



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
**(Implements RCW 34.05.360)**

**Agency:** Washington Department of Fish and Wildlife

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules 13-185**

- 31 days after filing.
- Other (specify) (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** Amends WAC 220-56-105, River mouth definitions, based on recommendations by the North of Falcon sub-group of the Pacific Fisheries Management Council. The definitions are based on boundary changes proposed during the North of Falcon process. North of Falcon rules protect species of fish listed as endangered while supporting commercial and recreational salmon fishing.

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

Repealed:  
 Amended: WAC 220-56-105  
 Suspended:

**Statutory authority for adoption:** RCWs 77.04.020, 77.12.045, and 77.12.047

**Other authority :** N/A

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 13-06-073 on March 6, 2013 and WSR 13-13-075 on June 19, 2013.  
Describe any changes other than editing from proposed to adopted version: N/A.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
 Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
 e-mail \_\_\_\_\_

**Date adopted:** August 7, 2013

**NAME (TYPE OR PRINT)**  
Philip Anderson

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: August 07, 2013**  
**TIME: 4:50 PM**

**WSR 13-17-008**

**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	New	_____	Amended	_____	Repealed	_____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	New	_____	Amended	_____	Repealed	_____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	New	_____	Amended	_____	Repealed	_____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New	_____	Amended	_____	Repealed	_____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	_____	Amended	1	Repealed	_____
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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	_____

AMENDATORY SECTION (Amending Order 12-190, filed 8/23/12, effective 9/23/12)

**WAC 220-56-105 River mouth definitions.** When pertaining to angling, unless otherwise defined, any reference to the mouths of rivers or streams includes those waters of any river or stream, including sloughs and tributaries, upstream and inside of a line projected between the outermost uplands at the mouth. The term "outermost upland" means those lands not covered by water during an ordinary high tide. The following river mouths are hereby otherwise defined:

Abernathy Creek - Highway 4 Bridge.  
Bear River - Highway 101 Bridge.  
Bone River - Highway 101 Bridge.  
California Creek - Drayton Harbor Road Bridge.  
Chambers Creek - Burlington Northern Railroad Bridge.  
Chehalis River - Highway 101 Bridge in Aberdeen.  
Chelan River - Railroad Bridge.  
Cispus River - Posted markers at the Lewis County P.U.D. kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus rivers.  
Cowlitz River - A line projected across the river between two fishing boundary markers set on each bank of the river approximately one-half mile downstream from the lowermost railroad bridge crossing the Cowlitz River.  
Dakota Creek - A line from the outermost headland of the south bank to a house at 1285 Runge Avenue, Blaine, Washington, approximately one-quarter mile downstream from the Blaine Road Bridge.  
Deschutes River - A line projected across the river 400 feet below the lower Tumwater Falls fish ladder.  
Drano Lake - Highway 14 Bridge.  
Duwamish River - First Avenue South Bridge.  
Elk River - Highway 105 Bridge.  
Entiat River - Highway 97 Bridge.  
Hawk Creek (Lincoln County) - Falls at the Hawk Creek campground.  
Hoquiam River - Highway 101 Bridge.  
Humptulips River - Mouth of Jessie Slough.  
Johns River - Highway 105 Bridge.  
Kennedy Creek - An arc 500 yards east of the midpoint of the northbound Highway 101 Bridge.  
Kettle River - Barstow Bridge.  
Lake Washington Ship Canal - A line 400 feet west of the fish ladder at the Chittenden Locks.

Lewis River - A straight line running from a fishing boundary marker or from the outermost upland at the north shore of the Lewis River mouth, southerly across the Lewis River to a fishing boundary marker near the south shore.

McLane Creek - A line 100 feet upstream of and parallel to the southernmost Highway 101 Bridge.

Methow River - Highway 97 Bridge.

Naselle River - Highway 101 Bridge.

North Nemah River - Highway 101 Bridge.

Niawiakum River - Highway 101 Bridge.

Nisqually River - At the upstream end of Alder Lake, the mouth of the Nisqually River is the Highway 7 Bridge at Elbe.

North River - Highway 105 Bridge.

Palix River - Highway 101 Bridge.

Puyallup River - 11th Street Bridge.

Samish River - The Samish Island Bridge (Bayview-Edison Road).

Sammamish River - 68th Avenue NE Bridge.

Skagit River - A line projected from the terminus of the jetty with McGlenn Island to the white monument on the easterly end of Ika Island, then to a white monument on the westerly end of Craft Island, then to a white monument near the corner of the levee on the westerly side of Dry Slough, and then to a white monument on the easterly side of Tom Moore Slough.

Skamokawa Creek - Highway 4 Bridge.

Skookum Creek - A line 400 yards below the old railroad bridge.

Snohomish River - Burlington Northern Railway Bridges crossing main river and sloughs.

South Nemah River - Lynn Point 117 degrees true to the opposite shore.

Spokane River - State Route 25 Bridge.

Tahuya River - North Shore Rd. Bridge.

Wallace River - The furthest downstream railroad bridge.

Washougal River - A straight line from the Crown Zellerbach pumphouse southeasterly across the Washougal River to the east end of the Highway 14 Bridge near the upper end of Lady Island.

Whatcom Creek - A line projected approximately 14 degrees true from the flashing light at the southwesterly end of the Port of Bellingham North Terminal to the southernmost point of the dike surrounding the Georgia Pacific treatment pond.

Little White Salmon River - At boundary markers on river bank downstream from the Little White Salmon National Fish Hatchery.

Willapa River - City of South Bend boat launch.

Wind River - Boundary line markers at mouth.

Yakima River - Highway 240 Bridge.