



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 16-135

- Immediately upon filing.
- Later (specify) June 16, 2016

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: Amend Columbia River recreational salmon fishing rules

Citation of existing rules affected by this order:

Repealed: WAC 220-310-20000P
 Amended: 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: This emergency rule is needed because the pre-season forecast for upper Columbia River sockeye salmon is only for about 102,000 fish returning to the river mouth. This run abundance is insufficient to support sockeye harvest in the upper Columbia River and meet spawning escapement goals in the Wenatchee and Okanogan basins. Achieving a successful sockeye spawn in 2016 is extremely important following the massive mortality and poor spawning escapement of upper Columbia sockeye caused by the drought and high water temperatures in 2015. The Department is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

Date adopted: June 3, 2016

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 03, 2016

TIME: 11:22 AM

WSR 16-13-017

**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	<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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

ORDER NO. 16-135

NEW SECTION

WAC 220-310-20000P Exceptions to statewide rules—Columbia River.

Notwithstanding the provisions of WAC 220-310-200:

- (1) Effective June 16 through August 15, 2016:
 - (a) It is permissible to fish for salmon in waters of the Columbia River from the Highway 395 Bridge at Pasco to the Interstate 182 Bridge in Richland.
 - (b) Daily limit of three salmon, of which no more than one may be adult hatchery chinook. Release wild adult Chinook and sockeye.

- (2) Effective June 16 through August 15, 2016:
 - (a) It is permissible to fish for salmon in waters of the Columbia River from the Interstate 182 Bridge in Richland to Priest Rapids Dam.
 - (b) Daily limit of four salmon, of which no more than two may be adult hatchery chinook. Release wild adult Chinook and sockeye.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 16, 2016:

WAC 220-310-20000P Exceptions to statewide rules—Columbia River.

Reasons for this finding: This emergency rule is needed because the pre-season forecast for upper Columbia River sockeye salmon is only for about 102,000 fish returning to the river mouth. This run abundance is insufficient to support sockeye harvest in the upper Columbia River and meet spawning escapement goals in the Wenatchee and Okanogan basins. Achieving a successful sockeye spawn in 2016 is extremely important following the massive mortality and poor spawning escapement of upper Columbia sockeye caused by the drought and high water temperatures in 2015. The Department is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

(16-135, 6/3/2016)