



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: September 08, 2020

TIME: 4:29 PM

WSR 20-19-029

Agency: Department of Fish and Wildlife (Order 20-182)

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: The purpose of this rule is to amend WSR 20-19-017 to require the release of chum salmon from the Columbia River mouth to the Megler-Astoria Bridge through December 31.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-06000U; WAC 220-312-06000V
 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: This rule is needed to correct chum salmon limits filed under WSR 20-19-017. Chum salmon should be released at all times in the Columbia River, this rule was inadvertently omitted in WSR 20-19-017 and is a rule that was agreed to during the preseason North of Falcon proceedings.

The immediate adoption of this rule is necessary for the preservation of the public health, safety, or general welfare. Observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest. There is insufficient time to adopt permanent regulations.

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____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 2

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: September 8, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective immediately through December 31, 2020, the provisions of WAC 220-312-060 regarding recreational sturgeon seasons in the Columbia River downstream of Bonneville Dam and the Cowlitz River and Columbia River salmon seasons from the mouth (Buoy 10) to the Rocky Point/Tongue Point line, shall be as described below. All other provisions of WAC 220-312-060 not addressed herein remain in effect unless otherwise amended by emergency rule:

- (1) From Wauna powerlines upstream to Bonneville Dam, including the Cowlitz River:
 - (a) It is permissible to retain white sturgeon on Saturday, September 12 and Saturday, September 19, 2020.
 - (i) The daily limit of white sturgeon is one fish.
 - (ii) Minimum fork length 44 inches. Maximum fork length 50 inches.
 - (b) Catch and release angling is permissible on days not open to sturgeon retention.

- (2) From a true North and South line through Buoy 10 to the Megler Astoria Bridge to a projected line from Rocky Point on the Washington bank through Red Buoy 44 to the red navigation marker 2 at Tongue Point on the Oregon Bank (CRC 519) upstream to the Rocky Point/Tongue Point line:
 - (a) Effective immediately through September 22, 2020: Daily limit 2. Coho minimum size 16 inches. Release all salmon other than hatchery coho. Release all steelhead.
 - (b) Effective September 23 through September 30, 2020: Daily limit 2, no more than 1 may be a Chinook. Coho minimum size 16 inches. Chinook minimum size 24". Release all salmon other than Chinook and hatchery coho. Release all steelhead.
 - (c) Effective October 1 through October 31, 2020: Daily limit 6. Up to 2 adults may be retained, no more than 1 may be a Chinook. Coho minimum size 16 inches. Release all salmon other than Chinook and hatchery coho. Release all steelhead.
 - (d) Effective November 1 through December 31, 2020: Daily limit 6. Up to 2 adults may be retained, no more than 1 may be a Chinook and no more than 1 may be a steelhead. Coho minimum size 16 inches. Release all salmon other than Chinook and hatchery coho. Release wild steelhead.

REPEALERS

The following section of Washington Administrative Code is repealed, effective immediately:
WAC 220-312-06000U Freshwater exceptions to statewide rules—Columbia River. (20-178)

The following section of Washington Administrative Code is repealed, effective January 1, 2021:
WAC 220-312-06000V Freshwater exceptions to statewide rules—Columbia River.