



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 23, 2019

TIME: 3:40 PM

WSR 19-15-138

Agency: Department of Fish and Wildlife (Order 19-161)

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 fishing rules in portion of the upper Columbia River.

Citation of rules affected by this order:

New:
 Repealed: WACC 220-312-06000R
 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 to open a recreational salmon fisheries above Wells Dam in the upper Columbia River. A harvestable surplus of adult hatchery summer Chinook are present in this portion of the river above Wells Dam. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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New ____ Amended ____ Repealed ____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: July 23, 2019
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-312-06000S 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 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 August 1 through August 20, 2019:
- (b) Night closure.
- (c) Daily limit 2.
- (d) No more than 1 Chinook may be retained.
- (e) 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 August 1 through August 20:
- (b) Night closure.
- (c) Daily limit 1.
- (d) Release all salmon and steelhead except Chinook and hatchery coho.

(4) From Hood River Bridge to John Day Dam; salmon and steelhead:

- (a) Salmon and steelhead open August 1 through August 20:
- (b) Night closure.
- (c) Daily limit 1.
- (d) Release all salmon and steelhead except Chinook and coho.

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

- (a) Salmon and steelhead open August 1 through August 20:
- (b) Night closure.
- (c) Daily limit 1.
- (d) 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 immediately through August 15.

(7) 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:

- (a) Open immediately through October 15, 2019.
- (b) Daily limit 6.
- (c) No more than 2 adult Chinook may be retained.
- (d) Release wild adult Chinook, sockeye, and coho.
- (e) Anglers who possess a valid two-pole endorsement may fish for salmon with two lines.

(8) From the Highway 173 Bridge at Brewster upstream to the Highway 17 Bridge near Bridgeport; salmon:

- (a) Open August 1, 2019 until further notice.
- (b) Daily limit 6.
- (c) No more than 2 adult Chinook may be retained.
- (d) Release wild adult Chinook, sockeye, and coho.
- (e) 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 220-312-06000R Freshwater exceptions to statewide rules—Columbia (19-155)