



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 14-246

- Immediately upon filing.
- Later (specify) _____

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Repealed: WAC 220-310-18000E
 Amended: WAC 220-310-180
 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.
- 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: These rules were inadvertently omitted from the agencies permanent rule filing for recreational fishing. An emergency rule is needed to allow anglers to retain chum salmon as part of their daily salmon limit. There is insufficient time to adopt permanent rules.

Date adopted: September 24, 2014

NAME (TYPE OR PRINT)

Philip Anderson

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 24, 2014

TIME: 9:55 AM

WSR 14-20-038

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____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 220-310-18000F Freshwater exceptions to statewide rules—Coast.

Notwithstanding the provisions of WAC 220-310-180, retention of chum is allowed when open to salmon fishing; all permanent rules remain in effect:

(1) **Bear River (Pacific Co.):** From the mouth (Highway 101 Bridge) to Lime Quarry Road (approximately two river miles).

(2) **Fork Creek (Pacific Co.) (Willapa River tributary):** From Forks Creek Hatchery rack upstream 500 feet at fishing boundary sign: Open only for anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card.

(3) **Middle Nemah River (Pacific Co.):** From the mouth upstream to the department of natural resources bridge on the Middle Nemah A-Line Road.

(4) **Naselle River (Pacific/Wahkiakum counties):** From the Highway 101 Bridge to the Crown Mainline (Salme) Bridge.

(5) **Niawiakum River (Pacific Co.):** From Highway 101 Bridge to the South Bend/Palix Road Bridge.

(6) **North Nemah River (Pacific Co.):** From Highway 101 Bridge upstream to the bridge on Nemah Valley Road: Through November 30, 2014, anglers may also retain one additional adult hatchery Chinook as part of the daily limit.

(7) **North River (Grays Harbor/Pacific counties):** From the Highway 105 Bridge to Fall River.

(8) **Palix River, including all forks (Pacific Co.):** From the Highway 101 Bridge to the mouth of the Middle Fork:

(9) **Smith Creek (near North River) (Pacific Co.):** From the mouth to the Highway 101 Bridge.

(10) **South Nemah River (Pacific Co.):** From the mouth (Lynn Point, 117 degrees true to opposite shore) to the confluence with Middle Nemah River.

(11) **Willapa River (Pacific Co.):** From the mouth (city of South Bend boat launch) to Fork Creek.

(12) **Willapa River, South Fork (Pacific Co.):** From the mouth to the bridge on Pehl Road.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-310-18000E Freshwater exceptions to statewide rules—Coastal. (14-243)

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: These rules were inadvertently omitted from the agencies permanent rule filing for recreational fishing. An emergency rule is needed to allow anglers to retain chum salmon as part of their daily salmon limit. There is insufficient time to adopt permanent rules. (14-246, 9/23/2014)

