



**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: June 27, 2019

TIME: 4:52 PM

WSR 19-14-052

Agency: Department of Fish and Wildlife (Order 19-147)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 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: Amend recreational salmon fishing rules for the Columbia River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-06000P
 Amended: 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: The Department is in the process of adopting permanent rules that are necessary to implement the state's share of the fishing plans agreed to with resource co-managers at the 2019 North of Falcon proceedings. These emergency rules are necessary to meet conservation objectives and because the current permanent rule is inconsistent with the agreed 2019 North of Falcon fishery sharing package. Specifically, the rule closes sections of the Columbia River upstream of Priest Rapids Dam beginning July 1, 2019 and carries forward Columbia River summer salmon fisheries from previous emergency rule. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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 1 Amended ____ Repealed 1

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: June 27, 2019	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-06000Q Freshwater exceptions to statewide rules—Columbia

Notwithstanding the provisions of WAC 220-312-060, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

(1) From Buoy 10 upstream to Megler-Astoria Bridge; salmon and steelhead open August 1 through August 20:

- (a) Night closure.
- (b) Daily limit 2.
- (c) No more than 1 Chinook may be retained.
- (d) Release all salmon and steelhead except Chinook and hatchery coho.

(2) From Megler-Astoria Bridge to a projected line from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon Bank; salmon and steelhead:

- (a) Open June 16 through June 30:
 - (i) Daily limit 2.
 - (ii) Release all salmon and wild steelhead.
- (b) Open July 1 through July 31:
 - (i) Night closure.
 - (ii) Daily limit 1.
 - (iii) Release all salmon and wild steelhead.
- (c) Open August 1 through August 20:
 - (i) Night closure.
 - (ii) Daily limit 2.
 - (iii) No more than 1 Chinook may be retained.
 - (iv) Release all salmon and steelhead except Chinook and hatchery coho.

(3) From a projected line from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon Bank to Hood River Bridge; salmon and steelhead:

- (a) Open June 16 through June 30:
 - (i) Daily limit 2.
 - (ii) Release all salmon and wild steelhead.
- (b) Open July 1 through July 31:
 - (i) Night closure.
 - (ii) Daily limit 1.
 - (iii) Release all salmon and wild steelhead.
- (c) Open August 1 through August 20:
 - (i) Night closure.
 - (ii) Daily limit 1.
 - (iii) Release all salmon and steelhead except Chinook and hatchery coho.

(4) From Hood River Bridge to John Day Dam:

- (a) Open June 16 through June 30:
 - (i) Daily limit 2.
 - (ii) Release all salmon and wild steelhead.
- (b) Open July 1 through July 31:
 - (i) Night closure.
 - (ii) Daily limit 1.
 - (iii) Release all salmon and wild steelhead.
- (c) Salmon and steelhead open August 1 through August 20:
 - (i) Night closure.
 - (ii) Daily limit 1.
 - (iii) Release all salmon and steelhead except Chinook and coho.

(5) From John Day Dam upstream to Hwy 395 at Pasco, WA:

- (a) Open June 16 through June 30:
 - (i) Daily limit 2.
 - (ii) Release all salmon and wild steelhead.
- (b) Open July 1 through July 31:
 - (i) Night closure.
 - (ii) Daily limit 1.
 - (iii) Release all salmon and wild steelhead.
- (c) Salmon and steelhead open August 1 through August 20:
 - (i) Night closure.
 - (ii) Daily limit 1.
 - (iii) Release all salmon and wild steelhead except Chinook and coho.

(6) From Hwy 395 Bridge at Pasco, WA upstream to Priest Rapids Dam: Salmon and steelhead closed June 16 through August 15.

(7) From Priest Rapids Dam upstream: Salmon closed July 1 through August 31.

R E P E A L E R

The following section of the Washington Administrative Code is repealed effective July 1, 2019:

WAC 220-312-06000P Freshwater exceptions to statewide rules—Columbia (19-105)

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.