



**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 01, 2021

TIME: 11:37 AM

WSR 21-18-127

Agency: Department of Fish and Wildlife (Order 21-169)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 16, 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 in a portion of the Wind River.

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- Repealed: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: A minimum escapement of 500 wild summer steelhead is needed to allow for the opening of a catch-and-release fishery above Shipherd Falls on September 16. Based upon the results of a recent snorkel survey in August, the wild summer steelhead return is projected to be far below the minimum objective. Summer steelhead returns have been low throughout the Columbia River basin this year.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____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: September 1, 2021
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Effective September 16 through November 30, 2021, the provisions of WAC 220-312-030 regarding angling seasons for Wind River, shall be modified during the dates and as described below. All other provisions of WAC 220-312-030 not addressed herein remain in effect unless otherwise amended by emergency rule.

Wind River (Skamania County): from 100 feet above Shipherd Falls upstream to Moore Bridge: All game fish: Effective immediately through November 30, 2021:
Closed