



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: February 21, 2020

TIME: 9:38 AM

WSR 20-06-017

Agency: Washington Department of Fish and Wildlife (20-35)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) March 1, 2020

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 Southwest Rivers

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Repealed: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 rule is needed to close salmon fishing for the Cowlitz River, Lewis River, Cispus River and Lake Scanewa, reduce the daily adult salmon limit for the Kalama River.

The 2020 Cowlitz River spring Chinook run forecast is 1,400 adult fish. Based on this forecast, the Cowlitz Salmon Hatchery is not expected to meet its broodstock goals. Closing the Chinook salmon fishing season in the lower Cowlitz River will increase the number of hatchery fish available for broodstock and help ensure future hatchery returns. Based on the forecast, we do not expect to have hatchery Chinook to transport above Cowlitz Falls Dam to support an upper Cowlitz river salmon fishery.

The 2020 Kalama River spring Chinook forecast is 1,000 adult fish. Managers need to reduce the adult salmon daily limit to one adult Chinook in order to ensure hatchery broodstock goals are achieved. Reducing the adult salmon daily limit will provide continued opportunity for anglers to harvest spring Chinook and help ensure future hatchery returns. The 2020 Lewis River spring Chinook run forecast is 1,300 adult fish. Based on this forecast, the Lewis Hatchery is not expected to meet its broodstock goals. Closing the salmon fishing season in the Lewis River will increase the number of hatchery fish available for broodstock and help ensure future hatchery returns. 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	<u>1</u>	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: February 21, 2020

Name: Amy Windrope for Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-030, effective March 1, 2020 until further notice:

- (1) **Cispus River (Lewis Co.):** Chinook Salmon: closed.
- (2) **Cowlitz Falls Reservoir (Lake Scanewa) (Lewis Co.):** Chinook Salmon: closed.
- (3) **Cowlitz River (Cowlitz Co.):** Chinook 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; up to 1 may be an adult. Release all salmon other than hatchery Chinook and hatchery coho.
- (5) **Lewis River (Clark/Cowlitz Co.):** Salmon: closed.