



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: November 07, 2018

TIME: 2:45 PM

WSR 18-23-002

Agency: Department of Fish and Wildlife (Order 18-311)

Effective date of rule:

Emergency Rules

- 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 recreational fishing rules for the Columbia River

Citation of rules affected by this order:

New:
Repealed: WAC 220-312-06000B
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.

Reasons for this finding:

The main stem Columbia River has been closed to salmon and steelhead fishing to limit impacts on ESA listed fall Chinook. By January, fall Chinook are no longer present in this portion of the river. This rule is needed return the main stem Columbia River to permanent rules on January 1, 2019.

This rule is also needed to close steelhead fishing from Hwy. 395 Bridge at Pasco to the wooden powerline towers at the old Hanford townsite. This year's return of Ringold springs Hatchery steelhead is lowest run on record to this facility by this date in the past 18 years. Closing steelhead fishing in this section of the river will increase the number of hatchery fish available for broodstock needs to help insure future hatchery returns.

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Federal statute:	New	___	Amended	___	Repealed	___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: November 7, 2018
Name: James Scott for Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-312-06000C Freshwater exceptions to statewide rules—Columbia River.

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

(a) Mouth of the Columbia River from Buoy 10 to the HWY 395 Bridge at Pasco, salmon and steelhead, immediately through December 31, 2018: Closed.

(b) HWY 395 Bridge at Pasco to the Old Hanford townsite powerline towers, steelhead, November 10, 2018 until further notice: Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 220-312-06000B Freshwater exceptions to statewide rules—Columbia River. (18-279)

