



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: May 23, 2024

TIME: 4:39 PM

WSR 24-12-012

Agency: Department of Fish and Wildlife (Order 24-77)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) May 25, 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 and All species rules, and salmon and steelhead seasons for Lewis River.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-03000J
- 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 and all species rules, salmon, and steelhead seasons for Lewis River.

Earlier this year, salmon retention on the Cowlitz River was restricted to adult Chinook with an adipose and a ventral fin clip to help ensure the spring Chinook broodstock collection goal was achieved. Adult broodstock collection is currently on track and goals are expected to be met. Additionally, upstream transport of hatchery adults in excess of weekly broodstock collections targets is occurring for reintroduction purposes. Therefore, a reopening for retention of 1 adult hatchery Chinook is warranted.

Spring Chinook salmon returns to the Lewis Hatchery are projected to meet broodstock collection goals for the Lewis Hatchery programs. Modifying fisheries will provide additional fishing opportunities while still meeting program and reintroduction goals.

Drano Lake, Kalama River, Klickitat River, and Wind River rules remain in place from WSR 24-06-039.

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	1
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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: May 23, 2024	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective May 25, 2024, until further notice, the provisions of WAC 220-312-030 regarding Cowlitz River, Drano Lake, Kalama River, Klickitat River, Wind River salmon and steelhead seasons, and Lewis River salmon and steelhead seasons and all species rules. 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 immediately, until further notice: Salmon: Daily limit 6 including no more than 1 adult. Release all salmon other than hatchery Chinook 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 immediately, 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 immediately, 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: Effective immediately, 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) **Lewis River (Clark/Cowlitz Co.):**
 - (a) From mouth to Johnson Creek: Effective May 25 through July 31, 2024: Salmon: Daily limit 6 including no more than 1 adult. Release all salmon other than hatchery Chinook.
 - (b) From Johnson Creek to Colvin Creek:
 - (i) Effective May 25 through May 31, 2024:
 - (A) All species: Bank angling only. No fishing from a floating device. Anti-snagging rule and Night closure in effect.
 - (B) Steelhead: Daily limit 3. Release wild steelhead.
 - (C) Salmon: Daily limit 6 including no more than 1 adult. Release all salmon other than hatchery Chinook.
 - (ii) Effective June 1 through July 31, 2024: Salmon: Daily limit 6 including no more than 1 adult. Release all salmon other than hatchery Chinook.

- (6) **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 immediately, 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.

REPEALER

The following section of Washington Administrative Code is repealed, effective May 25, 2024:
WAC 220-312-03000J Freshwater exceptions to statewide rules—Southwest. (24-31)