



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 15-329

- Immediately upon filing.
- Later (specify) September 12, 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Repealed: WAC 220-310-18500D, WAC 220-310-20000X
 Amended: WAC 220-310-185, WAC 220-310-200
 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: Anti-snagging rules in conjunction with the caveat all fish must be hooked inside the mouth has been successfully used to reduce snagging on several other Southwest Washington streams. Enforcement has requested this regulation be applied to these areas above Bonneville Dam. There is insufficient time to adopt permanent rules.

Date adopted: September 11, 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: September 11, 2015

TIME: 3:56 PM

WSR 15-19-060

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

New	<u>2</u>	Amended	_____	Repealed	<u>2</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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

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

Notwithstanding the provisions of WAC 220-310-185, on the White Salmon River from the mouth upstream to the county road bridge below the former location of the powerhouse and at Drano Lake, the anti-snagging rule is in effect from September 12 through December 31, 2015. Only fish hooked inside the mouth may be retained while the anti-snagging rule is in effect.

NEW SECTION

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

Notwithstanding the provisions of WAC 220-310-200, from Bonneville Dam to The Dalles Dam, the anti-snagging rule is in effect from September 12 through October 15, 2015. Only fish hooked inside the mouth may be retained while the anti-snagging rule is in effect.

REPEALERS

The following sections of the Washington Administrative Code are repealed effective January 1, 2016:

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

WAC 220-310-20000X Freshwater exception to statewide rules—Columbia River.

EMERGENCY RULE ONLY

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(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, or 2011, 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: Anti-snagging rules in conjunction with the caveat all fish must be hooked inside the mouth has been successfully used to reduce snagging on several other Southwest Washington streams. Enforcement has requested this regulation be applied to these areas above Bonneville Dam. There is insufficient time to adopt permanent rules.

(15-329, 9/11/2015)

