



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 14-167

- Immediately upon filing.
- Later (specify) July 11, 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Repealed: WAC 220-310-19500U
 Amended: WAC 220-310-195
 Suspended:

Statutory authority for adoption: RCW 77.12.047 and RCW 77.04.020

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: Sockeye salmon returns above Zosel Dam are predicted to be in excess of needs for wild fish escapement to the spawning grounds. Allowing the retention of sockeye salmon in Lake Osoyoos will provide additional angling opportunity. The population is not listed under the Endangered Species Act. There is insufficient time to adopt permanent rules.

Date adopted: July 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: July 10, 2014

TIME: 2:55 PM

WSR 14-15-040

(COMPLETE REVERSE SIDE)

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

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
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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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 220-310-19500U Freshwater exceptions to statewide rules—Lake Osoyoos.

Notwithstanding the provisions of WAC 232-28-619:

- (1) Effective July 11 through October 15, 2014, it is permissible to fish for salmon in waters of Lake Osoyoos south of the 49th parallel (US-Canadian border, which is marked with large fluorescent orange signs).
- (2) Daily limit six sockeye, minimum size 12 inches in length.
- (3) Release all Chinook salmon and all sockeye with colored anchor (floy) tag attached.
- (4) Statewide freshwater gear rules apply.
- (5) It is permissible to fish with two poles with a Two-Pole Endorsement through August 31, 2014.

REPEALER

The following section of the Washington Administrative code is repealed effective October 16, 2014:

WAC 220-310-19500U Freshwater exceptions to statewide rules.—Lake Osoyoos.

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.

Reasons for this finding: Re-opens the summer chinook sport fishery from the Astoria-Megler Sockeye salmon returns above Zosel Dam are predicted to be in excess of needs for wild fish escapement to the spawning grounds. Allowing the retention of sockeye salmon in Lake Osoyoos will provide additional angling opportunity. The population is not listed under the Endangered Species Act. There is insufficient time to adopt permanent rules.

(14-167, 7/10/2014)

