



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: July 29, 2019

TIME: 8:12 AM

WSR 19-16-033

Agency: Department of Fish and Wildlife (Order 19-170)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 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 and steelhead rules for the Columbia River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-06000S
 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: This rule is needed in order to have reciprocal rules with Oregon where the Columbia River shares a common border by allowing jack salmon retention in the portion of the river between the Rocky Point/Tongue Point line and West Puget Island.

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 take advantage of the state's fishing opportunity that is imminent and will be available prior to the permanent rule, in a manner consistent with co-manager agreed fisheries.

The reason for the emergency rules are to meet conservation objectives and because the current 2018 permanent rule is inconsistent with the agreed 2019 North of Falcon fishery sharing package.

**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: July 26, 2019

Name: Nate Pamplin for Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-312-06000T Freshwater exceptions to statewide rules—Columbia
Notwithstanding the provisions of WAC 220-312-060, effective August 1, 2019:

(1) From Buoy 10 upstream to Megler-Astoria Bridge; salmon and steelhead; effective August 1 through August 13:

- (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; effective August 1 through August 13, 2019:

- (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.

(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 upstream to a line at the west end of Puget Island projected from green navigation marker 39 on the Washington bank to green navigation marker 41 then to red navigation marker 42 and terminating at red navigation marker 44A on the Oregon bank; salmon and steelhead; effective August 1 through August 20, 2019:

- (a) Night closure.
- (b) Daily limit 6.
- (c) Up to 1 adult salmon may be retained.
- (d) Release all salmon and steelhead except Chinook and hatchery coho.

(4) From a line at the west end of Puget Island projected from green navigation marker 39 on the Washington bank to green navigation marker 41 then to red navigation marker 42 and terminating at red navigation marker 44A on the Oregon bank to the Hood River Bridge; salmon and steelhead; effective August 1 through August 13:

- (a) Night closure.
- (b) Daily limit 6.
- (c) Up to 1 adult salmon may be retained.
- (d) Release all salmon and steelhead except Chinook and hatchery coho.

(5) From Hood River Bridge to John Day Dam; salmon and steelhead; effective August 1 through August 13:

- (a) Night closure.
- (b) Daily limit 6.

- (c) Up to 1 adult salmon may be retained.
- (d) Release all salmon and steelhead except Chinook and coho.

(6) From John Day Dam upstream to Hwy 395 at Pasco, WA; salmon and steelhead; effective August 1 through August 13:

- (a) Night closure.
- (b) Daily limit 6.
- (c) Up to 1 adult salmon may be retained.
- (d) Release all salmon and wild steelhead except Chinook and coho.

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

(8) From the upstream line of Rocky Reach Dam to the boundary markers 400' below the spawning channel discharges (on Chelan County side) and the fish ladder (on Douglas County side) at Wells Dam; salmon; effective immediately through October 15, 2019:

- (a) Daily limit 6.
- (b) No more than 2 adult Chinook may be retained.
- (c) Release wild adult Chinook, sockeye, and coho.
- (d) Anglers who possess a valid two-pole endorsement may fish for salmon with two lines.

(9) From the Highway 173 Bridge at Brewster upstream to the Highway 17 Bridge near Bridgeport; salmon; effective August 1, 2019 until further notice:

- (a) Daily limit 6.
- (b) No more than 2 adult Chinook may be retained.
- (c) Release wild adult Chinook, sockeye, and coho.
- (d) Anglers who possess a valid two-pole endorsement may fish for salmon with two lines.

REPEALER

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

WAC 220-312-06000S Freshwater exceptions to statewide rules—Columbia (19-161)

