



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 27, 2022

TIME: 5:04 PM

WSR 22-22-058

Agency: Department of Fish and Wildlife (Order 22-251)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 29, 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 return most coastal, Willapa Bay and Grays Harbor tributaries to permanent rules as listed in the 2022/23 Washington Sport Fishing Rules pamphlet. Closures are maintained in the Queets River system and release of all Chinook is required in areas open to salmon on the north coast.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-02000U
- 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: Recent rain events have increased stream flows sufficiently to allow salmon migration to continue upstream, therefore allowing most recreational fisheries in Willapa Bay tributaries, Grays Harbor tributaries, and north coast tributaries to return to permanent rules as listed in the 2022/23 Washington Sport Fishing Rules pamphlet, with some exceptions.

Continued Chinook conservation concerns require that waters with the Queets River system (Clearwater and Salmon rivers) remain closed to fishing, until further notice and release of all Chinook will be required in areas open for salmon in Bogachiel, Calawah, Dickey, Hoh, Quillayute, Upper Quinault, and Sol Duc rivers. These measures will assist in achieving Chinook spawning and escapement goals as normal spawn timing has been impacted greatly by lack of water due to dry weather conditions over summer and into fall.

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: October 27, 2022	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective October 29, 2022, until further notice, recreational fishing seasons shall be modified in areas and during times as described herein. All other provisions of WAC 220-312-020 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

- (1) **All species:** Effective immediately through October 30, 2022: The following areas, including ALL tributaries to listed areas are Closed Waters:
 - (a) **Bear Creek (Clallam Co.)** (Bogachiel Tributary)
 - (b) **Bear Creek (Clallam Co.)** (Sol Duc Tributary)
 - (c) **Beaver Creek (Clallam Co.)**
 - (d) **Big River (Clallam Co.)**, outside of Olympic National Park.
 - (e) **Bogachiel River (Clallam Co.)**, from the mouth to Olympic National Park boundary.
 - (f) **Calawah River, (Clallam Co.)**, including the North and South Forks, from the mouth upstream to the Olympic National Park boundary.
 - (g) **Cedar Creek (Jefferson Co.)**, outside of Olympic National Park
 - (h) **Dickey River (Clallam Co.)** from the Olympic National Park boundary upstream including East and West forks.
 - (i) **Goodman Creek (Jefferson Co.)**, outside of Olympic National Park boundary.
 - (j) **Hoh River (Jefferson Co.)**, from Olympic National Park boundary upstream to Olympic National Park boundary below mouth of South Fork Hoh River.
 - (k) **Hoh River, South Fork (Jefferson Co.)**, outside of Olympic National Park boundary.
 - (l) **Kalaloch Creek (Jefferson Co.)** outside Olympic National Park boundary.
 - (m) **Mosquito Creek (Jefferson Co.)** from Olympic National Park boundary upstream.
 - (n) **Quillayute River (Clallam Co.)**, from Olympic National Park boundary upstream to confluence of the Sol Duc and Bogachiel rivers.
 - (o) **Quinault River, Upper (Grays Harbor/Jefferson Co.)**, from the mouth at upper end of Quinault Lake upstream to Olympic National Park boundary.
 - (p) **Sol Duc River (Clallam Co.)**, from mouth upstream to the National Park Boundary.
 - (q) **Sooes River (Tsoo-Yess River) (Clallam Co.)**, outside of the Makah Indian Reservation.
 - (r) **Thunder Creek (Clallam Co.)**

- (2) **All species:** Effective immediately, until further notice: The following areas, including ALL tributaries to listed areas are Closed Waters:
 - (a) **Clearwater River (Jefferson Co.)**, from the mouth to Snahapish River.
 - (b) **Salmon River (Jefferson Co.)**, from outside Quinault Indian Reservation and Olympic National Park.

- (3) **Salmon:**

(a) Bogachiel River (Clallam Co.), from the mouth to Hwy. 101 Bridge:

Effective October 31 through December 15, 2022: Daily limit 3. Up to 1 adult may be retained. Release sockeye and Chinook.

(b) Calawah River (Clallam Co.), from the mouth to Hwy. 101 Bridge:

Effective October 31 through December 15, 2022: Daily limit 3. Up to 1 adult may be retained. Release sockeye and Chinook.

(c) Dickey River (Clallam Co.), from Olympic National Park boundary upstream to the confluence of the East and West forks:

Effective October 31 through December 15, 2022: Daily limit 3. Up to 1 adult may be retained. Release sockeye and Chinook.

(d) Hoh River (Jefferson Co.), from Olympic National Park boundary upstream to Morgans Crossing boat launch:

Effective October 31 through November 30, 2022: Daily limit 2. Up to 1 adult may be retained. Release Chinook.

(e) Quillayute River (Clallam Co.), from Olympic National Park boundary upstream to confluence of the Sol Duc and Bogachiel rivers:

Effective October 31 through December 15, 2022: Daily limit 6. Up to 3 adults may be retained, including no more than 1 wild coho. Release sockeye and Chinook.

(f) Quinault River, Upper (Grays Harbor/Jefferson Co.), from the mouth at upper end of Quinault Lake upstream to Olympic National Park boundary:

Effective October 31 through November 30, 2022: Daily limit 6. Up to 2 adults may be retained. Release sockeye, chum, and Chinook.

(g) Sol Duc River (Clallam Co.), from the mouth to concrete pump station at Sol Duc Hatchery:

Effective October 31 through December 15, 2022: Daily limit 6. Up to 3 adults may be retained, including no more than 1 wild coho. Release sockeye and Chinook.

REPEALER

The following section of Washington Administrative Code is repealed, effective October 29, 2022:

WAC 220-312-02000U Freshwater exceptions to statewide rules – Coast. (22-230)