

WSR 24-07-056
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-40—Filed March 14, 2024, 3:44 p.m., effective March 16, 2024]

Effective Date of Rule: March 16, 2024.

Purpose: The purpose of this emergency rule is to open hatchery steelhead seasons in Salmon Creek (Clark County).

Citation of Rules Affected by this Order: Amending WAC 220-312-030.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: This emergency rule is necessary to open hatchery steelhead seasons in a portion of Salmon Creek (Clark County). 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 and provides anglers with additional time to harvest these late returning fish from Salmon Creek.

There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: March 14, 2024.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-312-03000K Freshwater exceptions to statewide rules—Southwest. Effective March 16 through May 24, 2024, the provisions of WAC 220-312-030 regarding Salmon Creek hatchery 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:

Salmon Creek (Clark Co.): From the mouth to the 182nd Avenue
Bridge: Effective March 16 through May 24, 2024:

Hatchery steelhead: Daily limit 3. Selective gear rules in ef-
fect, except use of barbed hooks is allowed.