

**WSR 22-22-040
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 22-252—Filed October 25, 2022, 5:06 p.m., effective October 26, 2022]

Effective Date of Rule: October 26, 2022.

Purpose: The purpose of this emergency rule is to return Green River (Cowlitz County) fishing seasons to permanent rules as listed in the 2022/23 Washington Sport Fishing Rules pamphlet.

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: This emergency rule is necessary to return Green River (Cowlitz County) and Washougal River to permanent rules as listed in the 2022/23 Washington Sport Fishing Rules pamphlet.

Broodstock collection at the North Toutle hatchery has improved and is expected to meet broodstock needs. Previous low water conditions in the Green River have improved to acceptable levels in the reach from the mouth to the hatchery, allowing for improved spawning activity and fish movement upstream. Now that broodstock needs are being met, and river conditions have improved, returning fisheries in the Green River to permanent rules is justified.

Washougal River Chinook returns have improved, and continued closure of the fall Chinook fishery is no longer needed to ensure the 2022 broodstock collection goal will be met; returning fisheries in the Washougal River to permanent rules is justified.

Cowlitz River and Lewis River rules are carried forward from WSR 22-21-089, filed October 14, 2022.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.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: October 25, 2022.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-312-03000U Freshwater exceptions to statewide rules—Southwest. Effective October 26 through December 31, 2022, the provisions of WAC 220-312-030 regarding Cowlitz River, Lewis River, and Washougal River fishing 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.); from the mouth to 400 feet or posted markers below the Barrier Dam:

Effective immediately, through December 31, 2022: Salmon: Daily limit 6. Up to 4 adults may be retained. Release all salmon other than hatchery coho.

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

(a) From the mouth to Colvin Creek:

Effective immediately, through December 31, 2022: Salmon: Daily limit 6. Up to 4 adults may be retained, including no more than 2 Chinook. Release all salmon other than Chinook and hatchery coho.

(b) From Colvin Creek to overhead power lines below Merwin Dam:

(i) Effective immediately, through October 31, 2022: Salmon: Daily limit 6. Up to 4 adults may be retained, including no more than 2 Chinook. Release all salmon other than Chinook and hatchery coho.

(ii) Effective November 1 through December 15, 2022: All species: Closed

(iii) Effective December 16 through December 31, 2022: Salmon: Daily limit 6. Up to 4 adults may be retained, including no more than 2 Chinook. Release all salmon other than Chinook and hatchery coho.

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REPEALER

The following section of Washington Administrative Code is repealed, effective October 26, 2022:

WAC 220-312-03000T Freshwater exceptions to statewide rules—Southwest. (22-241)