



**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: October 07, 2021

TIME: 4:55 PM

WSR 21-21-010

Agency: Department of Fish and Wildlife (Order 21-226)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 9, 2021

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: The purpose of this emergency rule is to increase adult coho portion of salmon daily limits in sections of the Cowlitz, Green, and Toutle 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- Repealed: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: Coho salmon returns to the Cowlitz Salmon Hatchery and Toutle Hatchery have been above levels needed to meet broodstock collection goals for the hatchery programs. Increasing the adult coho limits on these rivers will provide additional fishing opportunities while still meeting program goals.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____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: October 7, 2021
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Effective October 9 through December 31, 2021, the provisions of WAC 220-312-030 regarding salmon seasons for Cowlitz River, Green River, and Toutle River, shall be modified during the dates and in areas as described below. All other provisions of WAC 220-312-030 not addressed herein remain in effect unless otherwise amended by emergency rule:

- (1) **Cowlitz River (Cowlitz/Lewis Co.); from the mouth to posted markers below the Barrier Dam:** Salmon: Effective October 9 through December 31, 2021:

Daily limit 6. Release all salmon other than hatchery coho.

- (2) **Green River (Cowlitz Co.); from the mouth to posted markers approximately 400 feet below the Toutle Hatchery rack:** Salmon: Effective October 9 through November 30, 2021:

Daily limit 6, of which up to 1 may be an adult Chinook. Release all salmon other than hatchery Chinook and hatchery coho.

- (3) **Toutle River, North Fork (Cowlitz Co.); from the Forks to the fish Collection Facility:** Salmon: Effective October 9 through November 30, 2021:

Daily limit 6, of which up to 1 may be an adult Chinook. Release all salmon other than hatchery Chinook and hatchery coho.