



# 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 14-153**

- Immediately upon filing.
- Later (specify) June 28, 2014

**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Repealed: WAC 220-310-18500H  
 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 hatchery escapement goal is expected to be met on the Kalama River. Reopening the Kalama river will provide angling opportunity. There is insufficient time to adopt permanent rules.

**Date adopted:** June 26, 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 26, 2014**

**TIME: 2:30 PM**

**WSR 14-14-057**

**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	New	_____	Amended	_____	Repealed	_____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>1</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 220-310-18500J Freshwater exceptions to statewide rules—Southwest.**

Notwithstanding the provisions of WAC 220-310-185, effective June 28, 2014, until further notice, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

- (1) **Drano Lake (Skamania Co.):** Effective August 1, 2014, until further notice, the salmon and steelhead daily limit is 6 fish. Up to 3 adults may be retained of which no more than 2 may be hatchery steelhead.
- (2) **Kalama River (Cowlitz Co.):** Effective June 28, 2014 through July 31, 2014, it is permissible to fish for salmon from the boundary markers at the mouth to 1000 feet above fishway at the upper salmon hatchery.
  - (a) Daily limit of 6 hatchery Chinook of which no more than 2 may be adults.
  - (b) Release all salmon other than hatchery Chinook.
  - (c) Minimum size 12 inches.
- (3) **Lewis River (Clark/Cowlitz counties):** Through July 31, 2014, all Chinook must be released.
- (4) **Lewis River, North Fork (Clark/Cowlitz counties):** From the mouth of East Fork to overhead powerlines below Merwin Dam, all Chinook must be released through July 31, 2014.
- (5) **Wind River (Skamania Co.):**
  - (a) From the mouth to 400 feet downstream of Shipherd Falls Daily limit is 2 hatchery Chinook or hatchery steelhead or one of each through July 31. Chinook minimum size is 12 inches.
  - (b) From 100 feet upstream of Shipherd Falls to 800 yards downstream of Carson National Fish Hatchery: Daily limit is 2 Chinook or hatchery steelhead or one of each through June 30. Minimum size is 12 inches.
  - (c) From the mouth to 400 feet downstream of Shipherd Falls: Effective August 1, 2014, until further notice, the salmon and steelhead daily limit is 6 fish. Up to 2 adults may be retained. Release wild Chinook and wild coho.
  - (d) From the mouth upstream to the Hwy. 14 Bridge, the daily catch limit and retention regulations for hatchery and wild fish follows the most liberal regulations of the mainstem Columbia or Wind rivers when both areas are open concurrently for salmon.

REPEALER

The following section of the Washington Administrative Code is repealed effective June 28, 2014:

WAC 220-310-18500H Freshwater exceptions to statewide rules—Southwest (14-113)

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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 Kalama hatchery escapement goal is expected to be met. Reopening the Kalama River for hatchery Chinook will provide angling opportunity. There is insufficient time to adopt permanent rules.

**(14-153, 6/26/2014)**