



# 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 16-145**

- Immediately upon filing.
- Later (specify) July 1, 2016

**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 for the Columbia River

**Citation of existing rules affected by this order:**

Repealed: WAC 220-310-20000S  
 Amended: WAC 220-310-200  
 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 pre-season forecast for Okanogan sockeye salmon is only about 40,000 fish returning to the Columbia River mouth. This run abundance is insufficient to support sockeye harvest in the upper Columbia River and meet spawning escapement goals in the Canadian Okanogan basin. Achieving a successful sockeye spawn in 2016 is extremely important following the massive mortality and poor spawning escapement of upper Columbia sockeye caused by the drought and high water temperatures in 2015. These changes were proposed and discussed during the North of Falcon salmon season rule-setting public meeting and are interim until permanent rules take effect. There is insufficient time to adopt permanent rules.

**Date adopted:** June 15, 2016

**NAME (TYPE OR PRINT)**  
 James B Scott for J W Unsworth

**SIGNATURE**

**TITLE**  
 Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED

**DATE: June 15, 2016**  
**TIME: 11:23 AM**  
**WSR 16-13-084**

**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	_____

ORDER NO. 16-145

NEW SECTION

**WAC 220-310-20000S Exceptions to statewide rules—Columbia River.**

Notwithstanding the provisions of WAC 220-310-200, Effective July 1 through August 31, 2016, it is permissible to fish for salmon in waters of the Columbia River from Priest Rapids Dam to Chief Joseph Dam, Chelan River, Okanogan River, and Similkameen River.

Daily limit of four salmon, of which no more than two may be adult hatchery Chinook.

Release wild adult Chinook and sockeye.

REPEALER

The following section of the Washington Administrative Code is repealed effective September 1, 2016:

WAC 220-310-20000S Exceptions to statewide rules—Columbia River.

**Reasons for this finding:** The pre-season forecast for Okanogan sockeye salmon is only about 40,000 fish returning to the Columbia River mouth. This run abundance is insufficient to support sockeye harvest in the upper Columbia River and meet spawning escapement goals in the Canadian Okanogan basin. Achieving a successful sockeye spawn in 2016 is extremely important following the massive mortality and poor spawning escapement of upper Columbia sockeye caused by the drought and high water temperatures in 2015. These changes were proposed and discussed during the North of Falcon salmon season rule-setting public and are interim until permanent rules take effect. There is insufficient time to adopt permanent rules. **(16-145, 6/15/2016)**

