



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 20, 2023

TIME: 3:03 PM

WSR 23-22-025

Agency: Department of Fish and Wildlife (Order 23-234)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 23, 2023

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 hatchery coho portion of the salmon daily limit in Satsop River.

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 Repealed: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 increase the adult hatchery coho portion of the salmon daily limit in the Satsop River.

Broodstock collection at the Bingham Creek hatchery has exceeded needs for production goals. To date, over 10,000 coho have entered the Bingham Creek hatchery.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____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 20, 2023	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective October 23 through December 31, 2023, the following provisions of WAC 220-312-020, regarding recreational salmon seasons for the Satsop River 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:

Satsop River and East Fork (Grays Harbor Co.):

(a) From mouth to bridge at Schafer State Park:

- (i) Effective October 23 through November 30, 2023: Salmon: Daily limit 6. Up to 3 adults including no more than 2 salmon other than hatchery coho may be retained. Release adult Chinook.
- (ii) Effective December 1 through December 31, 2023: Salmon: Daily limit 6. Up to 2 adults including no more than 1 salmon other than hatchery coho may be retained. Release Chinook.

(b) From 400 feet below Bingham Creek Hatchery dam to the dam:

- (i) Effective October 23 through November 30, 2023: Salmon: Daily limit 6. Up to 3 adults including no more than 2 salmon other than hatchery coho may be retained. Release adult Chinook.
- (ii) Effective December 1 through December 31, 2023: Salmon: Daily limit 6. Up to 2 adults including no more than 1 salmon other than hatchery coho may be retained. Release Chinook.