



# 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 21, 2019

TIME: 3:29 PM

WSR 19-08-012

**Agency:** Department of Fish and Wildlife (Order 19-46)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) April 1, 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 Klickitat and Wind Rivers.

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

New:  
 Repealed: WAC 220-312-03000K  
 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 reduce the adult salmon daily limits for the Klickitat and Wind Rivers. Low numbers of adult spring chinook are forecast to return to these rivers. Lowered daily limits are needed to increase the likelihood that hatchery chinook broodstock goals are met. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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New 1 Amended \_\_\_\_ Repealed 1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	____

<b>Date Adopted:</b> March 21, 2019	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-312-03000L Southwest – Freshwater exceptions to statewide rules.**

Notwithstanding the provisions of WAC 220-312-030, effective April 1, 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.):** From the mouth upstream to 1000 feet below the fishway at the upper salmon hatchery: Salmon: Daily limit 6; no more than 1 adult may be retained. Release all salmon other than hatchery Chinook and hatchery coho.
- 5) **Klickitat River (Klickitat Co.):**
  - (a) From the mouth (Burlington Northern Railroad bridge) to Fisher Hill Bridge, effective immediately until further notice:
    - (i) Salmon and steelhead; effective April 1 through May 24, 2019:
      - (A) Open Mondays, Wednesdays, and Saturdays only.
      - (B) Daily limit 2; no more than 1 may be an adult salmon: Release wild Chinook and wild steelhead.
    - (ii) Salmon; effective May 25, 2019 until further notice: Daily limit 6; no more than 1 adult may be retained: Release wild Chinook.
  - (b) From 400 feet upstream of #5 fishway to boundary markers below Klickitat Salmon Hatchery, effective May 25, 2019 until further notice: Salmon: Daily limit 6; no more than 1 adult may be retained: Release wild Chinook.
- 6) **Lewis River (Clark/Cowlitz Co.):** Salmon: closed.
- 7) **Wind River (Skamania Co.):**
  - (a) From the mouth to 400 feet downstream of Shipherd Falls fish ladder, effective April 1, 2019 until further notice: Salmon and steelhead: Daily limit 6; no more than 2 hatchery steelhead, or 1 hatchery steelhead and 1 adult salmon may be retained: Release wild Chinook, wild coho, and wild steelhead.
  - (b) From 100 feet upstream of Shipherd Falls to 800 yards downstream of Carson National Fish Hatchery, effective May 1, 2019 until further notice: Daily limit 6; no more than 2 hatchery steelhead, or 1 hatchery steelhead and 1 adult salmon may be retained: Release wild Chinook, wild coho, and wild steelhead.

## REPEALER

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

WAC 220-312-03000K Southwest – Freshwater exceptions to statewide rules. (19-32)

