



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 02, 2021

TIME: 3:42 PM

WSR 21-19-008

Agency: Department of Fish and Wildlife (Order 21-173)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 4, 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 recreational salmon and steelhead fisheries in the Columbia River from the Rocky Point/Tongue Point Line to Bonneville Dam, including Camas Slough.

Citation of rules affected by this order:

- New:
- Repealed:
- 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 purpose of this rule is to close recreational salmon fisheries in the Columbia River from the Tongue Point/Rocky Point Line to Bonneville Dam. Catches to-date in the Tongue Point/Rocky Point to Warrior Rock line area are exceeding expectations and harvest limits for the of Lower River Hatchery (LRH) Chinook have been met for the Tongue Point/Rocky Point to Bonneville Dam area. LRH are the surrogate for ESA listed Lower Columbia River (LCR) wild Tules, and return to tributaries downstream of Bonneville Dam. The delayed closure for the Warrior Rock line to Bonneville Dam area provides additional opportunity over the holiday weekend, but closes as well because LRH impacts occur in this area. Fisheries are managed to remain under ESA impact limits. Joint State action was necessary to limit additional LRH mortalities. 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 2, 2021	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective September 4, 2021, until further notice, the provisions of WAC 220-312-060 regarding recreational salmon and steelhead seasons from 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 (the Rocky Point/Tongue Point line), to Bonneville Dam, including Camas Slough, shall be as described below during the dates listed below. All other provisions of WAC 220-312-060 not addressed herein remain in effect unless otherwise amended by emergency rule:

From 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 (the Rocky Point/Tongue Point line) to a line projected from the Warrior Rock lighthouse through Red Buoy 4 to the marker atop the piling dolphin located at the downstream end of Bachelor Island on the Washington Shore (Warrior Rock Line): Salmon and steelhead: Effective September 4, 2021, until further notice: Closed.

From a line projected from the Warrior Rock lighthouse through Red Buoy 4 to the marker atop the piling dolphin located at the downstream end of Bachelor Island on the Washington Shore (Warrior Rock Line) to Bonneville Dam, including Camas Slough: Salmon and steelhead: Effective September 7, 2021, until further notice: Closed.