



**RULE-MAKING ORDER
EMERGENCY RULE ONLY**

**CR-103E (December 2017)
(Implements RCW 34.05.350
and 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 31, 2019

TIME: 1:50 PM

WSR 19-12-067

Agency: Department of Fish and Wildlife (Order 19-101)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) June 1, 2019

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

- Yes
 - No
- If Yes, explain:

Purpose: Amends recreational fishing rules for the Columbia River from the Washington/Oregon Border to Chief Joseph Dam and Columbia River tributaries from Buoy 10 to McNary Dam.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-312-030; WAC 220-312-060
- Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 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.

Reasons for this finding: This rule is needed to make the use of barbless hooks voluntary during salmon and steelhead directed fisheries in the Columbia River mainstem from Buoy 10 to Chief Joseph Dam and Columbia River tributaries downstream of McNary Dam. (Removing the barbless hook requirements for all species in areas with selective gear rules and fly-fishing only requirements will reduce confusion by providing consistent regulations for species in those areas.) This rule implements the policy direction provided by the commission on March 2, 2019 to make the use barbless hooks voluntary for salmon and steelhead fisheries in the Columbia River and its tributaries. There is insufficient time to adopt permanent rules.

**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 on the agency's own initiative:

New 2 Amended ____ Repealed ____

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 ____

Date Adopted: May 31, 2019
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-312-03000R Freshwater exceptions to statewide rules—Southwest.

Notwithstanding the provisions of WAC 220-312-030, effective June 1, 2019 until further notice:

(1) Barbed hooks are allowed for salmon and steelhead in the following waters:

- (a) Blue Creek (Lewis County), from the mouth to Spencer Road
- (b) Cispus River (Lewis County)
- (c) Coweeman River and tributaries (Cowlitz County)
- (d) Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County)
- (e) Drano Lake (Skamania County)
- (f) Elochoman River (Wahkiakum County)
- (g) Grays River (Wahkiakum County)
- (h) Grays River, West Fork (Wahkiakum County)
- (i) Kalama River (Cowlitz County)
- (j) Klickitat River (Klickitat County)
- (k) Lewis River (Clark County)
- (l) Rock Creek (Skamania County)
- (m) Tilton River (Lewis County)
- (n) Toutle River (Cowlitz County)
- (o) Toutle River, North Fork (Cowlitz County)
- (p) Washougal River (Clark County)
- (q) Washougal River, West (North) Fork (Clark/Skamania counties)
- (r) White Salmon River (Klickitat/Skamania counties)

(2) Barbed hooks are allowed for salmon, steelhead, and cutthroat in the Cowlitz River (Cowlitz County)

(3) Selective gear rules, except: barbed hooks are allowed in the following waters:

- (a) Abernathy Creek and tributaries (Cowlitz County)
- (b) Cedar Creek and tributaries (tributary of N.F. Lewis) (Clark County)
- (c) Coal Creek (Cowlitz County)
- (d) Delameter Creek (Cowlitz County)
- (e) Germany Creek (Cowlitz County) and all tributaries.
- (f) Grays River (Wahkiakum County)
- (g) Grays River, East Fork (Wahkiakum County)
- (h) Grays River, South Fork (Wahkiakum County)
- (i) Grays River, West Fork tributaries (Wahkiakum County)
- (j) Green River (Cowlitz County)
- (k) Hamilton Creek (Skamania County)
- (l) Kalama River (Cowlitz County): From 1,000 feet above fishway at upper salmon hatchery to Summers Creek and from the intersection of 6000 and 6420 Rds. to 6600 Rd. bridge immediately downstream of Jacks Creek.
- (m) Lacamas Creek (Clark County): From mouth to footbridge at lower falls.
- (n) Lacamas Creek, tributary of Cowlitz River (Lewis County)

- (o) Lewis River, East Fork (Clark/Skamania counties): From mouth to 400 feet below Horseshoe Falls.
 - (p) Little Washougal River (Clark County)
 - (q) Mill Creek (Cowlitz County)
 - (r) Mill Creek (Lewis County): From the mouth to the hatchery road crossing culvert.
 - (s) Olequa Creek (Lewis/Cowlitz counties)
 - (t) Outlet Creek (Silver Lake) (Cowlitz County)
 - (u) Salmon Creek (Clark County): From the mouth to 182nd Avenue Bridge.
 - (v) Salmon Creek (Lewis County)
 - (w) Skamokawa Creek (Wahkiakum County)
 - (x) Stillwater Creek (Lewis County)
 - (y) Swift Reservoir (Skamania County): From the posted markers approximately 3/8 mile below Eagle Cliff Bridge to the bridge; from the Saturday before Memorial Day through July 15.
 - (z) Toutle River, North Fork (Cowlitz County): From the mouth to the posted deadline below the fish collection facility.
 - (aa) Wind River (Skamania County): from 100 feet above Shipherd Falls to Moore Bridge.
 - (bb) White Salmon River (Klickitat/Skamania counties): From the county road bridge below the former location of the powerhouse upstream to Big Brother Falls (river mile 16).
- (4) Fly fishing only, except: use of barbed hooks is allowed in the Kalama River (Cowlitz County): From Summers Creek to the intersection of 6000 and 6420 Rds.

NEW SECTION

WAC 220-312-06000N Exceptions to statewide rules—Columbia River.

Notwithstanding the provisions of WAC 220-312-060, effective June 1, 2019 until further notice; barbed hooks are allowed for salmon and steelhead in the Columbia River from a true north-south line through Buoy 10 to Chief Joseph Dam.