



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (August 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 14, 2017

TIME: 3:27 PM

WSR 17-17-068

Agency: Department of Fish and Wildlife (17-198)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) 4:02 AM August 18, 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 in the Entiat River.

Citation of rules affected by this order:

New:
Repealed: WAC 220-312-05000Q
Amended: WAC 220-312-050
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.

Reasons for this finding: This emergency rule is necessary because summer chinook salmon are not native to the Entiat River. Their presence is the result of smolt releases from the Entiat National Fish Hatchery. Returns of summer chinook salmon (adipose clipped and un-clipped) are currently in excess to of hatchery broodstock needs. Removal of the mark selective fishery rules will expand harvest opportunities to anglers while reducing impacts related to spawning between summer and Endangered Species Act listed native spring chinook. There is insufficient time to adopt permanent rules.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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 on 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	___

Date adopted: August 14, 2017

Name: J W Unsworth

Title: Director

Signature:



NEW SECTION

WAC 220-312-05000Q Freshwater exceptions to statewide rules—Eastside.

Notwithstanding the provisions of WAC 220-312-050,

Entiat River – Effective 4:02 A.M. August 18 through September 30, 2017, open for salmon from the mouth (railroad bridge) to boundary marker(s) located approximately 1500 feet upstream of the Upper Roaring Creek Road Bridge (Immediately downstream of the Entiat National Fish Hatchery):

Retention of un-clipped Chinook as part of the salmon daily limit is allowed.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 1, 2017:

WAC 220-312-05000Q Freshwater exceptions to statewide rules—Eastside.