



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 16-173

- Immediately upon filing.
- Later (specify) July 7, 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Repealed: WAC 220-310-20000W
 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 sockeye run has exceeded the pre-season forecast of 102,000 fish returning to the river mouth (currently upgraded to 350,000). Barring extreme high water temperatures like 2015 that caused unprecedented pre-spawning mortality, sufficient escapement of fish to meet spawning needs in the Wenatchee and Okanogan Rivers should be realized. Increasing the daily limit and allowing retention of sockeye salmon will provide additional angling opportunity. There is insufficient time to adopt permanent rules.

Date adopted: July 6, 2016

NAME (TYPE OR PRINT)

J W Unsworth

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 06, 2016

TIME: 4:28 PM

WSR 16-15-002

**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>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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

ORDER NO. 16-173

NEW SECTION

WAC 220-310-20000W Freshwater exceptions—Columbia River.

Notwithstanding the provisions of WAC 220-310-200, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

- (1) For all subsections listed below the following rules apply:
 - (a) Daily limit six salmon, up to two may be adult hatchery Chinook and up to three may be sockeye.
 - (b) Release coho and wild adult Chinook.
 - (c) Minimum size 12 inches.
 - (d) Release all sockeye with colored anchor (floy) tag attached.
- (2) July 7 through August 31, 2016, from Priest Rapids Dam to 400 feet below Rock Island Dam.
- (3) July 7 through October 15, 2016, from Rock Island Dam to 400 feet below Wells Dam.
- (4) July 16 through August 31, 2016, from Wells Dam to Hwy 173 Bridge in Brewster.
- (5) July 7 through October 15, 2016, from Hwy 173 Bridge in Brewster to Chief Joseph Dam.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 16, 2016:

WAC 220-310-20000W Freshwater exceptions—Columbia River.

Reasons for this finding: The sockeye run has exceeded the pre-season forecast of 102,000 fish returning to the river mouth (currently upgraded to 350,000). Barring extreme high water temperatures like 2015 that caused unprecedented pre-spawning mortality, sufficient escapement of fish to meet spawning needs in the Wenatchee and Okanogan Rivers should be realized. Increasing the daily limit and allowing retention of sockeye salmon will provide additional angling opportunity. There is insufficient time to adopt permanent rules. **(16-173, 7/6/2016)**

