



**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: May 04, 2022

TIME: 6:00 PM

WSR 22-10-095

**Agency:** Department of Fish and Wildlife (Order 22-65)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) May 4, 2022

**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 spring Chinook fisheries from Bonneville Dam to the OR/WA state line at Hwy. 730.

**Citation of rules affected by this order:**

New:  
 Repealed: WAC 220-312-060001  
 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:** Catch estimates for the mainstem spring Chinook fishery from Bonneville Dam to the OR/WA state line indicate the pre-update allowable catch for upriver spring Chinook has been met. Upriver spring Chinook are the surrogate for ESA-listed spring Chinook above Bonneville Dam. Joint state action is necessary to limit additional upriver spring Chinook catches.

Staff will continue to monitor the run and assess catch information to determine if the fishery can re-open at a later date. The US vs. OR Technical Advisory Committee has not yet provided a run size update on the upriver spring Chinook run, which typically occurs in mid-May.

**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Federal statute:	New	___	Amended	___	Repealed	___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 ____

<b>Date Adopted:</b> May 3, 2022	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

## REPEALER

The following section of Washington Administrative Code is repealed, effective May 4, 2022:  
WAC 220-312-06000I Freshwater exceptions to statewide rules—Columbia. (22-28)