

WSR 23-19-047  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 23-201 [23-202]—Filed September 14, 2023, 11:52 a.m., effective September 15, 2023]

Effective Date of Rule: September 15, 2023.

Purpose: The purpose of this emergency rule is to set a maximum size restriction for salmon in Yale Reservoir.

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 rule is needed to set a maximum size limit on salmon in Yale Reservoir. As part of upper Lewis River anadromous reintroduction effort, adult coho will be released into Yale Reservoir for habitat preparation and nutrient enhancement. Upstream transport for reintroduction into areas above Swift Dam is ongoing with hatchery coho in excess of weekly Lewis Basin Hatchery broodstock collection targets. Transport of additional coho adults to Yale Reservoir will occur for habitat preparation and nutrient enhancement purposes.

This fishing rule change will enable continued landlocked salmon fishing while restricting retention of adult coho transported for habitat preparation needs.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 14, 2023.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-312-03000F Freshwater exceptions to statewide rules—Southwest.** Effective September 15 through December 31, 2023, the provisions of WAC 220-312-030 regarding salmon in Yale Reservoir shall be

modified as described below. All other provisions of WAC 220-312-030 not addressed herein remain in effect unless otherwise amended by emergency rule:

**Yale Reservoir (Cowlitz Co.):** Landlocked salmon rules apply, except salmon maximum length is 15 inches.

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