



# 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 15-127**

- Immediately upon filing.
- Later (specify) May 17, 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

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

Repealed: WAC 220-310-18500Y  
 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: Hatchery returns have been strong to date on the Cowlitz River, Drano Lake, Kalama River and the Wind River. The hatchery brood stock goal is expected to be met or has been met and surplus hatchery origin fish are available for harvest. There is insufficient time to adopt permanent rules.

**Date adopted:** May 15, 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: May 15, 2015**

**TIME: 9:08 AM**

**WSR 15-11-050**

**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	_____

ORDER NO. 15-127

NEW SECTION

**WAC 220-310-18500Y 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) **Cowlitz River (Cowlitz/Lewis Co.):** Effective May 17 until further notice, from the boundary markers at the mouth upstream to 400 feet or posted markers below the barrier dam:
  - (a) The salmon daily limit is 6 hatchery Chinook of which no more than 3 may be adults.
  - (b) Release wild Chinook.
  - (c) Anglers may fish with two poles with a valid Two Pole Endorsement from the Lexington Drive Bridge (Sparks Road Bridge) upstream to 400 feet or posted markers below the barrier dam.
  
- (2) **Kalama River (Cowlitz Co.):** Effective May 17 until further notice, from the boundary makers at the mouth to 1,000 feet below the upper salmon hatchery, the salmon daily limit is 6 hatchery Chinook of which no more than 2 may be adults. Release wild Chinook.
  
- (3) **Wind River (Skamania Co):** Effective May 17 through June 30 from the mouth (boundary line/markers) upstream to 800 yards downstream from Carson National Fish Hatchery except closed waters from 400 feet below to 100 feet above Shipherd Falls and from 400 feet to 100 feet above the coffer dam:
  - (a) The salmon and steelhead daily limit is 3 fish of which no more than 2 may be hatchery steelhead.
  - (b) Release wild steelhead.
  - (c) Release wild Chinook from Shipherd Falls downstream.
  - (d) The anti-snagging rule is in effect from the Highway 14 Bridge upstream. When the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained.
  - (e) From the mouth (boundary line/markers) upstream to the Highway 14 Bridge, anglers may fish for salmon and steelhead with two poles with a valid Two Pole Endorsement. In addition, each angler aboard a vessel may deploy salmon and steelhead angling gear until the daily salmon/steelhead limit for all anglers aboard has been achieved.
  - (f) Barbed hooks may be used.
  
- (4) **Drano Lake (Skamania Co.):** Effective May 17 through June 30 downstream from markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of the Highway 14 Bridge:
  - (a) The salmon and steelhead daily limit is 3 hatchery Chinook or hatchery steelhead of which no more than 2 may be hatchery steelhead.
  - (b) Release wild Chinook and wild steelhead.
  - (c) Barbed hooks may be used.

## REPEALER

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

WAC 220-310-18500Y Freshwater exceptions to statewide rules—Southwest.

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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 this finding:** Hatchery returns have been strong to date on these rivers. The hatchery brood stock goal is expected to be met or has been met and surplus hatchery origin fish are available for harvest. Increasing the daily limit will provide additional angling opportunity. There is insufficient time to adopt permanent rules.

**(15-127, 5/15/2015)**