

WSR 21-21-009
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-225—Filed October 7, 2021, 4:47 p.m., effective October 9, 2021]

Effective Date of Rule: October 9, 2021.

Purpose: The purpose of this emergency rule is to return the waters of Drano Lake to permanent rules.

Citation of Rules Affected by this Order: Repealing WAC 220-312-03000C.

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 northwest corner of Drano Lake was closed to all angling in early September to reinforce an existing permanent regulation that closed fishing for and retention of steelhead to minimize sport fishery impacts on Endangered Species Act-listed steelhead. Water temperature in the adjacent mainstem Columbia River has continued to decrease and is now below the threshold at which steelhead entered Drano Lake and delayed migration earlier in the summer; steelhead are now exiting the lake and continuing upstream. Additionally, recent creel surveys in Drano Lake have not detected any steelhead encounters as Chinook catch rates continue to improve, supporting catch data from prior years indicating steelhead encounters are proportionately very low during October. Returning Drano Lake to permanent rule will provide additional opportunity for anglers to harvest salmon, while managing steelhead impacts within allowable limits.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: October 7, 2021.

Kelly Susewind
Director

REPEALER

The following section of Washington Administrative Code is repealed, effective October 9, 2021:

WAC 220-312-03000C Freshwater exceptions to statewide
rules—Southwest. (21-177)