



**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 03, 2021

TIME: 2:36 PM

WSR 21-19-014

Agency: Department of Fish and Wildlife (Order 21-177)

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 a portion of Drano Lake to fishing for all species.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-03000A
- 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 throughout Drano Lake was closed from July through October 2021, based on low preseason forecasts of summer steelhead returning to the Columbia River. Subsequently, an additional boat angling restriction was implemented in a sub-area of Drano Lake to address steelhead angling closure violations observed by fisheries enforcement. While the boat angling restriction has been effective, enforcement officers have observed increased targeting of steelhead along shoreline areas. The need for this rule is the result of continued angling violations in the area, increasing concern for summer steelhead returning to the Columbia River in record low numbers, and the need to manage sport fishing impacts to ESA-listed stocks within the limits established 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	_____

NEW SECTION

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

Effective September 4, 2021 until further notice, angling for all species is closed 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. All other provisions of WAC 220-312-030 not addressed herein remain in effect unless otherwise amended by emergency rule.

REPEALER

The following section of Washington Administrative Code is repealed, effective September 4, 2021:

WAC 220-312-03000A Freshwater exceptions to statewide rules—Southwest. (21-156)