



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 23, 2021

TIME: 5:04 PM

WSR 21-20-020

Agency: Department of Fish and Wildlife (Order 21-210)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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 correct WSR 21-19-079 in order to open salmon seasons in the Columbia River from Priest Rapids Dam to Wells Dam.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-06000Y
 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: This emergency rule is needed to open coho retention seasons in the Icicle River and upper Columbia River from Priest Rapids Dam to Wells Dam. It corrects WSR 21-19-079, filed September 15, 2021. That rule intended to open salmon seasons from Priest Rapids Dam upstream to Wells Dam but instead stopped at Rocky Reach Dam.

Through September 12th, 2021, the approximately 113,000 coho that have passed over Bonneville Dam is the second highest count on record. The estimated number of UCR-bound coho is currently at about 30,000 fish. At this abundance there is sufficient fish to meet spawner escapement and broodstock needs and provide for sport angler harvest. Expected returns of upper Columbia River-bound Coho salmon are sufficient to provide for sport angler harvest.

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 23, 2021	Signature: 
Name: Amy Windrope for Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-06000B Freshwater exceptions to statewide rules—Columbia

Effective immediately, through October 15, 2020, provisions of WAC 220-312-060 and 220-220-160 regarding Columbia River salmon seasons from Priest Rapid Dam upstream are modified as described below. All other provisions of WAC 220-312-060 and WAC 220-220-160 not addressed herein, or unless otherwise amended by emergency rule remain in effect:

- (1) From Priest Rapids Dam to Rock Island Dam: Salmon:

Effective immediately, through October 15, 2021: Daily limit is 6; of which, up to 2 adult Chinook and up to 4 coho may be retained. Release sockeye.

- (2) From Rock Island Dam to Wells Dam: Salmon:

Effective immediately, through October 15, 2021: Daily limit is 6; of which, up to 2 adult hatchery Chinook and up to 4 coho may be retained. Release wild adult Chinook and sockeye.

REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:
WAC 220-312-06000Y Freshwater exceptions to statewide rules—Columbia