



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 27, 2022

TIME: 8:09 AM

WSR 22-12-063

Agency: Department of Fish and Wildlife (Order 22-86)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) May 28, 2022

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 open salmon seasons in the Cowlitz river and maintains rules set in WSR 22-06-029 for the Kalama River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-03000F
 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: Salmon retention on the Cowlitz River was closed at the beginning of May to help ensure the spring Chinook broodstock collection goal was achieved. Adult broodstock collection is currently on track and goals are expected to be met. Additionally, upstream transport of hatchery adults in excess of weekly broodstock collections targets is occurring for reintroduction purposes. Returns are sufficient to allow for limited salmon retention.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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 26, 2022	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective May 28, 2022, until further notice, the provisions of WAC 220-312-030 regarding salmon seasons for Cowlitz River and Kalama 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 May 28, through July 31, 2022: Daily limit 6, of which up to 1 may be an adult. Release all salmon other than hatchery Chinook and hatchery coho.

- (2) **Kalama River (Cowlitz Co.); from the mouth to 1000 feet below the fishway at the upper salmon hatchery (Kalama Falls Hatchery):** Salmon:

Effective immediately, until further notice: Daily limit 6, of which up to 1 may be an adult.

REPEALER

The following section of Washington Administrative Code is repealed, effective May 28, 2022:
WAC 220-312-03000F Freshwater exceptions to statewide rules—Southwest. (22-26)