



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: September 10, 2021

TIME: 10:48 AM

WSR 21-19-041

Agency: Washington Department of Fish and Wildlife (21-186)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 11, 2021

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

- Yes No If Yes, explain:

Purpose: Amends freshwater recreational rules for the Lewis River

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-03000D
- 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: Early coho salmon returns to the Lewis Hatchery are projected to exceed broodstock collection goals for the Lewis Hatchery programs. Modifying coho fisheries will provide additional fishing opportunities while still meeting program and reintroduction goals. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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New	1	Amended	___	Repealed	<u>1</u>
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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: September 10, 2021

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-312-03000D Freshwater exceptions to statewide rules—Southwest.

Notwithstanding the provisions of WAC 220-312-030, effective September 11 through October 31, 2021, the provisions of WAC 220-312-030 regarding angling seasons for Lewis River, shall be modified during the dates and as described below. All other provisions of WAC 220-312-030 not addressed herein remain in effect unless otherwise amended by emergency rule.

- (1) Effective September 11 through September 30, 2021, Salmon: Daily limit 6; up to 6 adults may be retained, of which no more than 2 may be Chinook. Min. size 12". Release all salmon other than hatchery Chinook and hatchery coho.
- (2) Effective October 1 through October 31, 2021, Salmon: Daily limit 6; up to 6 adults may be retained, of which no more than 2 may be Chinook. Min. size 12". Release all salmon other than Chinook and hatchery coho.

REPEALER

The following section of the Washington Administrative code is repealed effective November 1, 2021:

WAC 220-312-03000D Freshwater exceptions to statewide rules—Southwest.