

WSR 22-13-012
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-87—Filed June 2, 2022, 12:04 p.m., effective June 3, 2022]

Effective Date of Rule: June 3, 2022.

Purpose: The purpose of this emergency rule is to open hatchery Chinook retention in the lower Willapa River.

Citation of Rules Affected by this Order: Amending WAC 220-312-020.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: In an effort to increase prey abundance for southern resident killer whales, Washington department of fish and wildlife (WDFW) released 567,560 spring Chinook in May of 2019 from the Fork's Creek Hatchery on the Willapa River (Pacific County). As a result of that release, WDFW anticipates a limited number of four-year returning Chinook available for in-river harvest opportunity.

There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: June 2, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-02000T Freshwater exceptions to statewide rules—Coast. Effective June 3, through July 31, 2022, the following provisions of WAC 220-312-020, regarding recreational Chinook retention for the Willapa River (Pacific Co.) 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) From the mouth (City of South Bend boat launch to WDFW access at mouth of Ward Creek/Wilson Creek:

Salmon:

- (a) Daily limit 1. Release all salmon other than hatchery Chinook.
- (b) Night closure.
- (c) Anglers may fish with two poles with Two-pole Endorsement.

(2) From the WDFW access at mouth of Ward Creek/Wilson Creek to second bridge on Camp One Rd.:

Salmon:

- (a) Daily limit 1. Release all salmon other than hatchery Chinook.
- (b) Night closure.
- (c) Stationary gear restriction in effect.

(3) From second bridge on Camp One Rd. upstream to mouth of Mill Creek, approx. 0.5 miles:

Salmon:

- (a) Daily limit 1. Release all salmon other than hatchery Chinook.
- (b) Night closure.
- (c) Stationary gear rule in effect.
- (d) Fishing from a floating device prohibited.

(4) From Mill Creek to Hwy. 6 Bridge (near the town of Lebam):

Salmon:

- (a) Daily limit 1. Release all salmon other than hatchery Chinook.
- (b) Night closure.
- (c) Stationary gear rule in effect.

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Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.