

WSR 24-06-042
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-32—Filed February 29, 2024, 4:24 p.m., effective March 5, 2024]

Effective Date of Rule: March 5, 2024.

Purpose: Opens a five-hour smelt fishery on the Cowlitz River.

Citation of Rules Affected by this Order: Repealing WAC 220-315-03000F; and amending WAC 220-315-030.

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: Inseason monitoring data indicate the eulachon run size is large enough to support a second recreational opening, per guidance from the 2023 Washington and Oregon Eulachon Management Plan. The recreational fishery also serves as an important opportunity to collect additional biological data. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: February 29, 2024.

Kelly Susewind
Director

NEW SECTION

WAC 220-315-03000F Smelt—Areas and seasons. Notwithstanding the provisions of WAC 220-315-030, the Columbia River and Washington tributaries are closed to fishing for eulachon smelt except as provided below:

Open Dates: Tuesday March 5, 2024, from 1:00 p.m. to 6:00 PM (5-hour period).

Open Area: Cowlitz River (bank only) from the HWY 432 Bridge upstream to mouth of the Toutle River

Daily Limit: 10 pounds. Possession limit equal to one daily limit.

Gear: Smelt may be taken with dip net only.

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. March 5, 2024:

WAC 220-315-03000F Smelt—Areas and seasons