



# RULE-MAKING ORDER

**CR-103E (July 2011)**  
**(Implements RCW 34.05.350)**

**Agency:** Washington Department of Fish and Wildlife

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules 14-51**

- Immediately upon filing.
- Later (specify) March 16, 2014

**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

**Citation of existing rules affected by this order:**

Repealed:  
 Amended: WAC 220-310-185  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020 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.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 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.

Reasons for this finding: The 2014 Wind River spring Chinook returns are expected to be slightly higher than the recent 5 year average and more than twice last year's actual return. Surplus hatchery origin fish are available for harvest. There is insufficient time to adopt permanent rules.

**Date adopted:** March 10, 2014

**NAME (TYPE OR PRINT)**  
Philip Anderson

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: March 10, 2014**

**TIME: 5:08 PM**

**WSR 14-07-034**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	<u>1</u>	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

NEW SECTION

**WAC 220-310-18500C Freshwater exceptions to statewide rules--Wind River.**

Notwithstanding the provisions of WAC 220-310-185, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

- (1) Wind River from mouth (boundary line markers) upstream to the Burlington Northern Railroad Bridge: Open March 16, 2014, until further notice. Daily limit two Chinook salmon or two hatchery steelhead or one of each. Release wild Chinook. Minimum size 12 inches for salmon and 20 inches for steelhead.
  - (a) Anglers may fish with a Two Pole Endorsement May 1 through June 30 for salmon and steelhead only. When fishing for sturgeon or other species, only one pole per angler may be used.
- (2) Wind River from the Burlington Northern Railroad Bridge upstream to 400 feet below Shipherd Falls: Open April 1, 2014, until further notice. Daily limit two Chinook salmon or two hatchery steelhead or one of each. Release wild Chinook. Minimum size 12 inches for salmon and 20 inches for steelhead.
  - (a) The area from the Burlington Northern Railroad Bridge upstream to Shipherd Falls is closed to all fishing March 16 through March 31, 2014.
- (3) Wind River from 100 feet above Shipherd Falls to 800 yards downstream of Carson National Fish Hatchery (except closed waters from 400 feet below to 100 feet above the coffer dam). Open May 1 through June 30, 2014. Daily limit two Chinook salmon or two hatchery steelhead or one of each. Minimum size 12 inches for salmon and 20 inches for steelhead.

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(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.

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**(14-51, 3/10/2014)**

