



# 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 03, 2023

TIME: 1:39 PM

WSR 23-07-019

**Agency:** Department of Fish and Wildlife (Order No. 23-35)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify) March 16, 2023

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

- Yes  No If Yes, explain:

**Purpose:** Amends fishing rules for the Klickitat and Wind rivers and Salmon Creek.

**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Repealed:  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 the Klickitat and Wind Rivers; and to open hatchery steelhead seasons in Salmon Creek (Clark Co.) for the following reasons:

**Klickitat River:** An estimated 1,400 adult spring Chinook are forecast to return to the Klickitat River in 2023.

**Wind River:** The preseason forecast of spring Chinook returning to the Wind River (4,400 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 Klickitat 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 3, 2023

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

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

Effective March 16, 2023, until further notice, the provisions of WAC 220-312-030 regarding 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) Klickitat River (Klickitat Co.):**

##### **(a) From the mouth to Fisher Hill Bridge:**

- (i) Effective April 1 through May 26, 2023: Salmon and steelhead:**
  - (A) Open Mondays, Wednesdays, and Saturdays only.**
  - (B) Salmon and hatchery 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 27, 2023, 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 27, 2023, until further notice: Salmon: Closed.**

#### **(2) Salmon Creek (Clark Co.): From the mouth to the 182nd Avenue Bridge: Effective March 16 through May 26, 2023: Hatchery Steelhead: Daily limit 3. Selective Gear Rules in effect, except use of barbed hooks is allowed.**

#### **(3) Wind River (Skamania Co.): From the mouth to 800 yards downstream of Carson National Fish Hatchery: Effective March 16, 2023, 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.**