

WSR 21-20-075
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-217—Filed September 29, 2021, 6:01 p.m., effective October 1, 2021]

Effective Date of Rule: October 1, 2021.

Purpose: The purpose of this emergency rule is to open recreational Chinook retention seasons in the lower Columbia River, from the mouth to the Warrior Rock line, beginning October 1, 2021.

Citation of Rules Affected by this Order: Repealing WAC 220-312-06000Z; 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 caught within the portions of river set to reopen to Chinook retention. Additionally, ESA-listed Snake River Wild Chinook impacts are available to mainstem recreational fisheries, given the recent in-season Upriver Bright run-size update. This rule is concurrent with compact action taken on September 29, 2021. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 29, 2021.

Nate Pamplin
for Kelly Susewind
Director

NEW SECTION

WAC 220-312-06000C Freshwater exceptions to statewide rules—Columbia River. Effective October 1, 2021 through October 31, 2021, the provisions of WAC 220-312-060 regarding salmon and steelhead seasons

in the lower Columbia River from Buoy 10 upstream to the Warrior Rock line, 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:

(1) **From a true north-south line through Buoy 10 upstream 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:** Effective October 1 through October 31, 2021: Salmon and steelhead:

Daily limit 6. Up to 3 adults may be retained, of which 1 may be a Chinook. Minimum size 12 inches. Release all salmon and steelhead other than Chinook and hatchery coho.

(2) **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 October 1 through October 31, 2021:

Daily limit 6. Up to 2 adults may be retained, of which 1 may be a Chinook. Minimum size 12 inches. Release all salmon and steelhead other than Chinook and hatchery coho.

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REPEALER

The following section of Washington administrative code is repealed, effective October 1, 2021:

WAC 220-312-06000Z Freshwater exceptions to statewide rules—Columbia River. (21-197)