



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: March 12, 2018

TIME: 9:57 AM

WSR 18-07-029

Agency: Washington Department of Fish and Wildlife (18-38)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) March 17, 2018

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 Cowlitz River)

Citation of rules affected by this order:

- New:
- Repealed:
- 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 2018 Cowlitz River spring Chinook run forecast is 5,000 fish, about 70% below the five-year average return. Projections indicate that reducing the daily adult limit to one adult Chinook should allow for a full season spring Chinook fishery while providing the needed number of hatchery fish for broodstock, to ensure future hatchery returns to the Cowlitz. This should also allow for fish to be transported above Cowlitz Falls Dam for upriver fishery and reintroduction purposes. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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 ____

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: March 12, 2018

Name: Amy Windrope for Joe Stohr

Title: Acting Director

Signature:



NEW SECTION

WAC 220-312-03000N Southwest – Freshwater exceptions to statewide rules.

Notwithstanding the provisions of WAC 220-312-030, effective March 17, 2018, until further notice, daily limit of 6 hatchery Chinook of which only 1 may be an adult in waters of the Cowlitz River, Cispus River and Lake Scanewa. Unless otherwise amended, all permanent rules remain in effect.