



# 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 17-155**

- 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:** Amend recreation fishing rules in the lower Columbia River.

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

Repealed: WAC 220-312-06000J  
 Amended: WAC 220-312-060  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020, 77.12.045 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: These emergency rules are needed to apply restrictions to protect wild steelhead listed under the Endangered Species Act and to ensure enough hatchery steelhead return to meet escapement goals. The preseason forecast indicates approximately 130,700 summer-run steelhead will return to the Columbia River this year, the lowest number since 1980. This change allows night time bow hunting for carp. There is insufficient time to adopt permanent rules.

**Date adopted:** July 07, 2017

**NAME (TYPE OR PRINT)**  
Nate Pamplin for J W Unsworth

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: July 07, 2017**

**TIME: 1:57 PM**

**WSR 17-15-023**

**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>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:**

<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 220-312-06000P Freshwater exceptions to statewide rules—Columbia.**

Notwithstanding the provisions of WAC 220-312-060, it is unlawful to violate the following provisions provided that unless otherwise amended, all permanent rules remain in effect:

- (1) **Mainstem Columbia River from the Megler-Astoria Bridge upstream to The Dalles Dam**, effective immediately until further notice:
  - (a) Night angling closure in effect except for anglers enrolled in the Pikeminnow Sport-Reward Program and actively fishing for pikeminnow.
  - (b) Through July 31, only 1 hatchery steelhead may be retained.
  - (c) Effective August 1 until further notice, release all steelhead.
  
- (2) **Mainstem Columbia River from a true north-south line through Buoy 10 upstream to a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank**, effective August 1 until further notice:
  - (a) Night angling closure in effect except for anglers enrolled in the Pikeminnow Sport-Reward Program and actively fishing for pikeminnow.
  - (b) Release all steelhead.
  
- (3) **Mainstem Columbia River from The Dalles Dam upstream to the Hwy. 395 Bridge in Pasco**: effective immediately until further notice:
  - (a) Night angling closure in effect except for anglers enrolled in the Pikeminnow Sport-Reward Program and actively fishing for pikeminnow.
  - (b) Only 1 hatchery steelhead may be retained.

## REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-312-06000J Freshwater exceptions to statewide rules—Columbia River (17-119)

**Reasons for this finding:** These emergency rules are needed to apply restrictions to protect wild steelhead listed under the Endangered Species Act and to ensure enough hatchery steelhead return to meet escapement goals. The preseason forecast indicates approximately 130,700 summer-run steelhead will return to the Columbia River this year, the lowest number since 1980. This change allows night time bow hunting for carp. There is insufficient time to adopt permanent rules.

**(17-119, 6/14/2017)**