



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 25, 2018

TIME: 11:25 AM

WSR 18-12-024

Agency: Department of Fish and Wildlife (Order 18-107)

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 regulations for the Cowlitz, Lewis, White Salmon, and Wind Rivers.

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 Repealed: WAC 220-312-03000S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: This emergency rule is needed because forecast returns of summer steelhead have improved for 2018, making night closures and reduced daily limits currently unnecessary in the lower reaches of the Cowlitz, Lewis and White Salmon rivers. Additionally, the lower Wind River is typically closed to night angling between March 16 and June 30; this rule change corrects an error in the WAC. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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: May 24, 2018	Signature: 
Name: Joe Stohr	
Title: Director	

NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-03000R and WAC 220-312-030, effective immediately through June 30, 2018:

(1) Cowlitz River (Cowlitz/Lewis Counties) from the boundary markers at the mouth to Lexington Drive Bidge:

(a) From June 16 through June 30, 2018:

- (i) It is lawful to fish 24 hours/day, except for sturgeon.
- (ii) Steelhead daily limit is 3 hatchery steelhead.

(2) Lewis River (Clark/Cowlitz County):

(a) From the mouth to East Fork:

- (i) Salmon:
 - (A) Daily limit 6, minimum length 12 inches
 - (B) Only 1 adult salmon may be retained
 - (C) Release all salmon other than hatchery Chinook
- (ii) From June 16 through June 30, 2018:
 - (A) It is lawful to fish 24 hours/day, except for sturgeon.
 - (B) Steelhead daily limit is 3 hatchery steelhead.

(b) From the mouth of East Fork to Johnson Creek:

- (i) Salmon:
 - (A) Daily limit 6, minimum length 12 inches
 - (B) Only 1 adult salmon may be retained
 - (C) Release all salmon other than hatchery Chinook
- (ii) Steelhead daily limit is 3 hatchery steelhead.

(c) From Johnson Creek to the overhead powerlines below Merwin Dam:

- (i) Fishing from a floating device is prohibited.
- (ii) Salmon:
 - (A) Daily limit 6, minimum length 12 inches
 - (B) Only 1 adult salmon may be retained
 - (C) Release all salmon other than hatchery Chinook
- (iii) Steelhead daily limit is 3 hatchery steelhead.

(3) White Salmon River (Klickitat/Skamania Counties) from mouth to the county road bridge below the former location of the powerhouse:

(a) From June 16 through June 30, 2018:

- (i) It is lawful to fish 24 hours/day, except for sturgeon
- (ii) Salmon and Steelhead:
 - (A) Daily limit is 2 salmon or 2 steelhead or 1 of each.

(B) Release all wild salmon and wild steelhead.

(4) Wind River (Skamania County) from the mouth upstream to 400' below Shipherd Falls fish ladder effective immediately through June 30, 2018:

(a) Night Closure

(b) Salmon and steelhead:

(i) Daily limit is 2 salmon or 2 steelhead or 1 of each.

(ii) Release wild salmon and wild steelhead.

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 220-312-03000S Freshwater exceptions to statewide rules—Southwest. (18-98)