



**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: August 23, 2021

TIME: 10:43 AM

WSR 21-18-023

Agency: Department of Fish and Wildlife (Order 21-156)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 25, 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 close fishing from a floating device in a section of Drano Lake.

Citation of rules affected by this order:

- New:
- Repealed:
- 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: Steelhead fishing and retention in Drano Lake was closed from July through October 2021, based on low preseason forecasts of summer steelhead returning to the Columbia River. Despite this closure, creel surveys and law enforcement contacts have found that some anglers continue to target steelhead in this area, primarily from watercraft. This rule is needed to ensure that summer steelhead impacts occurring in sport fisheries remain within guidelines defined in the 2018-2027 US v. Oregon Management Agreement.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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

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: August 20, 2021
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Effective August 25 through October 31, 2021 fishing from a floating device is unlawful in waters of Drano Lake located between a line projected through shoreline markers (located on north and west shores) approximately 2,000 feet downstream of the Little White Salmon National Fish Hatchery, upstream to the deadline markers at the mouth of the Little White Salmon River immediately below the fish hatchery. Anglers may only fish from the bank with hand cast lines in this section. All other provisions of WAC 220-312-030 not addressed herein remain in effect unless otherwise amended by emergency rule.