

WSR 21-19-087
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-197—Filed September 16, 2021, 9:27 a.m., effective September 17, 2021]

Effective Date of Rule: September 17, 2021.

Purpose: The purpose of this emergency rule is to return Columbia River salmon and steelhead seasons to permanent rules, from the Rocky Point/Tongue Point line to the Warrior Rock Line while keeping the Camas Slough closed to salmon and steelhead fishing.

Citation of Rules Affected by this Order: Repealing WAC 220-312-06000X; 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: Current in-season catch projections indicate that few Endangered Species Act (ESA)-listed lower river Chinook tules are expected to be handled within the portion of river set to reopen to hatchery coho under permanent regulations. The Camas Slough closure will help provide additional protection for returning tule Chinook. This rule is concurrent with compact action taken on September 15, 2021. The general 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.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 16, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-06000Z Freshwater exceptions to statewide rules—Columbia River. Effective September 17 through September 30, 2021, the provisions of WAC 220-312-060 regarding salmon and steelhead seasons

in the Camas Slough, 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:

Camas Slough (waters of the Columbia River downstream from the mouth of the Washougal River, north of Lady Island, and downstream of the Highway 14 Bridge at the upstream end of Lady Island): Salmon and steelhead: Effective immediately through September 30, 2021: Closed.

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REPEALER

The following section of Washington administrative code is repealed, effective September 17, 2021:

WAC 220-312-06000X Freshwater exceptions to statewide rules—Columbia River. (21-181)