



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: November 03, 2021

TIME: 10:59 AM

WSR 21-22-117

Agency: Department of Fish and Wildlife (Order 21-245)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 5, 2021

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 close retention of wild Chinook in the Quillayute watershed.

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- Repealed: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 rule is needed to require the release of wild Chinook in the areas listed.

In-season data indicates that wild fall Chinook salmon in the Quillayute watershed are returning well below the pre-season forecast. This action is required to meet conservation guidelines and ensure that the minimum spawner escapement goal of 3,000 wild Chinook is met.

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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____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: November 3, 2021	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective November 5 through November 30, 2021 the following provisions of WAC 220-312-020, regarding recreational Chinook retention for Bogachiel, Calawah, Dickey, Quillayute, and Sol Duc rivers 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:

- 1. Bogachiel River (Clallam Co.),** from mouth to Hwy 101 Bridge: Release wild Chinook.
- 2. Calawah River (Clallam Co.),** from the mouth to Hwy 101 Bridge: Release wild Chinook.
- 3. Dickey River (Clallam Co.),** from Olympic National Park boundary upstream to the confluence of the East and West Forks: Release wild Chinook.
- 4. Quillayute River (Clallam Co.),** from Olympic National Park boundary upstream to confluence of Sol Duc and Bogachiel rivers: Release wild Chinook.
- 5. Sol Duc River (Clallam Co.),** from mouth to the concrete pump station at the Sol Duc Hatchery: Release wild Chinook.