



**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: July 10, 2019

TIME: 1:15 PM

WSR 19-15-030

Agency: Department of Fish and Wildlife (Order 19-154)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 12, 2019

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

- Yes No If Yes, explain:

Purpose: Amend recreational fishing rules for the Klickitat River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-03000V
 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: This rule is needed to open Chinook retention in the lower Klickitat River. Fishery co-managers have indicated that the majority of the spring Chinook run has passed above Lyle Falls into the upper river, making continued closure of the hatchery Chinook fishery in the lower river unnecessary. Chinook retention was closed by emergency rule on June 5 in the stretch of the Klickitat River noted above due to low returns to the Klickitat Salmon Hatchery. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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 1 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: July 10, 2019	Signature: 
Name: Nate Pamplin for Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-03000X Freshwater exceptions to statewide rules—Southwest.

Notwithstanding the provisions of WAC 220-312-030, effective July 12, 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) **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.
- (5) **Klickitat River (Klickitat Co.):** From 400 feet upstream of #5 fishway to boundary markers below Klickitat Salmon Hatchery: Effective July 12, 2019 through July 31, 2019: Salmon: Closed.
- (6) **Lewis River (Clark/Cowlitz Co.):** Salmon: closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective July 12, 2019:

WAC 220-312-03000V Southwest – Freshwater exceptions to statewide rules. (19-133)

