



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 17-44

- Immediately upon filing.
- Later (specify) 6:00 p.m. March 10, 2017

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 for select upper Columbia River tributaries

Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 220-310-195
 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 to close whitefish fishing in the tributaries listed because allowable impacts to Endangered Species Act listed steelhead have been reached in upper Columbia River tributaries. There is insufficient time to adopt permanent rules.

Date adopted: March 9, 2017

NAME (TYPE OR PRINT)
Joe Stohr for J W Unsworth

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 09, 2017

TIME: 4:33 PM

WSR 17-07-050

(COMPLETE REVERSE SIDE)

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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 220-310-19500W Freshwater exceptions to statewide rules—Eastside.

Notwithstanding the provisions of WAC 220-310-195, effective 6:00 p.m. March 10, 2017, until further notice, the following waters are closed to fishing for whitefish:

- (1) **Entiat River:** From mouth (railroad bridge) to Entiat Falls.
- (2) **Similkameen River:** From mouth to Enloe Dam.
- (3) **Methow River:** From Gold Creek to falls above Brush Creek.
- (4) **Chewuch River:** From mouth (Winthrop, WA) to Pasayten wilderness boundary falls (river mile 34.6).