



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: February 29, 2024

TIME: 3:42 PM

WSR 24-06-039

Agency: Department of Fish and Wildlife (Order 24-31)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) March 1, 2024

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 modify salmon seasons for Cowlitz River, Drano Lake, Kalama River, Klickitat River, and Wind River.

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- Repealed: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 adjust salmon seasons for Cowlitz River, Drano Lake, Kalama River, Klickitat River, and Wind River to meet the needs predicated by 2024 spring Chinook run expectations:

Cowlitz River: A reduction in the adult salmon daily limit with additional retention requirements of a clipped adipose and ventral fin is necessary because of reduced Cowlitz spring Chinook smolt releases in 2022. This release was supplemented with Kalama origin Spring Chinook juveniles marked with an adipose and ventral clip intended for harvest. This will provide harvest opportunities while optimizing hatchery broodstock collection and reintroduction of spring Chinook to the upper Cowlitz basin.

Drano Lake: A reduction in the salmon daily limit is necessary because the preseason forecast of 5,273 adult spring Chinook is lower than the previous year. The reduced limit will provide spring Chinook angling opportunity while helping ensure broodstock goals at Little White Salmon National Fish Hatchery are met.

Kalama River: A reduction in the salmon daily limit is necessary to provide spring Chinook angling opportunity while helping ensure broodstock goals are met.

Klickitat River: A reduction in the salmon daily limit and early closures/late openings are necessary because the estimated return of adult spring Chinook (1,254) to the Klickitat River for 2024 is among the lowest since 2009. Hatchery spring Chinook releases in 2022 were well below program goals. These fish will return as 4-year-olds in 2024, which represent the largest age group of spring Chinook runs. Additionally, PIT tagging operations for the 2022 release group were disrupted by the Covid-19 pandemic, which will diminish managers' ability to monitor the return in-season. This conservative approach will

help ensure that hatchery broodstock collection is achieved and provide some initial opportunity to harvest Spring Chinook in the lower river.

Wind River: The pre-season forecast of spring Chinook returning to the Wind River (4,156 adults) indicates that a reduced adult salmon daily limit is needed to provide spring Chinook angling opportunity and help ensure broodstock collection goals at Carson National Fish Hatchery.

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: February 29, 2024

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective March 1, 2024, until further notice, the provisions of WAC 220-312-030 regarding Cowlitz River, Drano Lake, Kalama River, Klickitat River, 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) **Cowlitz River (Cowlitz/Lewis Co.):** From boundary markers at the mouth to the fishing boundary markers below Barrier Dam: Effective March 1, 2024, until further notice:

Salmon: Daily limit 6 including no more than 1 adult. Release all salmon other than hatchery jack Chinook, adult Chinook with both the adipose fin and a ventral fin clipped with healed scars, and hatchery coho.

- (2) **Drano Lake (Skamania Co.):** Waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of the Hwy. 14 bridge: Effective March 16, 2024, until further notice:

Salmon and steelhead: Daily limit 2 including no more than 1 adult salmon. Release all salmon other than hatchery Chinook. Release all wild steelhead.

- (3) **Kalama River (Cowlitz Co.):** From mouth to 1,000' downstream of fishway at Kalama Falls Hatchery: Effective March 1, 2024, until further notice:

Salmon: Daily limit 6 including no more than 1 adult. Release all salmon other than hatchery Chinook and hatchery coho.

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

(a) From the mouth (Burlington Northern Railroad Bridge) to Fisher Hill Bridge:

- (i) Effective April 1 through May 22, 2024: Salmon and steelhead:

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

(B) Salmon and steelhead: Daily limit 2 including no more than 1 adult salmon. Release wild Chinook. Release wild steelhead.

- (ii) Effective May 23, 2024, until further notice: Salmon: Closed

(b) From 400 feet upstream from #5 fishway to boundary markers below Klickitat Salmon hatchery: Effective May 25, 2024, until further notice: Salmon: Closed.

- (5) **Wind River (Skamania Co.):** From the mouth (line of buoy markers south of the Hwy. 14 bridge) to 800 yards downstream of Carson National Fish Hatchery: Effective March 16, 2024, until further notice:

Salmon and 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 and hatchery coho. Release wild steelhead.