



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 15-163

- Immediately upon filing.
- Later (specify) June 13, 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Repealed:
 Amended: WAC 220-310-195
 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: Based on the pre-season run prediction for upper Grande Ronde River spring Chinook populations, there are sufficient numbers of returning fish to support a sport fishery for hatchery origin fish. Consistent with the joint Washington Department of Fish and Wildlife and Oregon Department of Fish and Wildlife Grande Ronde Fish Management and Evaluation Plan, and federal Endangered Species Act (ESA) permits, a fishery will be open June 13 on the lower Grande Ronde River in Washington. This will be a concurrent fishery with Oregon. In-season run updates, estimates of harvest, and ESA impacts will determine the duration of this fishery. There is insufficient time to adopt permanent rules.

Date adopted: June 4, 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: June 04, 2015

TIME: 3:33 PM

WSR 15-13-010

(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	_____
-----	-------	---------	-------	----------	-------

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

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	Amended	_____	Repealed	_____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

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

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 220-310-19500Z Freshwater exceptions to statewide rules—Eastside.

Notwithstanding the provisions of WAC 220-310-195, effective June 13, 2015, until further notice:

- (1) It is permissible to fish in waters of the Grande Ronde River from the mouth of Buford Creek (approximately ½ mile downstream of the Highway 129 Bridge at Boggan's Oasis) upstream to the Washington/Oregon state line.
- (2) Daily limit 7 hatchery Chinook, of which no more than two may be adult hatchery Chinook salmon. Immediately release all wild (non-adipose fin clipped) Chinook, steelhead and all bull trout with care. Chinook minimum size is 12 inches.
- (3) Anglers must cease fishing when the adult daily limit has been retained.
- (4) Barbless hooks only, bait use allowed when fishing for all species during times and in locations open for salmon fishing and retention.
- (5) It is unlawful to use any hook larger than 5/8-inch (point of hook to shank) when fishing for all species.
- (6) Night closure is in effect for salmon.

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: Based on the pre-season run prediction for upper Grande Ronde River spring chinook populations, there are sufficient numbers of returning fish to support a sport fishery for hatchery origin fish. Consistent with the joint Washington Department of Fish and Wildlife and Oregon Department of Fish and Wildlife Grande Ronde Fish Management and Evaluation Plan, and federal Endangered Species Act (ESA) permits, a fishery will be open June 13 on the lower Grande Ronde River in Washington. This will be a concurrent fishery with Oregon. In-season run updates, estimates of harvest, and ESA impacts will determine the duration of this fishery.

(15-163, 6/4/2015)

