



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 15-404

- Immediately upon filing.
- Later (specify) November 1, 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Repealed: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 77.04.012, 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: Lower Columbia adult coho hatchery returns are behind schedule and brood stock and re-introduction goals may not be met. A conservative daily limit of one hatchery adult has been implemented in this emergency rule as an effort to help achieve those goals. There is insufficient time to adopt permanent rules.

Date adopted: October 28, 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: October 28, 2015

TIME: 11:25 AM

WSR 15-22-038

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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>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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 220-310-18500E Southwest – Freshwater exceptions to statewide rules.

Notwithstanding the provisions of WAC 220-310-185, effective November 1, 2015, until further notice it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

(1) The following restrictions apply during the open times in the waters listed in this section:

(a) Daily limit is 6 fish of which no more than 2 may be adults of which no more than 1 may be a hatchery adult coho.

(b) Release all salmon other than hatchery Chinook and hatchery coho.

(c) Wild Chinook may be retained in Deep River and the Lewis River (including North Fork).

(2) Deep River

(3) Grays River including West Fork

(4) Elochoman River

(5) Cowlitz River

(6) Toutle River including North Fork

(7) Green River (Cowlitz County)

(8) Tilton River

(9) Mayfield Lake (Reservoir)

(10) Cispus River

(11) Lake Scanewa (Cowlitz Falls Reservoir)

(12) Kalama River

(13) Lewis River including North Fork

(14) Washougal River

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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.

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(15-404, 10/28/2015)

