



# 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 13-293**

- Immediately upon filing.
- Later (specify) October 8, 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Repealed:  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 232-28-619  
 Suspended:

**Statutory authority for adoption:** RCW 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: Steelhead fisheries for hatchery steelhead (adipose clip only) have opened in the upper Columbia and tributaries, thus allowing early retention of adipose fin clip only steelhead in the Hanford Reach. Hatchery-origin steelhead in excess of desired escapement are forecast to return to the upper Columbia River. The fishery enhancements in the Hanford Reach will reduce the number of excess hatchery-origin steelhead and consequently increase the proportion of natural-origin steelhead on the spawning grounds. There is insufficient time to adopt permanent rules.

**Date adopted:** October 7, 2014

**NAME (TYPE OR PRINT)**

Philip Anderson

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: October 07, 2014**

**TIME: 4:41 PM**

**WSR 14-21-052**

**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 220-310-20000X Freshwater exceptions to statewide rules—Columbia River.**

Notwithstanding the provisions of WAC 220-310-200, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

- (1) Effective October 8 through October 31, 2014, in the Columbia River from the Highway 395 Bridge in Pasco to the Old Hanford townsite wooden powerline towers:
  - (a) Daily limit of any 2 hatchery steelhead.
  - (b) Anglers may fish with two poles if they possess a valid two-pole endorsement.
- (2) Effective October 8 through October 22, 2014, in the Columbia River from the Old Hanford townsite wooden powerline towers to Vernita Bridge:
  - (a) Daily limit of any 2 hatchery steelhead with mandatory retention required. All fishing for steelhead must cease for the day after retaining the daily limit.
  - (b) Selective gear rules in effect, except that bait may be used to fish for steelhead.
- (3) Effective October 8 through October 22, 2014, and November 27, 2014, until further notice in the Columbia River from the Vernita Bridge to Priest Rapids Dam:
  - (a) Daily limit of any 2 hatchery steelhead with mandatory retention required. All fishing for steelhead must cease for the day after retaining the daily limit.
  - (b) Selective gear rules in effect, except that bait may be used to fish for steelhead.

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**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 findings:** Steelhead fisheries for hatchery steelhead (adipose fin clipped only) have opened in the upper Columbia and tributaries, thus allowing early retention of adipose fin clipped only steelhead in the Hanford Reach. Hatchery-origin steelhead in excess of desired escapement are forecasted to return to the upper Columbia River. The fishery enhancements in the Hanford Reach in this emergency rule will reduce the number of excess hatchery-origin steelhead and consequently increase the proportion of natural-origin steelhead on spawning grounds. There is insufficient time to adopt permanent rules.  
**(14-293, 10/7/2014)**

