

WSR 23-21-014
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-225—Filed October 5, 2023, 5:01 p.m., effective October 6, 2023]

Effective Date of Rule: October 6, 2023.

Purpose: The purpose of this emergency rule is to close Chinook retention in salmon fisheries on the Green River (Cowlitz County), Toutle River, and Toutle River, North Fork.

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 require release of all Chinook in the Green River, Toutle River, and Toutle River, North Fork.

Broodstock collection at the North Toutle hatchery is lower than anticipated. Restricting Chinook retention in these rivers until river conditions improve and Chinook brood collection improves will help meet broodstock collection goals. Fishery managers will continue to monitor river conditions, as well as Chinook returns, to the Toutle Hatchery to determine if fisheries may be reopened.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: October 5, 2023.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-312-03000G Freshwater exceptions to statewide rules—Southwest. Effective October 6 through November 30, 2023, the provisions of WAC 220-312-030 regarding Green River, Toutle River and Toutle River, North Fork salmon fishing seasons shall be modified during

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

(1) Green River (Cowlitz/Lewis Co.); From the mouth to the boundary signs 400 feet below to the hatchery weir while the weir is installed in the river:

Salmon: Daily limit 6 hatchery coho, including no more than 3 adults. Release all salmon other than hatchery coho.

(2) Toutle River (Cowlitz Co.): From the mouth to forks:

Salmon: Daily limit 6 hatchery coho, including no more than 3 adults. Release all salmon other than hatchery coho.

(3) Toutle River, North Fork (Cowlitz Co.): From the mouth to boundary signs posted 400 feet downstream of the hatchery weir:

Salmon: Daily limit 6 hatchery coho, including no more than 3 adults. Release all salmon other than hatchery coho.

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