



**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 13, 2023

TIME: 4:42 PM

WSR 23-23-089

Agency: Department of Fish and Wildlife (Order 23-255)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 15, 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 rule is to return fisheries in Toutle River, Toutle River, North Fork, and Green River, to permanent rules.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-03000G
 Amended:
 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 return Toutle River, Toutle River, North Fork, and Green River, to permanent rules.

Fall Chinook broodstock collection at the North Toutle hatchery is complete for the season. Previous low water conditions in the Green River have improved to acceptable levels in the reach from the mouth to the hatchery, allowing for improved spawning activity and fish movement upstream.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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 ____ 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 13, 2023	Signature: 
Name: Kelly Susewind	
Title: Director	

REPEALER

The following section of Washington Administrative Code is repealed, effective November 15, 2023:

WAC 220-312-03000G Freshwater exceptions to statewide rules—Southwest. (23-225)