



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: October 15, 2018

TIME: 2:35 PM

WSR 18-21-092

Agency: Washington Department of Fish and Wildlife (18-292)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 17, 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 recreational fishing rules for Drano Lake

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-03000F
 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: The return of fall Chinook to Little White Salmon National Fish Hatchery is currently projected to be below the number needed to meet egg take goals for 2018. Closing the fishing season in Drano Lake will increase the number of hatchery fish available for broodstock and help ensure future hatchery returns.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1

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New ____ Amended ____ Repealed ____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: October 15, 2018

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-030, effective October 17, 2018 until further notice:

(1) **Drano Lake (Skamania Co.):** In the waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of the Highway 14 Bridge: Closed to fishing.

(2) **White Salmon River (Klickitat/Skamania counties):** from mouth (BNSF Railroad bridge) to county road bridge downstream of the former location of the powerhouse:

(a) Release all steelhead.

(b) Closed to fishing at night for salmon and steelhead.

(3) **Wind River (Skamania County):** from mouth to 400 feet below Shipherd Falls fish ladder:

(a) Release all steelhead.

(b) Closed to fishing at night for salmon and steelhead.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 17, 2018:

WAC 220-312-03000F Freshwater exceptions to statewide rules—Southwest. (18-264)