



# 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 15-214**

- Immediately upon filing.
- Later (specify) July 18, 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Repealed:  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 220-310-185  
 Suspended:

**Statutory authority for adoption:** RCW 77.12.047 and RCW 77.04.020

**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:** The East Fork Lewis and Washougal rivers are experiencing extremely low flows and above normal water temperatures that may affect survival of Endangered Species Act listed wild summer steelhead handled during this fishery. Water temperatures can be higher on the lower river, necessitating a complete closure. The upper river remains open to fishing in the morning hours when water temperatures are cooler.

**Date adopted:** July 17, 2015

**NAME (TYPE OR PRINT)**

Philip Anderson

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: July 17, 2015**

**TIME: 3:22 PM**

**WSR 15-15-136**

**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 220-310-18500C Southwest – Freshwater exceptions to statewide rules.**

Notwithstanding the provisions of WAC 220-310-185, effective July 18, 2015, until further notice, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

- (1) East Fork Lewis River from mouth upstream to top boat ramp at Lewisville Park:  
Closed to all angling.
- (2) East Fork Lewis River from top boat ramp at Lewisville Park upstream to 400 feet below Horseshoe Falls: Closed to all angling daily from 2 pm. to one hour before official sunrise.
- (3) Washougal River from mouth upstream to Mt. Norway Bridge: Closed to all angling.
- (4) Washougal River from Mt. Norway Bridge upstream to the Salmon Falls Bridge:  
Closed to all angling daily from 2 pm. to one hour before official sunrise.
  - (a) Night closure and anti-snagging rules will be in effect. Only fish hooked inside the mouth may be retained.

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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:** The East Fork Lewis and Washougal rivers are experiencing extremely low flows and above normal water temperatures that may affect survival of ESA-listed wild summer steelhead handled during this fishery. Water temperatures can be higher on the lower river, necessitating a complete closure. The upper river remains open to fishing in the morning hours when water temperatures are cooler.

**(15-214, 7/17/2015)**

