



# 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 31, 2023

TIME: 2:10 PM

WSR 23-22-114

Agency: Department of Fish and Wildlife (Order 23-243)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) November 1, 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 close salmon fishing in a portion of Elochoman River.

**Citation of rules affected by this order:**

New:  
 Repealed:  
 Amended: WAC 220-312-030  
 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 salmon fishing in Elochoman River downstream of the Beaver Creek Rd. Bridge.

The number of adult coho that have returned to Beaver Creek hatchery is far below the broodstock collection goal, based upon expected run timing. Closing this section of the Elochoman River to salmon retention will help increase the number of fish available for broodstock needs and help ensure future fisheries.

There is insufficient time to file 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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	____

<b>Date Adopted:</b> October 31, 2023	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-312-03000H Freshwater exceptions to statewide rules—Southwest.**

Effective November 1, 2023, until further notice, the provisions of WAC 220-312-030 regarding Elochoman River salmon fishing seasons shall be modified during times and in areas as described below. All other provisions of WAC 220-312-030, not addressed herein, remain in effect unless otherwise amended by emergency rule:

**Elochoman River (Wahkiakum Co.); From the mouth to Beaver Creek Rd. Bridge:**  
Salmon: Closed.