



# 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 16-256**

- Immediately upon filing.
- Later (specify) \_\_\_\_\_

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

- Yes
  - No
- If Yes, explain:

**Purpose:** Amends freshwater recreational fishing in the Columbia river

**Citation of existing rules affected by this order:**

Repealed: WAC 220-310-20000B, WAC 220-310-20000D  
 Amended: WAC 220-310-200  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020, 77.04.055, 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 to clarify the boundary of the Snake River Confluence Protection Area (SRCPA) in the lower Snake River. The SRCPA is further defined to include waters of the Snake River upstream to the railroad bridge between Burbank and Pasco approximately 0.75 miles from the navigation light on the point at Sacajawea State Park. This clarification will help anglers and also Enforcement. There is insufficient time to adopt permanent rules.

**Date adopted:** September 21, 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: September 21, 2016**

**TIME: 1:19 PM**

**WSR 16-20-001**

**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	<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:**

<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 220-310-20000D Freshwater exceptions to statewide rules—Columbia River.**

Notwithstanding the provisions of WAC 220-310-200:

- (1) From McNary Dam to Hwy. 395 Bridge at Pasco (CRC 533), including the Snake River Confluence Protection Area, effective immediately through December 31, 2016, the steelhead daily limit is reduced to one hatchery steelhead.
  - (a) The Snake River Confluence Protection Area includes waters of the Snake River upstream to the railroad bridge between Burbank and Pasco 0.75 miles from the navigation light on the point at Sacajawea State Park.
- (2) From Hwy. 395 Bridge to the Old Hanford townsite wooden powerline towers effective November 1 through December 31, 2016, only steelhead with both adipose fin clipped and ventral fin clipped may be retained.

REPEALERS

This following section of the Washington Administrative Code is repealed:

WAC 220-310-20000B Freshwater exceptions to statewide rules—Columbia River (16-245)

The following section of the Washington Administrative code is repealed effective January 1, 2017:

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

**Reasons for this finding:** This emergency rule is needed to clarify the boundary of the Snake River Confluence Protection Area (SRCPA) in the lower Snake River. The SRCPA is further defined to include waters of the Snake River upstream to the railroad bridge between Burbank and Pasco 0.75 miles from the navigation light on the point at Sacajawea State Park. This clarification will help anglers and also Enforcement. There is insufficient time to adopt permanent rules.

**(16-256, 9/21/2016)**