



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 03, 2023

TIME: 3:54 PM

WSR 23-23-040

Agency: Department of Fish and Wildlife (Order 23-249)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 4, 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 reduce the adult salmon portion of the salmon daily limit to 1 fish for Grays Harbor streams and some coastal tributaries.

Citation of rules affected by this order:

New:
 Repealed: WCA 220-312-02000E
 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 reduce the adult salmon portion of the daily limit to 1 fish for the Grays Harbor watershed and coastal streams listed in this rule.

Early season indicators suggest the number of coho returning to Grays Harbor and other coastal tributaries are lower than pre-season forecast. These measures are necessary to ensure natural escapement and hatchery broodstock goals are met.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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 1

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 3, 2023

Name: Amy Windrope for Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective November 4 through December 31, 2023, the following provisions of WAC 220-312-020, regarding recreational salmon seasons for the Grays Harbor watershed listed herein 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:

(1) Black River (Grays Harbor Co.), from mouth to bridge on 128th Ave SW:

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.

(2) Chehalis River (Grays Harbor Co.), from the mouth upstream to the high bridge on Weyerhaeuser 1000 line:

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.

(3) Clearwater River (Jefferson Co.), from the mouth to Snahapish River:

November 4 through November 30, 2023: Daily limit 3 including no more than 1 adult.
Release Chinook.

(4) Copalis River (Grays Harbor Co.), from mouth to Carlisle Bridge:

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.

(5) Elk River (Grays Harbor Co.), from the mouth (Hwy. 105 Bridge) to the confluence of Middle Branch:

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.

(6) Hoquiam River including West Fork (Grays Harbor Co.), from mouth (Hwy. 101 Bridge on Simpson Ave.) to Dekay Rd. Bridge (West Fork):

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.

(7) Hoquiam River including East Fork (Grays Harbor Co.), from mouth to confluence of Berryman Creek:

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.

- (8) **Joe Creek (Grays Harbor Co.)**, from the mouth to Ocean Beach Rd. Bridge:
November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.
- (9) **Johns River (Grays Harbor Co.)**, from the mouth (Hwy. 105 Bridge) to Ballon Creek:

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.
- (10) **Moclips River (Grays Harbor Co.)**, from the mouth to Quinault Indian Reservation boundary:

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.
- (11) **Newaukum River, including South Fork (Lewis Co.)**, from mouth to Leonard Rd near Onalaska:

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.
- (12) **Salmon River (Jefferson Co.)**, from outside Quinault Indian Reservation and Olympic National Park:

November 4 through November 30, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.
- (13) **Satsop River and East Fork (Grays Harbor Co.):**
- (a) From mouth to bridge at Schafer State Park:

Effective November 4 through December 31, 2023: Salmon: Daily limit 6 including no more than 1 adult. Release Chinook.
- (b) From 400 feet below Bingham Creek Hatchery dam to the dam:

Effective November 4 through December 31, 2023: Salmon: Daily limit 6 including no more than 1 adult. Release Chinook.
- (14) **Skookumchuck River (Lewis/Thurston Co.)**, from mouth to 100' below outlet of TransAlta WDFW steelhead rearing pond located at the base of Skookumchuck Dam:

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult.
Release Chinook.

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

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult. Release Chinook.

(16) Wishkah River (Grays Harbor Co.):

(a) From the mouth to 200' below the weir at the Wishkah Rearing Ponds

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult. Release Chinook.

(b) From 150' upstream to 150' downstream of the Wishkah adult attraction channel/outfall structure (within the posted fishing boundary):

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult. Release Chinook.

(17) Wynoochee River (Grays Harbor Co.), from mouth to the WDFW White Bridge access site:

November 4 through December 31, 2023: Daily limit 6 including no more than 1 adult. Release Chinook.

REPEALER

The following section of Washington Administrative Code is repealed, effective November 4, 2023:

WAC 220-312-02000E Freshwater exceptions to statewide rules – Coast. (23-234)