



# 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 05, 2023

TIME: 5:01 PM

WSR 23-21-014

**Agency:** Department of Fish and Wildlife (Order 23-225)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) October 6, 2023

**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 close Chinook retention in salmon fisheries on the Green River (Cowlitz Co.), Toutle River, and Toutle River, North Fork.

**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 Repealed:  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 require release of all Chinook in the Green River, Toutle River, and Toutle River, North Fork.

Broodstock collection at the North Toutle hatchery is lower than anticipated. Restricting Chinook retention in these rivers until river conditions improve and Chinook brood collection improves will help meet broodstock collection goals. Fishery managers will continue to monitor river conditions as well as Chinook returns to the Toutle Hatchery to determine if fisheries may be reopened.

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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____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 \_\_\_\_

**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 \_\_\_\_

<b>Date Adopted:</b> October 5, 2023	<b>Signature:</b> 
<b>Name:</b> Amy Windrope for Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

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

Effective October 6 through November 30, 2023, the provisions of WAC 220-312-030 regarding Green River, Toutle River and Toutle River, North Fork salmon fishing seasons shall be modified during times and 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) Green River (Cowlitz/Lewis Co.); From the mouth to the boundary signs 400 feet below to the hatchery weir while the weir is installed in the river:**

Salmon: Daily limit 6 hatchery coho, including no more than 3 adults. Release all salmon other than hatchery coho.

**(2) Toutle River (Cowlitz Co.): From the mouth to forks:**

Salmon: Daily limit 6 hatchery coho, including no more than 3 adults. Release all salmon other than hatchery coho.

**(3) Toutle River, North Fork (Cowlitz Co.): From the mouth to boundary signs posted 400 feet downstream of the hatchery weir:**

Salmon: Daily limit 6 hatchery coho, including no more than 3 adults. Release all salmon other than hatchery coho.