



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 10, 2022

TIME: 10:25 AM

WSR 22-23-071

Agency: Department of Fish and Wildlife (Order 22-266)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 12, 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 increase the adult salmon daily limit in Grays Harbor and Chehalis system salmon fisheries.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-312-020; WAC 220-312-070
- 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 increase the adult salmon daily limit in the areas listed. The number of coho returning to regional hatcheries has exceeded pre-season forecasts, likely due to early season closures. Evaluations of commercial catch information and trap counts indicate the returns of both natural-origin and hatchery-origin coho to the Chehalis basin are expected to meet or exceed goals. This, coupled with reduced opportunity and impacts earlier in the season due to environmental conditions, provides for increased opportunity now.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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 2 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 10, 2022
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Effective November 11, through November 30, 2022, all recreational salmon seasons for waters listed shall be 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) Black River from mouth to bridge on 128th Ave. SE (Grays Harbor/Thurston Co.):**

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.
- (2) Chehalis River from Hwy 101 Bridge to high bridge on Weyerhaeuser 1000 line (Grays Harbor Co.):**

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.
- (3) Elk River from Hwy 105 bridge to the confluence of Middle Branch (Grays Harbor Co.):**

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.
- (4) Hoquiam River including West Fork from Hwy 101 bridge to Dekay Rd. (Grays Harbor Co.)**

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.
- (5) Hoquiam River East Fork from mouth to confluence of Berryman Creek (Grays Harbor Co.):**

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.
- (6) Johns River from Hwy 105 bridge to confluence of Ballon Creek (Grays Harbor Co.):**

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.
- (7) Newaukum River, including South Fork from mouth to Leonard Road (Lewis Co.):**

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.

(8) Satsop River and East Fork from mouth to bridge at Schafer State Park (Grays Harbor Co.).

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.

(9) Satsop River East Fork from 400' below Bingham Creek Hatchery dam to the dam (Grays Harbor Co.)

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.

(10) Skookumchuck River from mouth to 100' below outlet of TransAlta WDFW steelhead rearing ponds (Lewis/Thurston Co.).

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.

(11) Van Winkle Creek from mouth to 400' below outlet of Lake Aberdeen Hatchery (Grays Harbor Co.).

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.

(12) Wishkah River (Grays Harbor Co.), from the mouth to 200' below the weir at the Wishkah Rearing Ponds and from 150' upstream to 150' downstream of the Wishkah adult attraction channel/outfall structure (within the posted fishing boundary).

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.

(13) Wynoochee River from mouth to WDFW White Bridge access site (Grays Harbor Co.).

Salmon: Daily limit 6. Up to 2 adults may be retained, including no more than 1 wild coho. Release Chinook.

NEW SECTION

WAC 220-313-07000B Coastal salmon—Saltwater seasons and daily limits.

Effective November 11, through November 30, 2022 the provisions of WAC 220-313-070 regarding recreational salmon seasons for Catch Record Card Area 2-2 East Grays Harbor Fishery shall be as described below. All other provisions of WAC 220-313-070 not addressed herein remain in effect unless otherwise amended by emergency rule:

Catch Record Card Area 2-2; easterly of a projected line from the mouth of Johns River (Hwy. 105 Bridge) to the Tripod Station on Brackenridge Bluff (46°59.12'N, 124°00.72'W) through channel marker 27 (green):

Salmon: Daily limit 2, including no more than 1 wild coho. Release Chinook.