



# RULE-MAKING ORDER

**CR-103E (May 2009)**  
**(Implements RCW 34.05.360)**

**Agency:** Washington Department of Fish and Wildlife

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules 11-87**

- Immediately upon filing.
- Later (specify) \_\_\_\_\_

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** Amend personal use fishing rules

**Citation of existing rules affected by this order:**

Repealed:  
 Amended: WAC 232-28-619  
 Suspended:

**Statutory authority for adoption:** RCW 77.12.047 and RCW 77.04.020

**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.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: The Department is in the process of adopting permanent rules that are necessary to implement the recreational fishing seasons, limits and other regulations. These emergency rules are interim until the permanent rules take effect.

**Date adopted:** May 18, 2011

**NAME (TYPE OR PRINT)**

Philip Anderson

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: May 18, 2011**

**TIME: 2:16 PM**

**WSR 11-12-001**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	<u>1</u>	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

NEW SECTION

**WAC 232-28-61900H Exceptions to statewide rules—Columbia River.**

Notwithstanding the provisions of WAC 232-28-619, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

1. **Cowlitz River from Mill Creek to Barrier Dam (Cowlitz/Lewis Co.):** Effective immediately until further notice, when the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.
2. **Delemeter Creek (Cowlitz Co.):** Effective immediately until further notice, closed 400' below to 200' above weirs when temporarily installed.
3. **Kalama River from boundary markers at mouth to railroad bridge below I-5 (Cowlitz Co.):** Effective immediately until further notice, night closure and anti snagging rules are rescinded.
4. **Olequa Creek (Cowlitz Co.):** Effective immediately until further notice, closed 400' below to 200' above weirs when temporarily installed.
5. **Salmon Creek (Lewis Co.):** Effective immediately until further notice, closed 400' below to 200' above weirs temporarily installed.
6. **Washougal River from mouth to Salmon Falls Bridge (Clark Co.):** Effective immediately until further notice, closed 400' below to 200' above weirs when temporarily installed.
7. **White Salmon River from mouth to Hwy. 14 Bridge (Klickitat/Skamania Co.):** Effective immediately until further notice, the daily limit follows the most liberal regulations of the adjacent mainstem Columbia or White Salmon rivers when both areas are open concurrently for salmon.
8. **Wind River from mouth to Hwy. 14 Bridge (Skamania Co.):** Effective immediately until further notice, the daily limit follows the most liberal regulations of the adjacent mainstem Columbia or Wind rivers when both areas are open concurrently for salmon.

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9 (b) That state or federal law or federal rule a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

**Reasons for this finding:** The Department is in the process of adopting permanent rules that are necessary to implement the recreational fishing seasons, limits and other regulations. These emergency rules are interim until the permanent rules take effect.

**(11-87, 5/18/2011)**

