 5:06 PM

WSR 21-15-037

Agency: Department of Fish and Wildlife (Order 21-116)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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

- Yes No If Yes, explain:

Purpose: The purpose of this emergency rule is to open gamefish seasons in the Hoh River and Hoh River, South Fork.

Citation of rules affected by this order:

- New:
- Repealed:
- 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 emergency rule is necessary to open recreational gamefish seasons for the Hoh River, including the South Fork and are interim until permanent rules take effect. The department is in the process of adopting permanent rules that are necessary to implement the state's share of the fishing plans agreed to with resource co-managers at the 2021-22 North of Falcon proceedings. The current permanent rule is inconsistent with the agreed 2021-22 North of Falcon fishery sharing and conservation package. 2021-22 permanent rules for the Hoh River and Hoh River, South Fork, resulting from North of Falcon proceedings have been filed and will be effective August 1, 2021.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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: July 13, 2021
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Effective immediately through July 31, 2021, provisions of WAC 220-312-020 regarding gamefish seasons for the Hoh River (Jefferson Co.) and Hoh River, South Fork (Jefferson Co.) shall be modified as described below. All other provisions of WAC 220-312- 020 not addressed herein, or unless otherwise amended by emergency rule remain in effect (including rules regarding fishing from a floating device, internal combustion motor restrictions and statewide steelhead rules):

- (1) **Hoh River (Jefferson Co.):** From the Olympic National Park boundary near the mouth upstream to the Olympic National Park boundary below mouth of South Fork Hoh River:
 - (a) Open immediately through July 31, 2021.
 - (b) Gamefish: Statewide minimum size and daily limit, except:
 - (i) Release wild rainbow trout.
 - (ii) Cutthroat minimum size 14”.
 - (c) It is unlawful to use anything other than one single-point barbless hook.
 - (d) It is unlawful to use bait.

- (2) **Hoh River, South Fork (Jefferson Co.):** Outside the Olympic National Park Boundary:
 - (a) Open immediately through July 31, 2021.
 - (b) Gamefish: Statewide minimum size and daily limit, except:
 - (i) Release wild rainbow trout.
 - (ii) Cutthroat minimum size 14”.
 - (c) It is unlawful to use anything other than one single-point barbless hook.
 - (d) It is unlawful to use bait.