

WSR 22-12-063
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-86—Filed May 27, 2022, 8:09 a.m., effective May 28, 2022]

Effective Date of Rule: May 28, 2022.

Purpose: The purpose of this emergency rule is to open salmon seasons in the Cowlitz River and maintain rules set in WSR 22-06-029 for the Kalama River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-03000F; 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: Salmon retention on the Cowlitz River was closed at the beginning of May to help ensure the spring Chinook broodstock collection goal was achieved. Adult broodstock collection is currently on track and goals are expected to be met. Additionally, upstream transport of hatchery adults in excess of weekly broodstock collections targets is occurring for reintroduction purposes. Returns are sufficient to allow for limited salmon retention.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: May 26, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-03000L Freshwater exceptions to statewide rules—Southwest. Effective May 28, 2022, until further notice, the provisions of WAC 220-312-030 regarding salmon seasons for Cowlitz River and Kalama River, shall be modified during the dates and in 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) Cowlitz River (Cowlitz/Lewis Co.); from the mouth to posted markers below the Barrier Dam: Salmon:

Effective May 28, through July 31, 2022: Daily limit 6, of which up to 1 may be an adult. Release all salmon other than hatchery Chinook and hatchery coho.

(2) Kalama River (Cowlitz Co.); from the mouth to 1000 feet below the fishway at the upper salmon hatchery (Kalama Falls Hatchery): Salmon:

Effective immediately, until further notice: Daily limit 6, of which up to 1 may be an adult. Release all salmon other than hatchery Chinook and hatchery coho.

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REPEALER

The following section of Washington Administrative Code is repealed, effective May 28, 2022:

WAC 220-312-03000F Freshwater exceptions to statewide rules—Southwest. (22-26)