



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: November 10, 2021
TIME: 9:17 AM

WSR 21-23-046

Agency: Department of Fish and Wildlife (Order 21-253)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 11, 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 the adult coho portion of the salmon daily limit for recreational anglers on the Kalama, Lewis, and Washougal 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 Repealed: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 Kalama, Lewis, and Washougal rivers are trending above preseason forecast and are sufficient to allow increased harvest opportunity for anglers by increasing the adult coho portion of the salmon daily limit. Coho returns to all three rivers are in their early stages of their timing and returns have been strong with collection goals nearly complete for Washougal, almost 70 percent complete for Kalama and on track to be met for the Lewis river. With increased harvest limits, these rivers are still expected to meet pre-season reintroduction and broodstock collection goals for the hatchery programs.

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Federal statute:	New	___	Amended	___	Repealed	___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: November 10, 2021	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective November 11 through December 31, 2021, the provisions of WAC 220-312-030 regarding salmon seasons for Kalama River, Lewis River, and Washougal 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) **Kalama River (Cowlitz Co.); from the mouth to 1,000 feet below the fishway at Kalama Falls Hatchery:** Salmon: Effective November 11 through December 31, 2021:

Daily limit 6, of which up to 3 may be adult Chinook. Release all salmon other than hatchery Chinook and hatchery coho.

- (2) **Lewis River (Clark/Cowlitz Co.):**

- (a) **From the mouth to Colvin Creek:** Salmon: Effective November 11 through December 31, 2021:

Daily limit 6, of which up to 2 may be adult Chinook. Release all salmon other than hatchery Chinook and hatchery coho.

- (b) **From Colvin Creek to the overhead powerlines below Merwin Dam:** Salmon: Effective December 16 through December 31, 2021:

Daily limit 6, of which up to 2 may be adult Chinook. Release all salmon other than hatchery Chinook and hatchery coho.

- (3) **Washougal River (Clark Co.); from the mouth to the Bridge at Salmon Falls:** Salmon: Effective December 16 through December 31, 2021:

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