



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 15-124

- Immediately upon filing.
- Later (specify) May 23, 2015

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Repealed: WAC 220-310-19500U
 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: May 14, 2015

NAME (TYPE OR PRINT)

J W Unsworth

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: May 14, 2015

TIME: 3:56 PM

WSR 15-11-046

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
-----	----------	---------	-------	----------	----------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

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 220-310-19500U Freshwater exceptions to statewide rules—Eastside

Notwithstanding the provisions of WAC 220-310-195, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

White Salmon River (Klickitat/Skamania Co.): Effective May 23 through June 30, 2015 from the county road bridge below the former power house upstream to the Northwestern Road Bridge:

- (a) The salmon and steelhead daily limit is two hatchery Chinook or hatchery steelhead or one of each.
- (b) Salmon minimum size is 12 inches.
- (c) Wild Chinook and wild steelhead must be released.
- (d) Release all gamefish except hatchery steelhead.

Klickitat River (Klickitat Co.): Effective June 1 until further notice:

- (1) From the mouth to the Fisher Hill Bridge (located approximately 3 miles from the mouth):
 - (a) Trout daily limit is three hatchery steelhead. Release all trout except hatchery steelhead.
 - (b) Salmon daily limit is six hatchery spring Chinook of which no more than two may be adults. Minimum size is 12 inches. Wild Chinook must be released.
- (2) From 400 feet upstream from #5 fishway (located about one-half mile upstream from the Fisher Hill Bridge) upstream to the boundary markers below the Klickitat Salmon Hatchery:
 - (a) Trout daily limit is 3 fish of which no more than 2 may be other than hatchery steelhead. Minimum size is 12 inches. Wild steelhead must be released.
 - (b) Salmon daily limit is six hatchery spring Chinook of which no more than two may be adults. Minimum size is 12 inches. Wild Chinook must be released.
- (3) From boundary markers above Klickitat Salmon Hatchery upstream to the Yakama Reservation boundary, the trout daily limit is 3 fish of which no more than 2 may be other than hatchery steelhead. Minimum size is 12 inches. Wild steelhead must be released.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 1, 2015:

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

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 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.

(15-124, 5/14/2015)