

**WSR 22-21-028
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 22-230—Filed October 6, 2022, 2:48 p.m., effective October 8, 2022]

Effective Date of Rule: October 8, 2022.

Purpose: The purpose of this emergency rule is to close recreational fishing seasons within coastal streams and tributaries listed within this rule and require release of wild coho in Willapa [Bay] system areas that remain open for salmon retention.

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: This rule is necessary to close recreational fishing in most coastal streams and tributaries and to require release of wild coho in areas that remain open for salmon within the Willapa Bay system.

These closures are necessary to protect salmon returning to coastal rivers. Fishery managers are observing higher than expected harvest rates due to low flows. Fishing will reopen when flows increase or stock assessment information suggests that salmon have resumed their upstream migration.

Mark selective fisheries are necessary in areas where salmon seasons remain open within the Willapa Bay system to ensure that wild coho escapement objectives will be met.

This conservation measure follows regulation changes by comanagers for their respective fisheries. The National Park Service has closed their corresponding fisheries in associated waterbodies.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: October 6, 2022.

Nate Pamplin
for Kelly Susewind
Director

NEW SECTION**WAC 220-312-02000U Freshwater exceptions to statewide rules—**

Coast. Effective October 8, 2022, until further notice, all recreational fishing seasons for waters listed, including *all tributaries* to areas described in section (1) are closed, mainstem waters of the lower Chehalis, Naselle, North, and Willapa rivers described in section (2) will remain open but require release of wild coho. All other provisions of WAC 220-312-020 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

- (1) **All species: Closed Waters:** (*Includes all tributaries to areas listed herein:*)
- (a) **Bear River (Pacific Co.)**
 - (b) **Bear Creek (Clallam Co.)** (Bogachiel Tributary)
 - (c) **Bear Creek (Clallam Co.)** (Sol Duc Tributary)
 - (d) **Beaver Creek (Clallam Co.)**
 - (e) **Big River (Clallam Co.)**, outside of Olympic National Park.
 - (f) **Black River (Grays Harbor/Thurston Co.)**
 - (g) **Bogachiel River (Clallam Co.)**, from the mouth to Olympic National Park boundary.
 - (h) **Calawah River, (Clallam Co.)**, including the North and South Forks, from the mouth upstream to the Olympic National Park boundary.
 - (i) **Cedar Creek (Jefferson Co.)**, outside of Olympic National Park
 - (j) **Chehalis River (Grays Harbor Co.)**, mainstem from Fuller Bridge upstream, including all forks and tributaries from the mouth (Hwy. 101 Bridge in Aberdeen) upstream.
 - (k) **Clearwater River (Jefferson Co.)**, from the mouth to Snahapish River.
 - (l) **Cloquallum Creek (Grays Harbor/Mason Co.)**
 - (m) **Copalis River (Grays Harbor Co.)**
 - (n) **Dickey River (Clallam Co.)** from the Olympic National Park boundary upstream including East and West forks.
 - (o) **Elk River (Grays Harbor Co.)**
 - (p) **Fork Creek (Pacific Co.)**
 - (q) **Goodman Creek (Jefferson Co.)**, outside of Olympic National Park boundary.
 - (r) **Hoh River (Jefferson Co.)**, from Olympic National Park boundary upstream to Olympic National Park boundary below mouth of South Fork Hoh River.
 - (s) **Hoh River, South Fork (Jefferson Co.)**, outside of Olympic National Park boundary.
 - (t) **Hoquiam River including West and East forks (Grays Harbor Co.)**
 - (u) **Humptulips River including all forks (Grays Harbor Co.)**
 - (v) **Joe Creek (Grays Harbor Co.)**
 - (w) **Johns River (Grays Harbor Co.)**
 - (x) **Kalaloch Creek (Jefferson Co.)** outside Olympic National Park boundary.
 - (y) **Moclips River (Grays Harbor Co)**
 - (z) **Mosquito Creek (Jefferson Co.)** from Olympic National Park boundary upstream.
 - (aa) **Naselle River (Pacific Co.):** Mainstem from Hwy. 4 upstream, including all tributaries from the mouth (Hwy. 101 Bridge) upstream.
 - (bb) **Naselle River South Fork (Pacific Co.)**
 - (cc) **Nemah River, Middle and South forks (Pacific Co.)**
 - (dd) **Newaukum River, including all forks (Lewis Co.)**

- (ee) **Niawiakum River (Pacific Co.)**
- (ff) **North River (Pacific Co.)**, mainstem from Lower Salmon Creek upstream, including all tributaries from the mouth (Hwy. 105 Bridge) upstream.
- (gg) **Ozette Lake Tributaries (Clallam Co.)**, outside of Olympic National Park
- (hh) **Palix River (Pacific Co.)**
- (ii) **Quillayute River (Clallam Co.)**, from Olympic National Park boundary upstream to confluence of the Sol Duc and Bogachiel rivers.
- (jj) **Quinault River, Upper (Grays Harbor/Jefferson Co.)**, from the mouth at upper end of Quinault Lake upstream to Olympic National Park boundary.
- (kk) **Salmon Creek (Pacific Co.)**
- (ll) **Salmon River (Jefferson Co.)**, from outside Quinault Indian Reservation and Olympic National Park.
- (mm) **Satsop River (Grays Harbor Co.)**, including all forks.
- (nn) **Sitkum River (Clallam Co.)**, from the mouth upstream.
- (oo) **Skookumchuck River (Lewis/Thurston Co.)**
- (pp) **Smith Creek (Pacific Co.)**
- (qq) **Sol Duc River (Clallam Co.)**, from mouth upstream to the National Park Boundary.
- (rr) **Sooes River (Tsoo-Yess River) (Clallam Co.)**, outside of the Makah Indian Reservation.
- (ss) **Thunder Creek (Clallam Co.)**
- (tt) **Van Winkle Creek (Grays Harbor Co.)**
- (uu) **Willapa River (Pacific Co.)**, mainstem from the second bridge on Camp One Road upstream, including all tributaries from the mouth (City of South Bend boat launch) upstream.
- (vv) **Willapa River South Fork (Pacific Co.)**
- (ww) **Wishkah River (Grays Harbor Co.)**, from the mouth to 200' below the weir at the Wishkah Rearing Ponds and from 150' upstream to 150' downstream of the Wishkah adult attraction channel/outfall structure (within the posted fishing boundary).
- (xx) **Wynoochee River (Grays Harbor Co.)**
- (2) **Salmon:**
- (a) **Naselle River (Pacific Co.)**: Mainstem from the mouth (Hwy. 101 Bridge) to Hwy. 4 Bridge:
October 8 through December 31, 2022: Daily limit 6. Up to 2 adults may be retained. Release wild Chinook and wild coho.
- (b) **North River (Pacific Co.)**, mainstem from the mouth (Hwy. 105 Bridge) to Lower Salmon Creek:
October 8 through December 31, 2022: Daily limit 6. Up to 2 adults may be retained. Release wild Chinook and wild coho.
- (c) **Willapa River (Pacific Co.)**, mainstem from mouth (City of South Bend boat launch) to the second bridge on Camp One Road:
October 8 through January 31, 2023: Daily limit 6. Up to 2 adults may be retained. Release wild Chinook and wild coho.

[]