



# 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 12-127**

- 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Repealed: WAC 232-28-61900I, WAC 232-28-61900R, WAC 232-28-61900S  
 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 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 Department is in the process of adopting permanent rules that are necessary to implement the personal-use fishing plans agreed to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans. There is insufficient time to adopt permanent rules.

**Date adopted:** June 28, 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 28, 2012**

**TIME: 3:11 PM**

**WSR 12-14-054**

**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	<u>3</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 232-28-61900U 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:**

- a. North Jetty: Barbed hooks allowed for salmon 7 days per week when Marine Area 1 or Buoy 10 are open for salmon.
- b. The Columbia River from the Megler-Astoria Bridge upstream to Bonneville Dam: Effective immediately through July 31, 2012: Open to retention of Chinook and sockeye. Daily salmonid limit is 6 fish. Up to 2 may be adult salmon or hatchery steelhead, or 1 of each. Release all salmon other than hatchery Chinook and sockeye. July 2 –July 31, release adult Chinook and sockeye. Salmon minimum size is 12 inches.
- c. The Columbia River from Bonneville Dam upstream to the Highway 395 Bridge in Pasco: Effective immediately through July 31, 2012: Open to retention of salmon and steelhead. Daily salmonid limit is 6 fish. Up to 2 may be adult salmon or hatchery steelhead, or 1 of each. Release all salmon other than hatchery Chinook and sockeye Salmon minimum size is 12 inches.
- d. From the Highway 395 Bridge at Pasco to Priest Rapids Dam, except Ringold Spring Creek (Hatchery Creek): Salmon: Effective immediately through July 31: Daily limit 6 fish, of which no more than 2 may be adult hatchery Chinook. Release wild Chinook.
- e. 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): Immediately until further notice, same rules as the adjoining Columbia River.
- f. 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.
- g. 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.

- h. 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.
- i. From Priest Rapids Dam to Chief Joseph Dam: Effective July 1 through October 15, release all Chinook and sockeye with external floy tags and/or with one or more holes (round, approximately ¼ inch diameter) punched in the caudal (tail) fin.

**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.

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

From railroad bridge near Kuhnis 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. 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.

**7. 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.

**8. White Salmon River (Klickitat/Skamania counties):**

- a) From county road bridge below powerhouse to Northwestern Lake Road Bridge: Closed waters.
- b) 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 immediately, catch and release only, except up to 2 hatchery steelhead may be retained. Selective gear rules in effect.

**9. 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. Effective July 1 through October 15, release all Chinook and sockeye with external floy tags and/or with one or more holes (round, approximately ¼ inch diameter) punched in the caudal (tail) fin.

**10. 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. Effective July 1 through October 15, release all Chinook and sockeye with external floy tags and/or with one or more holes (round, approximately ¼ inch diameter) punched in the caudal (tail) fin.

**R E P E A L E R S**

The following sections of the Washington Administrative Code are repealed:

WAC 232-28-61900I Freshwater Exceptions to Statewide Rules – 2012 North of Falcon Eastern Washington Rivers and Columbia River. (12-105)

WAC 232-28-61900R Exceptions to statewide rules—Columbia, Okanogan and Similkameen Rivers. (12-121)

WAC 232-28-61900S Exceptions to statewide rules—Columbia River. (12-125)

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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.

( ) 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.

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**(12-127, 6/28/2012)**