



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: October 07, 2021

TIME: 4:47 PM

WSR 21-21-009

Agency: Department of Fish and Wildlife (Order 21-225)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 9, 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 the waters of Drano Lake to permanent rules.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-03000C
 Amended:
 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 northwest corner of Drano Lake was closed to all angling in early September to reinforce an existing permanent regulation that closed fishing for and retention of steelhead to minimize sport fishery impacts on ESA-listed steelhead. Water temperature in the adjacent mainstem Columbia River has continued to decrease and is now below the threshold at which steelhead entered Drano Lake and delayed migration earlier in the summer; steelhead are now exiting the lake and continuing upstream. Additionally, recent creel surveys in Drano Lake have not detected any steelhead encounters as Chinook catch rates continue to improve, supporting catch data from prior years indicating steelhead encounters are proportionately very low during October. Returning Drano Lake to permanent rule will provide additional opportunity for anglers to harvest salmon, while managing steelhead impacts within allowable limits.

**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 ____ 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: October 7, 2021	Signature: 
Name: Kelly Susewind	
Title: Director	

REPEALER

The following section of Washington Administrative Code is repealed, effective October 9, 2021:

WAC 220-312-03000C Freshwater exceptions to statewide rules—Southwest. (21-177)