

**WSR 23-07-019
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-35—Filed March 3, 2023, 1:39 p.m., effective March 16, 2023]

Effective Date of Rule: March 16, 2023.

Purpose: Amends fishing rules for the Klickitat and Wind rivers and Salmon Creek.

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 reduce the adult salmon daily limit in the Klickitat and Wind rivers and to open hatchery steelhead seasons in Salmon Creek (Clark County) for the following reasons:

Klickitat River: An estimated 1,400 adult spring Chinook are forecast to return to the Klickitat River in 2023.

Wind River: The preseason forecast of spring Chinook returning to the Wind River (4,400 adults) indicates that a reduced adult salmon daily limit is needed to provide spring Chinook angling opportunity and meet broodstock collection goals at Carson National Fish Hatchery.

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 during the time frame outlined above and provides anglers with additional time to harvest these fish from Salmon Creek.

The Washington department of fish and wildlife will continue to monitor spring Chinook returns with comanagers and National Fish Hatchery staff to determine whether additional fishery modifications are needed in the Klickitat and Wind river salmon fisheries.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.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 3, 2023.

Kelly Susewind
Director

NEW SECTION**WAC 220-312-03000X Freshwater exceptions to statewide rules—**

Southwest. Effective March 16, 2023, until further notice, the provisions of WAC 220-312-030 regarding Klickitat River, Salmon Creek, and Wind River salmon and 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:

(1) Klickitat River (Klickitat Co.):

(a) From the mouth to Fisher Hill Bridge:

(i) Effective April 1 through May 26, 2023: Salmon and steelhead:

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

(B) Salmon and hatchery steelhead: Daily limit 2; up to 1 salmon or 2 hatchery steelhead or 1 of each may be retained. Release wild Chinook.

(ii) Effective May 27, 2023, until further notice: Salmon: Daily limit 6; up to 1 adult may be retained. Release wild Chinook.

(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) Salmon Creek (Clark Co.): From the mouth to the 182nd Avenue Bridge: Effective March 16 through May 26, 2023: Hatchery Steelhead: Daily limit 3. Selective Gear Rules in effect, except use of barbed hooks is allowed.

(3) Wind River (Skamania Co.): From the mouth to 800 yards downstream of Carson National Fish Hatchery: Effective March 16, 2023, 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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