Washington State Register

WSR 24-14-048 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 24-111—Filed June 26, 2024, 3:02 p.m., effective June 27, 2024]

Effective Date of Rule: June 27, 2024.

Purpose: This emergency rule is needed to return Drano Lake and Wind River to permanent rules via repealer and to set the return of Klickitat River to permanent rules beginning July 2, 2024.

Citation of Rules Affected by this Order: Repealing WAC 220-312-03000T; 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: Sufficient broodstock has been collected at Little White Salmon and Carson National Fish hatcheries to ensure that broodstock collection goals will be met; therefore, reduced salmon limits are no longer necessary for Drano Lake or Wind River recreational salmon fisheries.

Lower Klickitat River salmon seasons will return to permanent rules July 2, 2024. Reduced limits will no longer be necessary as a majority of spring Chinook returns will have passed above Lyle Falls by the end of June. Salmon seasons upstream of the #5 Fishway (Lyle Falls Fishway) remain closed through July 31, 2024.

Cowlitz River and Lewis River rules remain in place from WSR 24-06-039, 24-12-012, and 24-13-045.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: June 26, 2024.

Amy H. Windrope for Kelly Susewind Director

NEW SECTION

- WAC 220-312-03000U Freshwater exceptions to statewide rules—Southwest. Effective June 27, 2024, until further notice, the provisions of WAC 220-312-030 regarding Cowlitz River, Klickitat River, and Lewis River salmon 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.): Effective immediately, until further notice:

From boundary markers at the mouth to the fishing boundary markers below Barrier Dam: Salmon: Daily limit 6 including no more than 1 adult. Release all salmon other than hatchery Chinook and hatchery coho.

- (2) Klickitat River (Klickitat Co.):
- (a) From the mouth (Burlington Northern Railroad Bridge) to Fisher Hill Bridge: Effective immediately, until further notice:

Effective immediately, through July 1, 2024: Salmon: Closed

- (b) From 400 feet upstream from #5 fishway to boundary markers below Klickitat Salmon hatchery:
 - Effective immediately, through July 31, 2024: Salmon: Closed.
- (3) Lewis River (Clark/Cowlitz Co.): Effective immediately, through July 31, 2024:

From mouth to Colvin Creek: Salmon: Daily limit 6 including no more than 1 adult. Release all salmon other than hatchery Chinook.

REPEALER

The following section of Washington Administrative Code is repealed, effective June 27, 2024:

WAC 220-312-03000T Freshwater exceptions to statewide rules—Southwest. (24-98)