

WSR 21-19-008
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-173—Filed September 2, 2021, 3:42 p.m., effective September 4, 2021]

Effective Date of Rule: September 4, 2021.

Purpose: The purpose of this emergency rule is to close recreational salmon and steelhead fisheries in the Columbia River from the Rocky Point/Tongue Point Line to Bonneville Dam, including Camas Slough.

Citation of Rules Affected by this Order: 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 purpose of this rule is to close recreational salmon fisheries in the Columbia River from the Tongue Point/Rocky Point Line to Bonneville Dam. Catches to date in the Tongue Point/Rocky Point to Warrior Rock line area are exceeding expectations and harvest limits for the Lower River Hatchery (LRH) Chinook have been met for the Tongue Point/Rocky Point to Bonneville Dam area. LRH are the surrogate for ESA-listed Lower Columbia River (LCR) wild Tules, and return to tributaries downstream of Bonneville Dam. The delayed closure for the Warrior Rock line to Bonneville Dam area provides additional opportunity over the holiday weekend, but closes as well because LRH impacts occur in this area. Fisheries are managed to remain under ESA impact limits. Joint state action was necessary to limit additional LRH mortalities. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 2, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-06000W Freshwater exceptions to statewide rules—Columbia River. Effective September 4, 2021, until further notice, the provisions of WAC 220-312-060 regarding recreational salmon and steelhead seasons from 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), to Bonneville Dam, including 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:

From 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) to a line projected from the Warrior Rock lighthouse through Red Buoy 4 to the marker atop the piling dolphin located at the downstream end of Bachelor Island on the Washington Shore (Warrior Rock Line): Salmon and steelhead: Effective September 4, 2021, until further notice: Closed.

From a line projected from the Warrior Rock lighthouse through Red Buoy 4 to the marker atop the piling dolphin located at the downstream end of Bachelor Island on the Washington Shore (Warrior Rock Line) to Bonneville Dam, including Camas Slough: Salmon and steelhead: Effective September 7, 2021, until further notice: Closed.

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