



# 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 25, 2022

TIME: 5:06 PM

WSR 22-22-040

**Agency:** Department of Fish and Wildlife (Order 22-252)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify) October 26, 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 return Green River (Cowlitz Co.) fishing seasons to permanent rules as listed in the 2022/23 Washington Sport Fishing Rules pamphlet.

**Citation of rules affected by this order:**

New:  
Repealed: WAC 220-312-03000T  
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 return Green River (Cowlitz Co.) and Washougal River to permanent rules as listed in the 2022/23 Washington Sport Fishing Rules Pamphlet.

Broodstock collection at the North Toutle hatchery has improved and is expected to meet broodstock needs. Previous low water conditions in the Green River have improved to acceptable levels in the reach from the mouth to the hatchery, allowing for improved spawning activity and fish movement upstream. Now that broodstock needs are being met, and river conditions have improved, returning fisheries in the Green River to permanent rules is justified.

Washougal River Chinook returns have improved, and continued closure of the fall Chinook fishery is no longer needed to ensure the 2022 broodstock collection goal will be met, returning fisheries in the Washougal River to permanent rules is justified.

Cowlitz River, and Lewis River rules are carried forward from WSR 22-21-089, filed October 14, 2022.

There is insufficient time to file 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	<u>1</u>
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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:** October 25, 2022

**Name:** Amy Windrope for Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-312-03000U Freshwater exceptions to statewide rules—Southwest.**

Effective October 26 through December 31, 2022, the provisions of WAC 220-312-030 regarding Cowlitz River, Lewis River, and Washougal River fishing 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) Cowlitz River (Cowlitz/Lewis Co.); from the mouth to 400 feet or posted markers below the Barrier Dam:**

Effective immediately, through December 31, 2022: Salmon: Daily limit 6. Up to 4 adults may be retained. Release all salmon other than hatchery coho.

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

##### **(a) From the mouth to Colvin Creek:**

Effective immediately, through December 31, 2022: Salmon: Daily limit 6. Up to 4 adults may be retained, including no more than 2 Chinook. Release all salmon other than Chinook and hatchery coho.

##### **(b) From Colvin Creek to overhead power lines below Merwin Dam:**

- (i) Effective immediately, through October 31, 2022: Salmon: Daily limit 6. Up to 4 adults may be retained, including no more than 2 Chinook. Release all salmon other than Chinook and hatchery coho.
- (ii) Effective November 1 through December 15, 2022: All species: Closed
- (iii) Effective December 16 through December 31, 2022: Salmon: Daily limit 6. Up to 4 adults may be retained, including no more than 2 Chinook. Release all salmon other than Chinook and hatchery coho.

## REPEALER

The following section of Washington Administrative Code is repealed, effective October 26, 2022:

WAC 220-312-03000T Freshwater exceptions to statewide rules—Southwest. (22-241)