

**WSR 23-12-005  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 23-83—Filed May 24, 2023, 3:23 p.m., effective May 25, 2023]

Effective Date of Rule: May 25, 2023.

Purpose: The purpose of this emergency rule is to open salmon and steelhead fisheries in the Lewis River and close salmon fisheries in Klickitat River.

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 emergency rule is necessary to open salmon and steelhead fisheries in the Lewis River and close salmon fisheries in Klickitat River.

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.

As of May 22, 2023, the Klickitat Salmon Hatchery has not had any adult spring Chinook return to contribute to the 500 fish broodstock goal. The estimated return for 2023 was anticipated to be among the lowest since 2009 and likely impacted by hatchery releases for brood year 2019 that were significantly below the release goal. Closing the river to spring Chinook retention will increase the number of hatchery fish available for broodstock and help ensure future hatchery returns. The Washington department of fish and wildlife will continue working with comanagers to monitor the progress of broodstock collection and reopen the fishery if returns indicate that hatchery goals will be met.

This rule also carries forward emergency rules previously filed in WSR 23-07-016 (Order 23-35), on March 3, 2023, for Salmon Creek and Wind River.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.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 24, 2023.

Kelly Susewind

NEW SECTION

**WAC 220-312-03000B Freshwater exceptions to statewide rules—Southwest.** Effective May 25, 2023, until further notice, the provisions of WAC 220-312-030 regarding Klickitat River, Lewis River, Salmon Creek, and Wind River salmon and steelhead seasons shall be modified during times and as described below, as well as all species rules for Lewis River. All other provisions of WAC 220-312-030 not addressed herein remain in effect unless otherwise amended by emergency rule:

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

(a) From the mouth to Fisher Hill Bridge:

(i) Effective May 25, through May 26, 2023: Salmon and steelhead:

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

(B) Salmon and hatchery steelhead: Daily limit 2 hatchery steelhead may be retained. Release all salmon.

(ii) Effective May 27, 2023, until further notice: Salmon: Closed

(b) From 400 feet upstream from #5 fishway to boundary markers below Klickitat Salmon hatchery: Effective May 27, 2023, until further notice: Salmon: Closed.

**(2) Lewis River (Clark/Cowlitz Co.):**

(a) Salmon: From the mouth to Colvin Creek: Effective May 25 through July 31, 2023: Daily limit 6 including no more than 1 adult. Release all salmon other than hatchery Chinook.

(b) All Species: From Johnson Creek to Colvin Creek: Effective May 25 through May 31, 2023:

(i) Bank angling only. Fishing from a vessel is prohibited.

(ii) Night Closure.

(iii) Anti-snagging rule.

(c) Hatchery steelhead: From Johnson Creek to Colvin Creek: Effective May 25 through May 31, 2023: Daily limit 3.

**(3) Salmon Creek (Clark Co.):** From the mouth to the 182nd Avenue Bridge: Effective immediately, through May 26, 2023: Hatchery Steelhead: Daily limit 3. Selective Gear Rules in effect, except use of barbed hooks is allowed.

**(4) Wind River (Skamania Co.):** From the mouth to 800 yards downstream of Carson National Fish Hatchery: Effective immediately, until further notice: Salmon and hatchery 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.

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REPEALER

The following section of the Washington Administrative Code is repealed, effective May 25, 2023:

WAC 220-312-03000X Freshwater exceptions to statewide rules—Southwest. (23-35)