



RULE-MAKING ORDER EMERGENCY RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 28, 2018

TIME: 2:06 PM

WSR 18-14-051

Agency: Washington Department of Fish and Wildlife (18-138)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 1, 2018

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 rules for the Southwest region

Citation of rules affected by this order:

New:
Repealed:
Amended: WAC 220-220-160, 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: The Department is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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

The number of sections adopted on the agency's own initiative:

New	1	Amended	___	Repealed	___
-----	---	---------	-----	----------	-----

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
-----	-----	---------	-----	----------	-----

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: June 28, 2018
Name: Joe Stohr
Title: Director

Signature:



NEW SECTION

WAC 220-220-16000A Two pole endorsement

Notwithstanding the provisions of WAC 220-220-160, effective July 1, 2018, until further notice, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

Anglers who possess a valid two-pole endorsement may fish with two lines in the following river sections:

- (1) Cowlitz River, from the mouth to the Lexington Drive Bridge.
- (2) Lewis River, from the mouth to the railroad bridge near Khunis Road.

NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-030, effective July 1, 2018, until further notice, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

- (1) Rescind from the following waters the rule - when the anti-snagging rule is in effect, only fish hooked inside the mouth may be retained:
 - (a) **Blue Creek** (Lewis Co.) from mouth to posted markers above the rearing pond outlet;
 - (b) **Cowlitz River** (Lewis Co.) from Mill Creek to 400' or posted markers below the barrier dam;
 - (c) **Cowlitz River** (Lewis Co.) from posted PUD sign on Peters Road to Forest Road 1270 (old Jody's Bridge);
 - (d) **Drano Lake** (Skamania Co.);
 - (e) **Elochoman River** (Wahkiakum Co.) from mouth to West Fork;
 - (f) **Grays River** (Wahkiakum Co.) from mouth to South Fork;
 - (g) **Green River** (Cowlitz Co.) from mouth to Toutle Hatchery intake;
 - (h) **Kalama River** (Cowlitz Co.) from railroad bridge below the I-5 to intake at lower salmon hatchery;

- (i) **Klickitat River** (Klickitat Co.) from mouth to Fisher Hill Bridge;
 - (j) **Lewis River** (Clark/Cowlitz counties) from mouth of East Fork to overhead powerlines below Merwin Dam;
 - (k) **Mill Creek** (Lewis Co.) from mouth to hatchery road crossing culvert;
 - (l) **North Fork Toutle River** (Cowlitz Co.) from confluence with South Fork to mouth of Green River;
 - (m) **West Fork Grays River** (Wahkiakum Co.) from mouth to hatchery intake/footbridge;
 - (n) **Tilton River** (Lewis Co.) from mouth to West Fork;
 - (o) **Washougal River** (Clark/Skamania counties) from mouth to Salmon Falls;
 - (p) **White Salmon River** (Klickitat/Skamania counties) from mouth to county road bridge below former location of the powerhouse;
 - (q) **Wind River** (Skamania Co.) from the Hwy. 14 Bridge to 800 yards downstream of Carson National Fish Hatchery
- (2) White Salmon River** (Klickitat/Skamania counties):
- (a) From the mouth (Burlington Northern Railroad Bridge) to the county road bridge below the former location of the powerhouse:
 - (i) It is unlawful to fish for salmon and steelhead using anything other than barbless hooks.
 - (ii) Open year-round.
 - (iii) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat.
 - (iv) August 1, 2018 until further notice: Anti-snagging rule.
 - (v) Salmon and steelhead:
 - (A) April 1 through July 31:
 - (I) Limit 2; no more than 2 salmon, or 2 hatchery steelhead, or one of each, may be retained.
 - (II) Release wild Chinook.
 - (B) August 1, 2018 until further notice:
 - (I) Limit 6; no more than 2 adult salmon, or 2 hatchery steelhead, or one of each, may be retained.
 - (II) Salmon: Only hatchery Chinook and hatchery coho may be retained.
 - (b) From the county road bridge below the former location of the powerhouse upstream to Big Brother Falls
 - (i) From Big Brother Falls downstream 400 feet: Closed waters.

(ii) Game fish: Statewide minimum length/daily limit, except: Release wild rainbow and wild cutthroat trout.

(iii) Selective gear rules.

(iv) Salmon and steelhead:

(A) Open through July 31:

(I) Daily limit 2 fish, no more than 2 salmon, or 2 Steelhead, or 1 of each may be retained.

(II) Only hatchery salmon and hatchery steelhead may be retained.

(B) August, 2018 until further notice:

(I) Daily limit 6; no more than 2 adult salmon, or 2 steelhead, or one of each may be retained.

(II) Only hatchery salmon and hatchery steelhead may be retained.

(3) Drano Lake – Open to night fishing until further notice