

**WSR 25-07-064
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 25-43—Filed March 13, 2025, 4:43 p.m., effective March 15, 2025]

Effective Date of Rule: March 15, 2025.

Purpose: This emergency rule opens additional recreational smelt harvest periods in lower Cowlitz River.

Citation of Rules Affected by this Order: Repealing WAC 220-315-03000G and 220-315-03000H; 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: This rule opens additional periods for the limited Cowlitz River recreational fishery for eulachon smelt. Recent landings in the mainstem Columbia River commercial fishery indicate the eulachon smelt run size is large enough to support additional recreational openings, per management guidance found in the 2023 Washington and Oregon Eulachon Management Plan. There is insufficient time to adopt permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 13, 2025.

Kelly Susewind
Director

NEW SECTION

WAC 220-315-03000H Smelt—Areas and seasons Notwithstanding the provisions of WAC 220-315-030, effective March 15 through March 22, 2025, the Columbia River and Washington tributaries are closed to fishing for eulachon smelt except as provided below:

Open Dates: Saturday, March 15, 2025, Wednesday, March 19, 2025, and Saturday, March 22, 2025; from 8:00 a.m. to 1:00 p.m. (5-hour period).

Open Area: Cowlitz River (bank only) from the Highway 432 Bridge upstream to the Al Helenberg Memorial Boat Ramp located approximately 1,300 feet upstream of the Highway 411/A Street Bridge in Castle Rock.
Daily Limit: 10 pounds. Possession limit is one daily limit.
Gear: Smelt may be taken with dip net only.

REPEALER

The following section of the Washington Administrative Code is repealed effective March 15, 2025:

WAC 220-315-03000G Smelt—Areas and seasons (25-36)

The following section of the Washington Administrative Code is repealed effective 1:01 p.m. March 22, 2025:

WAC 220-315-03000H Smelt—Areas and seasons (25-43)