



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: September 14, 2017

TIME: 3:48 PM

WSR 17-19-067

Agency: Washington Department of Fish and Wildlife (17-250)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) September 16, 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 the Wind River.

Citation of rules affected by this order:

New:
Repealed: WAC 220-312-03000H
Amended: WAC 220-312-030
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 a minimum escapement of 500 wild summer steelhead is needed to allow the opening of the catch-and-release fishery above Shipherd Falls on September 16. Based on recent survey results and average run timing, the wild escapement is projected to be well below the escapement objective. Summer steelhead returns have been low throughout the Columbia River basin this year. There is insufficient time 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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:

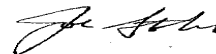
Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date adopted: September 14, 2017

Name: Joe Stohr for J W Unsworth

Title: Director

Signature:



NEW SECTION

WAC 220-312-03000H Southwest – Freshwater exceptions to statewide rules

Notwithstanding the provisions of WAC 220-312-030, effective September 16 through November 30, 2017 it is unlawful to fish in waters of the Wind River from 100 feet above Shipherd Falls to Moore Bridge.

REPEALER

The following section of the Washington Administrative Code is repealed effective December 1, 2017:

WAC 220-312-03000H Freshwater exceptions to statewide rules—Southwest.