



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 29, 2021

TIME: 6:01 PM

WSR 21-20-075

Agency: Department of Fish and Wildlife (Order 21-217)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 1, 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 open recreational Chinook retention seasons in the lower Columbia River, from the mouth to the Warrior Rock line, beginning October 1, 2021.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-06000Z
- 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 caught within the portions of river set to reopen to Chinook retention. Additionally, ESA-listed Snake River Wild Chinook impacts are available to mainstem recreational fisheries, given the recent in-season Upriver Bright run-size update. This rule is concurrent with Compact action taken on September 29, 2021. 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 29, 2021

Name: Nate Pamplin for Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective October 1, 2021 through October 31, 2021, the provisions of WAC 220-312-060 regarding salmon and steelhead seasons in the lower Columbia River from Buoy 10 upstream to the Warrior Rock line, 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:

- (1) **From a true north-south line through Buoy 10 upstream to 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), and including Youngs Bay:** Effective October 1 through October 31, 2021: Salmon and steelhead:

Daily limit 6. Up to 3 adults may be retained, of which 1 may be a Chinook. Minimum size 12 inches. Release all salmon and steelhead other than Chinook and hatchery coho.

- (2) **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 October 1 through October 31, 2021:

Daily limit 6. Up to 2 adults may be retained, of which 1 may be a Chinook. Minimum size 12 inches. Release all salmon and steelhead other than Chinook and hatchery coho.

REPEALER

The following section of Washington administrative code is repealed, effective October 1, 2021:
WAC 220-312-06000Z Freshwater exceptions to statewide rules—Columbia River. (21-197)