



**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: November 15, 2019

TIME: 2:53 PM

WSR 19-23-065

**Agency:** Department of Fish and Wildlife (Order 19-291)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) \_\_\_\_\_

**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 Drano Lake

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

New:  
 Repealed: WAC 220-312-03000E; WAC 220-312-03000F  
 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 emergency rule is needed to return Drano Lake to permanent rule. Drano Lake was closed to angling in late September to increase the number fall chinook available for broodstock at Little White Salmon National Fish Hatchery. Hatchery managers have recently indicated that broodstock collection is on track to meet program goals and the fishery closure is no longer needed. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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 2

**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	____

<b>Date Adopted:</b> November 15, 2019	<b>Signature:</b> 
<b>Name:</b> Nate Pamplin for Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-030, effective immediately:

- (1) **Toutle River (Cowlitz Co.)**, from the mouth to the forks; salmon, effective immediately through November 30, 2019:
  - (a) Daily limit 6; up to 4 adults may be retained, of which up to 1 may be a Chinook.
  - (b) Release all salmon other than hatchery Chinook and hatchery coho.
- (2) **Toutle River, North Fork (Cowlitz Co.)**, from the mouth (confluence with South Fork) to posted markers downstream of the fish collection facility; salmon, effective immediately through November 30, 2019:
  - (a) Daily limit 6; up to 4 adults may be retained, of which only 1 may be a Chinook.
  - (b) Release all salmon other than hatchery Chinook and hatchery coho.
- (3) **Green River (Cowlitz Co.)**, from the mouth to Miners creek; effective immediately through November 30, 2019:
  - (a) Closed waters: From 400 feet below to 400 feet above the water intake at the upper end of the hatchery.
  - (b) Salmon: Daily limit 6; up to 4 adults may be retained, of which up to 1 may be a Chinook. Release all salmon other than hatchery Chinook and hatchery coho.
- (4) **Washougal River (Clark/Skamania Co.)**, from the mouth to the bridge at Salmon Falls; effective immediately through December 31, 2019:
  - (a) Salmon: Daily limit 6. Up to 3 adult salmon may be retained, of which up to 1 may be a Chinook. Release all salmon other than hatchery Chinook and hatchery coho.
  - (b) Steelhead: Daily limit 3 hatchery steelhead; minimum length 20 inches.
- (5) **Wind River (Skamania Co.)**:
  - (a) From 100 feet above Shipherd Falls to Moore Bridge: Effective immediately through November 30, 2019: Closed waters.

## REPEALERS

The following section of the Washington Administrative Code is repealed:

WAC 220-312-03000E Freshwater exceptions to statewide rules–Southwest. (19-233)

The following section of the Washington Administrative Code is repealed effective  
January 1, 2020:

WAC 220-312-03000F Freshwater exceptions to statewide rules–Southwest. (19-291)