



# 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 15-81**

- Immediately upon filing.
- Later (specify) April 24, 2015

**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 the Wind river and Drano Lake

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

Repealed: WAC 220-310-18500U  
 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: This emergency rule is needed to implement a public proposal recently approved during the 2015 North of Falcon Process. Analysis based on recent years' sampling showed few wild salmon and steelhead are typically handled from mid-March through June. Surplus hatchery origin spring Chinook salmon are available for harvest. There is insufficient time to adopt permanent rules.

**Date adopted:** April 22, 2015

**NAME (TYPE OR PRINT)**  
J W Unsworth

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** April 22, 2015

**TIME:** 2:21 PM

**WSR 15-10-006**

**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	<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:**

<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 220-310-18500U Freshwater exceptions to statewide rules—Southwest.**

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) Effective April 24 through June 30, 2015, it is permissible to fish with barbed hooks in the waters of Wind River from the mouth upstream to 400 feet below Shipherd Falls when fishing for salmon and steelhead.
- (2) Effective May 1 through June 30, 2015, it is permissible to fish with barbed hooks in the waters of 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 Coffey Dam) when fishing for salmon and steelhead.
- (3) Effective April 24 through June 30, 2015, it is permissible to fish with barbed hooks in the waters of Drano Lake from the mouth upstream to markers on point of land downstream and across from Little White Salmon National Fish Hatchery when fishing for salmon and steelhead.

REPEALER

The following section of the Washington Administrative Code is repealed effective July 1, 2015:

WAC 220-310-18500U Freshwater exceptions to statewide rules.

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( ) 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:** This emergency rule is needed to implement a public proposal recently approved during the 2015 North of Falcon Process. Analysis based on recent years' sampling showed few wild salmon and steelhead are typically handled from mid-March through June. Surplus hatchery origin spring Chinook salmon are available for harvest. There is insufficient time to adopt permanent rules.

**(15-81, 4/21/2105)**

