



**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, 2021

TIME: 2:13 PM

WSR 21-14-023

Agency: Department of Fish and Wildlife (Order 21-105)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 1, 2021

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 emergency rule is to set salmon seasons for the upper Columbia from Priest Rapids Dam to Chief Joseph Dam and upper Columbia River tributaries according to seasons agreed to during the 2021/2022 North of Falcon season setting process.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-06000S; WAC 220-312-05000V
 Amended: WAC 220-312-060; WAC 220-312-050
 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: Summer chinook and sockeye returns to the upper Columbia River and tributaries are forecasted to be sufficient to provide this recreational opportunity. This action is consistent with co-manager agreements reached in April during the North of Falcon season-setting process. These rules 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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 2 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: June 28, 2021
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Effective July 1 through August 15, 2021, the provisions of WAC 220-312-060 and WAC 220-220-160 regarding recreational salmon seasons and Two-pole angling from the Priest Rapids Dam to Chief Joseph Dam, shall be modified as described below. All other provisions of WAC 220-312-060 and WAC 220-220-160 not addressed herein remain in effect unless otherwise amended by emergency rule:

- (1) **From Priest Rapids Dam to Wells Dam:** Effective July 1 through August 15, 2021: Daily limit 6. Up to 2 adult Chinook and up to 2 sockeye may be retained. Release wild adult Chinook and Coho.
- (2) **From Wells Dam to Hwy. 173 Bridge at Brewster:** Effective July 16 through August 15, 2021: Daily limit 6. Up to 2 adult Chinook and up to 2 sockeye may be retained. Release wild adult Chinook and Coho.
- (3) **From Hwy. 173 Bridge at Brewster to the Corps of Engineers safety marker on the Douglas County shore to the rock jetty at the upstream shoreline of Foster Creek:** Effective July 1 through August 15, 2021:
 - (a) Daily limit 6. Up to 2 adult Chinook and up to 2 sockeye may be retained. Release wild adult Chinook and Coho.
 - (b) Two-pole fishing is allowed with a valid Two-pole endorsement.

NEW SECTION

WAC 220-312-05000V Freshwater exceptions to statewide rules—Eastside.

Effective July 1 through August 15, 2021, the provisions of WAC 220-312-050 regarding recreational salmon seasons for the waters listed below, shall be modified as described. All other provisions of WAC 220-312-050 not addressed herein remain in effect unless otherwise amended by emergency rule:

- (1) **Chelan River from the railroad bridge to the Chelan P.U.D. safety barrier below the powerhouse:** Effective July 16 through August 15, 2021:
 - (a) Daily limit 6. Up to 2 hatchery adult Chinook may be retained. Release sockeye, coho, and wild adult Chinook.
 - (b) Anti-snagging rule in effect.
 - (c) Night Closure in effect.
- (2) **Entiat River from the mouth to boundary markers located approximately 1500 feet upstream of the Upper Roaring Creek Rd. Bridge:** Effective July 16 through August 15, 2021:
 - (a) Daily limit 6 Chinook. Release all other salmon
 - (b) Night Closure in effect.

- (3) **Okanogan River:**
- (a) **From the mouth to Hwy. 97 Bridge at Oroville:** Effective July 1 through August 15, 2021:
 - (i) Daily limit 6. Up to 2 hatchery adult Chinook may be retained. Release sockeye, coho, and wild adult Chinook.
 - (ii) Anti-snagging rule in effect.
 - (iii) Night Closure in effect.
- (4) **Similkameen River from the mouth to 400 feet below Enloe Dam:** Effective July 1 through August 15, 2021:
- (a) Daily limit 6. Up to 2 hatchery adult Chinook may be retained. Release sockeye, coho, and wild adult Chinook.
 - (b) Anti-snagging rule in effect.
 - (c) Night Closure in effect.
- (5) **Wenatchee River from mouth to Icicle Rd. Bridge:** Effective August 1 through August 15:
- (a) Daily limit 6. Up to 2 hatchery adult Chinook may be retained. Release sockeye, coho, and wild adult Chinook.
 - (b) Night Closure in effect.
 - (c) Selective Gear Rules in effect, except use of bait is allowed.

REPEALERS

The following sections of Washington Administrative Code are repealed effective August 16, 2021:

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

WAC 220-312-05000V Freshwater exceptions to statewide rules—Eastside.