

WSR 21-12-064
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-79—Filed May 27, 2021, 2:52 p.m., effective May 29, 2021]

Effective Date of Rule: May 29, 2021.

Purpose: The purpose of this emergency rule is to open additional retention seasons for spring Chinook salmon in the lower Columbia River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-06000M; and amending WAC 220-312-060.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: The *U.S. v. Oregon* technical advisory committee recently updated the 2021 Columbia River spring Chinook return to eighty-seven thousand, which was previously forecasted to be seventy-five thousand two hundred. The upriver Skamania stock steelhead passage at Bonneville Dam is currently the lowest cumulative count to-date. Additional spring Chinook directed angling opportunities are available while providing additional protection for steelhead with a reduced steelhead daily limit. This action also applies summer fishery regulations developed through the 2021 North of Falcon-season setting process. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 27, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-06000P Freshwater exceptions to statewide rules—Columbia River. Effective May 29 through July 31, 2021, the provisions of WAC 220-312-060 regarding recreational salmon and steelhead seasons from the Megler-Astoria Bridge to the Hwy. 395 Bridge at Pasco, shall be as described below. All other provisions of WAC 220-312-060 not ad-

dressed herein remain in effect unless otherwise amended by emergency rule:

(1) From the Megler-Astoria Bridge 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: Salmon and steelhead:

(a) Effective June 16 through July 5, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook and sockeye. Release wild steelhead.

(b) Effective July 6 through July 31, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery jack Chinook and sockeye. Release wild steelhead.

(2) From the Rocky Point/Tongue Point line to a line starting from a point on the Washington shore projected through Dolphin Marker J (near Shipping Terminal 9), southerly across the Columbia River to Columbia Park Boat Ramp in Rainier, Oregon: Salmon and steelhead:

(a) Effective May 29, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead.

(b) Effective May 30 through May 31, 2021: Daily limit 6: Up to 1 steelhead may be retained. Release all salmon other than hatchery jack Chinook. Release wild steelhead.

(c) Effective June 1 through June 15, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead.

(d) Effective June 16 through July 5, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook and sockeye. Release wild steelhead.

(e) Effective July 6 through July 31, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery jack Chinook and sockeye. Release wild steelhead.

(3) From line starting from a point on the Washington shore projected through Dolphin Marker J (near Shipping Terminal 9), southerly across the Columbia River to Columbia Park Boat Ramp in Rainier, Oregon upstream to a line projected from a point on the Washington shore projected through Cottonwood Island Dike Light "31", southerly across the Columbia River to a deadline marker on the Oregon shore and including the waters of Carrolls Channel (waters beginning at the upstream end of Cottonwood Island downstream to the confluence of the Cowlitz River): Salmon and steelhead:

(a) Effective May 29, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead. Fishing from a vessel is prohibited.

(b) Effective May 30 through May 31, 2021: Daily limit 6: Up to 1 steelhead may be retained. Release all salmon other than hatchery jack Chinook. Release wild steelhead.

(c) Effective June 1 through June 15, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead. Fishing from a vessel is prohibited.

(d) Effective June 16 through July 5, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook and sockeye. Release wild steelhead.

(e) Effective July 6 through July 31, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery jack Chinook and sockeye. Release wild steelhead.

(4) From a line starting from a point on the Washington shore projected through Cottonwood Island Dike Light "31", southerly across the Columbia River to a deadline marker on the Oregon shore and including the waters of Carrolls Channel (waters beginning at the upstream end of Cottonwood Island downstream to the confluence of the Cowlitz River) upstream to the I-5 Bridge: Salmon and steelhead:

(a) Effective May 29, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead.

(b) Effective May 30 through May 31, 2021: Daily limit 6: Up to 1 steelhead may be retained. Release all salmon other than hatchery jack Chinook. Release wild steelhead.

(c) Effective June 1 through June 15, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead.

(d) Effective June 16 through July 5, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook and sockeye. Release wild steelhead.

(e) Effective July 6 through July 31, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery jack Chinook and sockeye. Release wild steelhead.

(5) From the I-5 Bridge to Bonneville Dam: Salmon and steelhead:

(a) Effective May 29, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead.

(b) Effective June 1 through June 15, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead.

(c) Effective June 16 through July 5, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook and sockeye. Release wild steelhead.

(d) Effective July 6 through July 31, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery jack Chinook and sockeye. Release wild steelhead.

(6) From Bonneville Dam to The Dalles Dam: Salmon and steelhead:

(a) Effective May 29 through May 30, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead.

(b) Effective June 5 through June 6, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1

may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead.

(c) Effective June 16 through July 31, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook and sockeye. Release wild steelhead.

(7) From The Dalles Dam to a line starting from a fishing boundary sign on the Washington north shore located approximately 1300' upstream of The Dalles Dam and Lock boat ramp projected southeasterly across the Columbia River to a boundary sign on the Washington southern shore located approximately 200' above the fish ladder exit: Salmon and steelhead:

Effective May 29, 2021, until further notice: Closed to fishing for and retention of salmon and steelhead.

(8) From a line starting from a fishing boundary sign on the Washington north shore located approximately 1300' upstream of the The Dalles Dam and Lock boat ramp projected southeasterly across the Columbia River to a boundary sign on the Washington south shore located approximately 200' above the fish ladder exit to Hwy. 730 at the Washington/Oregon border: Salmon and steelhead:

(a) Effective May 29 through May 30, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead.

(b) Effective June 5 through June 6, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a Chinook and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook. Release wild steelhead.

(c) Effective June 16 through July 31, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook and sockeye. Release wild steelhead.

(9) From Hwy. 730 at the Washington/Oregon border to Hwy. 395 Bridge at Pasco: Salmon and steelhead:

Effective June 16 through July 31, 2021: Daily limit 6. Up to 2 adults may be retained of which up to 1 may be a sockeye and up to 1 may be a steelhead. Release all salmon other than hatchery Chinook and sockeye. Release wild steelhead.

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REPEALER

The following section of Washington Administrative Code is repealed, effective May 29, 2021:

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

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.