



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: September 12, 2019

TIME: 5:03 PM

WSR 19-19-049

Agency: Department of Fish and Wildlife (Order19-218)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 16, 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 fishing rules for Wind River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-03000A
 Amended: WAC 220-312-030
 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 close a portion of the Wind River to all fishing. A minimum escapement of 500 wild summer steelhead is needed to allow for the opening of a catch-and-release fishery above Shipherd Falls on September 16. Based on recent survey results and average run timing, the wild escapement is projected to be well below that objective. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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: September 12, 2019
Name: Kelly Cunningham for Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-030, effective September 16, 2019:

- (1) Klickitat River (Klickitat Co.):** From the mouth to Fisher Hill Bridge: Effective immediately through September 30, 2019: Release all steelhead.
- (2) Toutle River, North Fork (Cowlitz Co.),** from the mouth (confluence with South Fork) to posted markers downstream of the fish collection facility; salmon, effective immediately until further notice:
 - (a) Daily limit 6; up to 4 may be adults.
 - (b) Release all salmon other than hatchery coho.
- (3) White Salmon River (Klickitat/Skamania Co.):** From the mouth (Burlington Northern Railroad Bridge) to the county road bridge below the former location of the powerhouse: Effective immediately through September 30, 2019: Release all steelhead.
- (4) Wind River (Skamania Co.):**
 - (a) From the mouth to 400 feet downstream of Shipherd Falls fish ladder: Effective immediately through September 30, 2019: Release all steelhead.
 - (b) From 100 feet above Shipherd Falls to Moore Bridge: Effective immediately through November 30, 2019: Closed waters.

REPEALERS

The following sections of the Washington Administrative Code are repealed effective September 16, 2019:

WAC 220-312-03000A Freshwater exceptions to statewide rules—Southwest. (19-202)

