



# RULE-MAKING ORDER EMERGENCY RULE ONLY

## CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: May 31, 2019

TIME: 1:52 PM

WSR 19-12-068

**Agency:** Washington Department of Fish and Wildlife (19-114)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify) June 5, 2019

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**Purpose:** Amends recreational fishing rules for the Klickitat River)

**Citation of rules affected by this order:**

New:  
Repealed: WAC 220-312-03000S  
Amended: WAC 220-312-030  
Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020, 77.12.045 and 77.12.047

**Other authority:**

**EMERGENCY RULE**

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.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: The number of hatchery-origin spring Chinook that have returned to Klickitat Salmon Hatchery is far below the 500 fish needed to meet the hatchery escapement goal. As of May 28th, only 42 adults have been collected for the hatchery program. Closing the river to spring Chinook retention will increase the number of hatchery fish available for broodstock and help ensure future hatchery returns. Washington Department of Fish and Wildlife will continue working with co-managers to monitor the progress of broodstock collection and reopen the fishery if returns indicate that hatchery goals will be met. There is insufficient time to adopt permanent rules.

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

|                                  |     |     |         |     |          |     |
|----------------------------------|-----|-----|---------|-----|----------|-----|
| Federal statute:                 | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards:      | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | ___ | Repealed | ___ |

**The number of sections adopted at the request of a nongovernmental entity:**

|     |     |         |     |          |     |
|-----|-----|---------|-----|----------|-----|
| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

**The number of sections adopted on the agency's own initiative:**

|     |          |         |     |          |   |
|-----|----------|---------|-----|----------|---|
| New | <u>1</u> | Amended | ___ | Repealed | 1 |
|-----|----------|---------|-----|----------|---|

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

|     |     |         |     |          |     |
|-----|-----|---------|-----|----------|-----|
| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

**The number of sections adopted using:**

|                                |     |     |         |     |          |     |
|--------------------------------|-----|-----|---------|-----|----------|-----|
| Negotiated rule making:        | New | ___ | Amended | ___ | Repealed | ___ |
| Pilot rule making:             | New | ___ | Amended | ___ | Repealed | ___ |
| Other alternative rule making: | New | ___ | Amended | ___ | Repealed | ___ |

**Date Adopted:** May 31, 2019

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-312-03000T Freshwater exceptions to statewide rules—Southwest.**

Notwithstanding the provisions of WAC 220-312-030, effective June 5, 2019 until further notice:

- (1) **Cispus River (Lewis Co.):** Salmon: closed.
- (2) **Cowlitz Falls Reservoir (Lake Scanewa) (Lewis Co.):** Salmon: closed.
- (3) **Cowlitz River (Cowlitz Co.):** Salmon: closed.
- (4) **Drano Lake (Skamania Co.):** In the waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of Highway 14 bridge: Salmon and steelhead: closed.
- (5) **Kalama River (Cowlitz Co.):**
  - a. From the mouth upstream to 1000 feet below the fishway at the upper salmon hatchery:
    - (i) Salmon and steelhead: The use of barbed hooks is permissible.
    - (ii) Salmon; effective immediately: Daily limit 6; no more than 1 adult may be retained. Release all salmon other than hatchery Chinook and hatchery coho.
  - b. From 1000 feet above fishway at upper salmon hatchery to Summers Creek: Selective Gear Rules, except the use of barbed hooks is permissible.
  - c. From Summers Creek to the intersection 6000 and 6420 Roads: fly fishing only, except the use of barbed hooks is permissible.
  - d. From the intersection 6000 and 6420 Roads to 6600 Road Bridge immediately downstream of Jacks Creek: Selective Gear Rules, except the use of barbed hooks is permissible.
- (6) **Klickitat River (Klickitat Co.):**
  - a. From the mouth (Burlington Northern Railroad bridge) to boundary markers below Klickitat Salmon Hatchery, effective immediately until further notice: Salmon: closed.
- (7) **Lewis River (Clark/Cowlitz Co.):** Salmon: closed.
- (8) **Wind River (Skamania Co.):** From the mouth to 800 yards downstream of Carson National Fish Hatchery: Salmon and steelhead: closed.

## REPEALER

The following section of the Washington Administrative Code is repealed effective June 5, 2019:

WAC 220-312-03000S Southwest – Freshwater exceptions to statewide rules. (19-106)

