



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 04, 2022

TIME: 9:43 AM

WSR 22-07-012

Agency: Department of Fish and Wildlife (Order 22-36))

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) March 16, 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 reduce the adult salmon daily limit in Drano Lake, Klickitat River, and Wind River; and to open hatchery steelhead seasons in Salmon Creek (Clark Co.).

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Repealed: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 emergency rule is necessary to reduce the adult salmon daily limit in Drano Lake, Klickitat River, and Wind River; and to open hatchery steelhead seasons in Salmon Creek (Clark Co.) for the following reasons:

Drano Lake: The 2022 preseason forecast for Drano Lake (3,800 adults) is the third lowest return between 2000 and 2021 (roughly 50% of the recent 10-year average). Expanded hatchery programs intended to increase tribal and sport harvest for spring Chinook and support recovery of Southern Resident Killer Whales have increased the broodstock collection goal at Little White Salmon National Fish Hatchery. The adult salmon daily limit is being reduced to provide spring Chinook angling opportunity, while also ensuring broodstock collection goals are achieved.

Klickitat River: An estimated 1,800 adult spring Chinook are forecast to return to the Klickitat River in 2022. The adult salmon daily limit is being reduced to ensure that hatchery Chinook 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.

Wind River: The preseason forecast of spring Chinook returning to the Wind River (4,200 adults) indicates that a reduced adult salmon daily limit is needed to provide spring Chinook angling opportunity and meet broodstock collection goals at Carson National Fish Hatchery.

Salmon Creek (Clark Co.): Changes to the Salmon Creek hatchery steelhead program, resulting from the Mitchell Act Biological Opinion, have resulted in the replacement of early returning winter steelhead stocks with local stocks that exhibit a somewhat later run timing. This rule opens hatchery steelhead fishing during the timeframe outlined above and provides anglers with additional time to harvest these fish from Salmon Creek.

WDFW will continue to monitor spring Chinook returns with co-managers and National Fish Hatchery staff to determine whether additional fishery modifications are needed in the Drano Lake, Klickitat River, and Wind River salmon fisheries.

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	___
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The number of sections adopted on the agency's own initiative:

New	1	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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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: March 4, 2022

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective March 16, 2022, until further notice, the provisions of WAC 220-312-030 regarding Drano Lake, Klickitat River, Salmon Creek, and Wind River salmon and steelhead seasons shall be modified during times and as described below. All other provisions of WAC 220-312-030 not addressed herein remain in effect unless otherwise amended by emergency rule:

- (1) **Drano Lake (Skamania Co.):** Downstream of markers on a point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of the Highway 14 bridge: Salmon and hatchery steelhead: Effective March 16 until further notice:

Daily limit 2; of which up to 1 may be a hatchery Chinook. Release all salmon other than hatchery Chinook.

- (2) **Klickitat River (Klickitat Co.):**

- (a) From the mouth to Fisher Hill Bridge:

- (i) Effective April 1 through May 27, 2022: Salmon and steelhead:

- (A) Open Mondays, Wednesdays, and Saturdays only.

- (B) Salmon and steelhead: Daily limit 2; up to 1 salmon or 2 hatchery steelhead or 1 of each may be retained. Release wild Chinook.

- (ii) Effective May 28, 2022, until further notice: Salmon: Daily limit 6; up to 1 adult may be retained. Release wild Chinook.

- (b) From 400 feet upstream from #5 fishway to boundary markers below Klickitat Salmon hatchery: Effective May 28, 2022, until further notice: Salmon: Daily limit 6; up to 1 adult may be retained. Release wild Chinook.

- (3) **Salmon Creek (Clark Co.):** From the mouth to the 182nd Avenue Bridge: Effective March 16 through May 27, 2022: Steelhead: Daily limit 3. Selective Gear Rules in effect, except use of barbed hooks is allowed.

- (4) **Wind River (Skamania Co.):** From the mouth to 800 yards downstream of Carson National Fish Hatchery: Effective March 16, 2022, until further notice: Salmon and hatchery steelhead: Daily limit 6; up to 1 adult salmon and 1 hatchery steelhead or up to 2 hatchery steelhead may be retained. Release all salmon other than hatchery Chinook.