



**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 13, 2022

TIME: 2:28 PM

WSR 22-21-084

Agency: Department of Fish and Wildlife (Order 22-239)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 16, 2022

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 Dungeness River and Gray Wolf River recreational fisheries.

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- Repealed: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 close Dungeness River and Gray Wolf River recreational fisheries. Unseasonably dry weather has resulted in extreme low water conditions in the Dungeness River system. This closure is necessary to protect fish that are unable to move upstream to their spawning grounds as well as existing Chinook redds. Fishery co-managers will continue to monitor river conditions to help ensure spawning needs are met and reopen fishing when able. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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 13, 2022	Signature: 
Name: Amy Windrope for Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-02000V Freshwater exceptions to statewide rules—Puget Sound.

Notwithstanding the provisions of WAC 220-312-020, effective October 16, 2022, until further notice, the waters of the Dungeness Gray Wolf rivers described herein are closed to fishing. All other provisions of WAC 220-312-020 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

- (1) Dungeness River (Clallam Co.); from the mouth upstream:** Closed waters.
- (2) Gray Wolf River (Clallam Co.); from the mouth upstream:** Closed waters.

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