



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 13, 2025

TIME: 4:43 PM

WSR 25-07-064

Agency: Department of Fish and Wildlife (Order 25-43)

Effective date of rule:

Emergency Rules

- ☐ Immediately upon filing.
☒ Later (specify) March 15, 2025

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

- ☐ Yes ☒ No If Yes, explain:

Purpose: This emergency rule opens additional recreational smelt harvest periods in lower Cowlitz River.

Citation of rules affected by this order:

New:
Repealed: WAC 220-315-03000G; WAC 220-315-03000H
Amended: WAC 220-315-030
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 rule opens additional periods for the limited Cowlitz River recreational fishery for eulachon smelt. Recent landings in the mainstem Columbia River commercial fishery indicate the eulachon smelt run size is large enough to support additional recreational openings, per management guidance found in the 2023 Washington and Oregon Eulachon Management Plan. There is insufficient time to adopt permanent regulations.

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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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	New	_____	Amended _____ Repealed _____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 2
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 _____
Date Adopted: March 13, 2025		Signature: 	
Name: Kelly Susewind			
Title: Director			

NEW SECTION

WAC 220-315-03000H Smelt—Areas and Seasons

Notwithstanding the provisions of WAC 220-315-030, effective March 15 through March 22, 2025, the Columbia River and Washington tributaries are closed to fishing for eulachon smelt except as provided below:

Open Dates: Saturday, March 15, 2025, Wednesday, March 19, 2025, and Saturday, March 22, 2025; from 8:00 a.m. to 1:00 p.m. (5-hour period).

Open Area: Cowlitz River (bank only) from the Highway 432 Bridge upstream to the Al Helenberg Memorial Boat Ramp located approximately 1,300 feet upstream of the Highway 411/A Street Bridge in Castle Rock.

Daily Limit: 10 pounds. Possession limit is one daily limit.

Gear: Smelt may be taken with dip net only.

REPEALERS

The following section of the Washington Administrative Code is repealed effective March 15, 2025:

WAC 220-315-03000G Smelt—Areas and Seasons (25-36)

The following section of the Washington Administrative Code is repealed effective 1:01 p.m. March 22, 2025:

WAC 220-315-03000H Smelt—Areas and Seasons (25-43)