



# 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 14-151**

- 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Repealed: WAC 220-310-18500I, WAC 220-310-19500H, WAC 220-310-19500Q  
 Amended: WAC 220-310-195  
 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 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:** June 20, 2014

**NAME (TYPE OR PRINT)**

Philip Anderson

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: June 20, 2014**

**TIME: 12:09 PM**

**WSR 14-14-012**

**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	_____

ORDER NO. 14-151

NEW SECTION

**WAC 220-310-19500Q Freshwater exceptions to statewide rules—Eastside.**

Notwithstanding the provisions of WAC 220-310-195, effective immediately until further notice, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

**(1) Klickitat River (Klickitat Co.)**

- (a) From the mouth to Fisher Hill Bridge, effective August 1 until further notice, the salmon and steelhead daily limit is 6 fish. Up to 3 adult Chinook may be retained. Up to 2 hatchery steelhead may be retained.
- (b) From 400 feet upstream from the #5 fishway to the boundary markers below Klickitat Salmon Hatchery:
  - (i) Through July 31, the salmon daily limit is 6 fish. Up to 2 may be adults. Release wild Chinook.
  - (ii) Effective August 1 until further notice, the salmon and steelhead daily limit is 6 fish. Up to 3 adult Chinook may be retained, and up to 2 hatchery steelhead may be retained as part of the daily limit.

**(2) White Salmon River (Klickitat/Skamania counties):**

- (a) From the mouth to Hwy. 14 Bridge:
  - (i) The bank fishing only restriction is rescinded.
  - (ii) Rescind the daily limit which follows the most liberal regulations of the adjacent mainstem Columbia River or White Salmon River, when both areas are open concurrently for salmon.
  - (iii) The mouth is defined as the Burlington Northern Railroad Bridge.
- (b) From the mouth to county road bridge below the powerhouse, effective August 1 until further notice, the salmon and steelhead daily limit is 6 fish. Up to 2 adult Chinook or hatchery steelhead or one of each may be retained as part of the daily limit. Release wild Chinook and wild coho.

REPEALERS

The following sections of the Washington Administrative Code are repealed:

WAC 220-310-18500I Freshwater exceptions to statewide rules—Klickitat River.  
(14-138)

WAC 220-310-19500H Freshwater exceptions to statewide rules—White Salmon River. (14-86)

The following section of the Washington Administrative Code is repealed effective September 1, 2014:

WAC 220-310-19500Q Freshwater exceptions to statewide rules—Eastside.

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**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

(x) 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 , 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 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.

**(14-151, 6/20/2014)**