



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 14-84

- 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Repealed: WAC 220-310-18500A, 220-310-18500B, 220-310-18500C, 220-310-18400D
 Amended: WAC 220-310-185
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020 and 77.12.047

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 and are interim until permanent rules take effect.

Date adopted: April 22, 2014

NAME (TYPE OR PRINT)

Philip Anderson

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 22, 2014

TIME: 9:01 AM

WSR 14-09-088

**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:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	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>4</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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 220-310-18500G Southwest Washington – Freshwater exceptions to statewide rules.

Notwithstanding the provisions of WAC 220-310-185, effective immediately until further notice, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

- (1) **Drano Lake (Skamania County):** It is permissible for anglers with a Two-Pole Endorsement to fish for salmon and steelhead with two poles and each angler aboard a vessel may deploy salmon/steelhead angling gear until the daily salmon/steelhead limit for all anglers aboard has been achieved May 1 through June 30, 2014.
- (2) **Kalama River (Cowlitz County):** From the boundary markers at the mouth to 1000 feet above fishway at the upper salmon hatchery (Kalama Falls), all Chinook must be released through July 31, 2014.
- (3) **Lewis River (Clark/Cowlitz counties):** All Chinook must be released through July 31, 2014.
- (4) **Lewis River, North Fork (Clark/Cowlitz counties):**
 - (a) From the mouth of East Fork to overhead powerlines below Merwin Dam, all chinook must be released through July 31, 2014.
 - (b) From Johnson Creek (located downstream from the Lewis River Salmon Hatchery) upstream to Merwin Dam, closed to all fishing through May 31, 2014.
- (5) **Wind River (Skamania County):**
 - (a) From the mouth (boundary line markers) upstream to the Burlington Northern Railroad Bridge: Anglers with a Two-pole Endorsement may fish with two poles for salmon and steelhead and each angler aboard a vessel may deploy salmon/steelhead angling gear until the daily salmon/steelhead limit for all anglers aboard has been achieved May 1 through June 30, 2014.
 - (b) From 100 feet above Shipherd Falls to 800 yards downstream of Carson National Fish Hatchery (except closed waters from 400 feet below to 100 feet above coffer dam): Open to fishing for Chinook and hatchery steelhead May 1 through June 30, 2014.
 - (c) From the mouth to 400 feet below Shipherd Falls through July 31, 2014, and from 100 feet above Shipherd Falls to 800 yards downstream of Carson National Fish Hatchery through June 30, daily limit is 2 Chinook or 2 hatchery steelhead or one of each. Chinook minimum size is 12 inches. Release wild Chinook downstream of Shipherd Falls.

REPEALERS

The following sections of the Washington Administrative Code are repealed:

WAC 220-310-18500A Kalama River. (14-35)

WAC 220-310-18500B Lewis River. (14-36)

WAC 220-310-18500C Wind River. (14-51)

WAC 220-310-18500D Drano Lake (14-53)

EMERGENCY RULE ONLY

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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, 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.

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(14-84, 4/22/2014)

