

WSR 21-19-014
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-177—Filed September 3, 2021, 2:36 p.m., effective September 4, 2021]

Effective Date of Rule: September 4, 2021.

Purpose: The purpose of this emergency rule is to close a portion of Drano Lake to fishing for all species.

Citation of Rules Affected by this Order: Repealing WAC 220-312-03000A; and amending WAC 220-312-030.

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: Steelhead fishing and retention throughout Drano Lake was closed from July through October 2021, based on low preseason forecasts of summer steelhead returning to the Columbia River. Subsequently, an additional boat angling restriction was implemented in a subarea of Drano Lake to address steelhead angling closure violations observed by fisheries enforcement. While the boat angling restriction has been effective, enforcement officers have observed increased targeting of steelhead along shoreline areas. The need for this rule is the result of continued angling violations in the area, increasing concern for summer steelhead returning to the Columbia River in record low numbers, and the need to manage sport fishing impacts to ESA-listed stocks within the limits established in the 2018-2027 US v. Oregon Management Agreement.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 3, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-03000C Freshwater exceptions to statewide rules—Southwest. Effective September 4, 2021 until further notice, angling

for all species is closed in waters of Drano Lake located between a line projected through shoreline markers (located on north and west shores) approximately 2,000 feet downstream of the Little White Salmon National Fish Hatchery, upstream to the deadline markers at the mouth of the Little White Salmon River immediately below the fish hatchery. All other provisions of WAC 220-312-030 not addressed herein remain in effect unless otherwise amended by emergency rule.

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REPEALER

The following section of Washington Administrative Code is repealed, effective September 4, 2021:

WAC 220-312-03000A Freshwater exceptions to statewide rules—Southwest. (21-156)