



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 10, 2018

TIME: 4:34 PM

WSR 18-11-059

Agency: Department of Fish and Wildlife (Order 18-98)

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: Amend recreational fishing rules for the Lewis 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 Repealed: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: This emergency rule is needed because the 2018 Lewis River spring Chinook run is currently on track to meet the Lewis River Hatchery broodstock goals, allow for transport of fish to the upper Lewis River basin for reintroduction, and allow anglers to fish for and retain hatchery chinook. Similarly, broodstock goals for summer steelhead are expected to be met on the Lewis River. Therefore, the section from Johnson Creek to the overhead power lines below Merwin Dam will be open early and allow hatchery steelhead retention.

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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: May 10, 2018	Signature: 
Name: Amy Windrope for Joe Stohr	
Title: Director	

NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-03000R and WAC 220-312-030, effective May 12, 2018 until further notice:

Lewis River (Clark/Cowlitz Co.):

- (1) From the mouth to Johnson Creek:
 - (a) Salmon:
 - (i) Daily limit 6, minimum length 12 inches
 - (ii) Only 1 adult salmon may be retained
 - (iii) Release all salmon other than hatchery Chinook

- (2) From Johnson Creek to the overhead powerlines below Merwin Dam:
 - (a) Fishing from a floating device is prohibited.
 - (b) Salmon:
 - (i) Daily limit 6, minimum length 12 inches
 - (ii) Only 1 adult salmon may be retained
 - (iii) Release all salmon other than hatchery Chinook
 - (c) Steelhead:
 - (i) Daily limit 3 hatchery steelhead, minimum length 20 inches