



**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 16, 2021

TIME: 9:27 AM

WSR 21-19-087

Agency: Department of Fish and Wildlife (Order 21-197)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 17, 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 return Columbia River salmon and steelhead seasons to permanent rules, from the Rocky Point/Tongue Point line to the Warrior Rock Line while keeping the Camas Slough closed to salmon and steelhead fishing.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-06000X
 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: Current in-season catch projections indicate that few ESA-listed lower river Chinook tules are expected to be handled within the portion of river set to reopen to hatchery coho under permanent regulations. The Camas Slough closure will help provide additional protection for returning tule Chinook. This rule is concurrent with Compact action taken on September 15, 2021. The general public welfare is protected with the immediate opening of recreational salmon fishing. This harvest opportunity allows for the public use of the resource as well as the maintenance of sustainable fish populations. 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 1

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 16, 2021 | Signature:  |
| Name: Kelly Susewind | |
| Title: Director | |

NEW SECTION

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

Effective September 17 through September 30, 2021, the provisions of WAC 220-312-060 regarding salmon and steelhead seasons in the 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:

Camas Slough (waters of the Columbia River downstream from the mouth of the Washougal River, north of Lady Island, and downstream of the Highway 14 Bridge at the upstream end of Lady Island): Salmon and steelhead: Effective immediately through September 30, 2021: Closed.

REPEALER

The following section of Washington administrative code is repealed, effective September 17, 2021:

WAC 220-312-06000X Freshwater exceptions to statewide rules—Columbia River. (21-181)