

**WSR 21-11-104**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 21-71—Filed May 19, 2021, 10:02 a.m., effective May 20, 2021]

Effective Date of Rule: May 20, 2021.

Purpose: The purpose of this emergency rule is to return salmon and steelhead fisheries within Drano Lake and Wind River to permanent rules.

Citation of Rules Affected by this Order: Repealing WAC 220-312-03000X; and 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 rule is needed to return salmon and steelhead seasons and daily limits within Drano Lake and Wind River to permanent rules. This rule also carries forward rules regarding salmon and steelhead seasons and daily limits for Cowlitz, Kalama, Klickitat, and Wind rivers, Salmon Creek previously put in place by emergency rule on March 3, 2021, in the filing of WSR 21-07-002 and 21-11-027 continued these rules on May 11, 2021. The previous rule for these waters is repealed by this filing in order to update Drano Lake and Wind River.

The Washington department of fish and wildlife has managed the Drano Lake and Wind River fisheries to ensure that increased broodstock goals at Carson and Little White Salmon National Fish Hatcheries (NFH) would be achieved for 2021. The broodstock collection goal for Little White Salmon NFH was met earlier in May and the Drano Lake fishery was reopened at a reduced daily limit to mitigate for production uncertainties at other Columbia Basin hatcheries. Broodstock collection at Carson NFH has increased rapidly during the last several days and is projected to be achieved. With broodstock collection at these (and other) facilities met or projected to be so, these fisheries can be reopened under permanent rules.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.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 1.

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: May 19, 2021.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-312-03000Y Freshwater exceptions to statewide rules—Southwest.** Effective May 20, 2021, the provisions of WAC 220-312-030 regarding salmon seasons for Cispus River, Cowlitz River, Cowlitz Falls Reservoir, Kalama River and Klickitat River and steelhead seasons for Salmon Creek shall be modified during the dates 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. **Cispus River (Lewis Co.):** Salmon: Effective immediately, until further notice: Closed.

2. **Cowlitz River (Cowlitz/Lewis Co.):** Salmon: Effective immediately, until further notice: Closed.

3. **Cowlitz Falls Reservoir (Lake Scanewa) (Lewis Co.):** Salmon: Effective immediately, until further notice: Closed.

4. **Kalama River (Cowlitz Co.):** From the mouth to 1,000 feet below fishway at Kalama Falls Hatchery: Salmon: Effective immediately, until further notice:

Daily limit 6. Up to 1 adults may be retained. Release all salmon other than hatchery Chinook and hatchery coho.

5. **Klickitat River (Klickitat Co.):**

(a) From the mouth to Fisher Hill Bridge:

(i) Effective immediately through May 28, 2021:

(A) Salmon and steelhead: Daily limit 2, of which up to 1 may be an adult salmon. Release wild Chinook.

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

(ii) Effective May 29, 2021, until further notice: Salmon: Daily limit 6. Up to 1 adult salmon may be retained. Release wild Chinook.

(b) From 400 feet upstream from #5 fishway to boundary markers below Klickitat Salmon hatchery: Salmon: Effective May 29, 2021, until further notice: Daily limit 6. Up to 1 adult salmon may be retained. Release wild Chinook.

6. **Salmon Creek (Clark Co.):** From the mouth to the 182nd Avenue Bridge: Steelhead: Effective immediately through May 28, 2021:

Daily limit 3. Selective Gear Rules in effect, except use of barbed hooks is allowed.

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**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of Washington Administrative Code is repealed, effective May 20, 2021:

WAC 220-312-03000X Freshwater exceptions to statewide rules—Southwest. (21-63)