

WSR 21-19-027
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-179—Filed September 9, 2021, 8:57 a.m., effective October 1, 2021]

Effective Date of Rule: October 1, 2021.

Purpose: The purpose of this emergency rule is to open retention of wild jack coho salmon in the Chehalis Basin salmon fisheries, from October 1 through December 31, 2021.

Citation of Rules Affected by this Order: Amending WAC 2201-312-020 [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 emergency rule is necessary to allow retention of wild jack coho as part of the salmon daily limit in the areas listed. Preseason planning during the 2021/2022 North of Falcon season setting process included wild jack coho retention in areas listed, but was inadvertently omitted from the permanent rule package, originally filed July 2, 2021, as WSR 21-14-067. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 9, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-02000N Freshwater exceptions to statewide rules—Coast. Effective October 1 through December 31, 2021, provisions of WAC 220-312-020 regarding wild jack coho salmon retention for the sections of streams in the Chehalis Basin open for salmon fishing, (includes Black, Chehalis, Elk, Johns, Hoquiam, Hoquiam West Fork, Hoquiam East Fork, Newaukum, Satsop, Skookumchuck, Wishkah, and Wynoochee rivers, as well as Van Winkle Creek,) 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:

Wild jack coho may be retained as part of the salmon daily limit in the following areas:

- (1) Black River: from mouth to bridge on 128th Ave. SW
- (2) Chehalis River: from mouth to high bridge on Weyerhaeuser 1000 line
- (3) Elk River: from mouth to confluence of Middle Branch
- (4) Johns River: from mouth to confluence of Ballon Creek
- (5) Hoquiam River including West Fork: from mouth to Dekay Rd. Bridge
- (6) Hoquiam River, East Fork: from mouth to the confluence of Berryman Creek
- (7) Newaukum River: from mouth to Leonard Rd.
- (8) Satsop River: from mouth to the bridge at Schafer State Park
- (9) Satsop River: from 400 feet downstream of Bingham Creek Hatchery Dam to Bingham Creek Hatchery Dam
- (10) Skookumchuck River: from mouth to 100 feet downstream of outlet of TransAlta WDFW steelhead rearing ponds
- (11) Van Winkle Creek: from mouth to 400 feet below outlet of Lake Aberdeen Hatchery
- (12) Wishkah River: from mouth to 200 feet downstream of the weir at the Wishkah Rearing Ponds
- (13) Wynoochee River: from mouth to WDFW White Bridge access site

[]

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.