



# RULE-MAKING ORDER

**CR-103E (July 2011)**  
**(Implements RCW 34.05.350)**

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

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules 12-105**

- 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 recreational fishing rules

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

Repealed: WAC 232-28-61900G, WAC 220-55-22000C  
 Amended: WAC 232-28-619, WAC 220-55-220  
 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 year 2009, 2010, 2011, 2012, or 2013, 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 Washington and Oregon Departments of Fish and Wildlife adopted the Bonneville Pool sturgeon retention summer fishery guidelines. The upcoming season includes all tributaries. A balance of 1,060 fish remains within this year's sturgeon guideline for Bonneville Pool and its tributaries. To help ensure that the overall catch remains within the guideline, this emergency regulation change makes the number of rods allowed per angler at Wind River and Drano Lake consistent with the adjacent mainstem Columbia. There is insufficient time to adopt permanent rules.

**Date adopted:** June 7, 2012

**NAME (TYPE OR PRINT)**  
Philip Anderson

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: June 07, 2012**

**TIME: 4:32 PM**

**WSR 12-13-011**

**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>2</u>	Amended	_____	Repealed	<u>2</u>
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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 220-55-22000D Two-pole endorsement.**

Notwithstanding the provisions of WAC 220-55-220, WAC 232-28-619, WAC 232-28-620 and WAC 232-28-621, effective immediately until further notice, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

- (1) Anglers who are in possession of a valid two-pole endorsement may fish with two poles in the following river sections during open seasons:
  - (a) Columbia River - From Priest Rapids Dam to Wanapum Dam, from Wanapum Dam to Wells Dam, from Wells Dam to the Highway 173 Bridge at Brewster, and from the Highway 173 Bridge at Brewster to Chief Joseph Dam.
  - (b) Cowlitz River – Lexington Bridge Drive at Lexington upstream to the Highway 505 Bridge in Toledo.
  - (c) Drano Lake – Waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery. However not valid June 15, 16, 22 and 23.
  - (d) Lewis River – From the railroad bridge near Kuhns Road upstream to the mouth of East Fork Lewis River.
  - (e) Lewis River, North Fork – From the mouth to Johnson Creek .
  - (f) Wind River – From the mouth to the Burlington Northern Railroad Bridge, except not valid June 15, 16, 22 and 23.
  
- (2) Anglers who are in possession of a valid two-pole endorsement may fish with two poles in the following marine areas during open seasons:
  - (a) Willapa Bay – Area 2.1 east of line from Cape Shoalwater to Leadbetter Point.
  - (b) Port Susan and Port Gardner Area 8.2, Tulalip Terminal Area - waters west of Tulalip Bay and within 2,000 feet of shore from the pilings at Old Bower's Resort, to a fishing boundary marker approximately 1.4 miles northwest of Hermosa Point.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-22000C Two-pole endorsement. (12-80)

NEW SECTION

**WAC 232-28-61900I Freshwater Exceptions to Statewide Rules – 2012 North of Falcon Eastern Washington Rivers and Columbia River.**

Notwithstanding the provisions of WAC 232-28-619 and WAC 220-55-255, effective immediately until further notice, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

**1. Columbia River:**

- North Jetty: Barbed hooks allowed for salmon 7 days per week when Marine Area 1 or Buoy 10 are open for salmon.
- a. From the Highway 395 Bridge at Pasco to Priest Rapids Dam, except Ringold Spring Creek (Hatchery Creek): Salmon: Open June 16 through July 31. Daily limit 6 fish, of which no more than 2 may be adult hatchery Chinook. Release wild Chinook.
  - b. Ringold Area Bank Fishery waters (from WDFW markers ¼ mile downstream from the Ringold wasteway outlet, to WDFW markers ½ mile upstream from Spring Creek): Trout and salmon fishing closed immediately through June 15. From June 16 until further notice, same rules as the adjoining Columbia River.
  - c. From Priest Rapids Dam to Wells Dam: All Species: Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing from July 1 through August 31. Salmon: Open July 1 until further notice. Daily limit 6 Chinook and 6 sockeye only. Of the 6 Chinook, no more than 3 may be adult Chinook, and of these 3 adult Chinook, only 1 may be a wild adult Chinook.
  - d. From Wells Dam to Highway 173 Bridge at Brewster: All Species: Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing from July 16 through August 31. Salmon: Open July 16 until further notice. Daily limit 6 Chinook and 6 sockeye only. Of the 6 Chinook, no more than 3 may be adult Chinook, and of these 3 adult Chinook, only 1 may be a wild adult Chinook.
  - e. From Highway 173 Bridge at Brewster to Chief Joseph Dam: All Species: Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing from July 1 through August 31. Salmon: Open July 1 until further notice. Daily limit 6 Chinook and 6 sockeye only. Of the 6 Chinook, no more than 3 may be adult Chinook, and of these 3 adult Chinook, only 1 may be a wild adult Chinook.

**2. Cowlitz River (Lewis County):**

**From Lexington Bridge Drive in Kelso upstream to the Highway 505 Bridge in Toledo:**

All Species: Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing.

**3. Klickitat River (Klickitat County):**

From mouth to Fisher Hill Bridge: When anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.

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**4. Lewis River (Clark County):**

From railroad bridge near Kuhns Road upstream to mouth of East Fork Lewis: Anglers in possession of a valid two pole endorsement may use up to two lines while fishing.

**5. Lewis River, North Fork (Clark/Skamania counties):**

From mouth to Johnson Creek: Anglers in possession of a valid two pole endorsement may use up to two lines while fishing.

**6. Little White Salmon River (Skamania County):**

Drano Lake (waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery): All Species: Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing, effective immediately through June 30, except June 15, 16, 22, and 23.

**(a) White Salmon River (Klickitat/Skamania counties): From county road bridge below powerhouse to Northwestern Lake Road Bridge: Closed waters.**

**(b) White Salmon River (Klickitat/Skamania counties): From Northwestern Lake Road Bridge to 400 feet below Big Brother's Falls at River Mile 16: Closed waters: from Big Brother's Falls downstream 400 feet. All game fish: Effective first Saturday in June, catch and release, except up to 2 hatchery steelhead may be retained. Selective gear rules in effect.**

**7. Okanogan River (Okanogan County): Salmon: Open July 1 until further notice. Daily limit 6 Chinook and 6 sockeye only. Of the 6 Chinook, no more than 3 may be adult Chinook, and of these 3 adult Chinook, only 1 may be a wild adult Chinook.**

**8. Similkameen River (Okanogan County):**

**From the mouth to Enloe Dam:** Salmon: Open July 1 until further notice. Daily limit 6 Chinook and 6 sockeye only. Of the 6 Chinook, no more than 3 may be adult Chinook, and of these 3 adult Chinook, only 1 may be a wild adult Chinook.

**9. Wind River (Skamania County):**

**From mouth to 400 feet below Shipherd Falls:** Salmon and Steelhead: Open immediately through July 31. Fishing for trout (except hatchery steelhead) is closed. From mouth to railroad bridge, anglers in possession of a valid two pole endorsement may use up to two lines while fishing, effective immediately through June 30, except June 15, 16, 22, and 23.

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-61900G Freshwater Exceptions to Statewide Rules – 2012 North of Falcon Eastern Washington Rivers and Columbia River. (12-73)

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**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

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

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**(12-105, 6/7/2012)**