



# RULE-MAKING ORDER

**CR-103E (July 2011)**  
(Implements RCW 34.05.350)

**Agency:** Washington Department of Fish and Wildlife

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules 17-162**

- Immediately upon filing.
- Later (specify)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** Amend recreational fishing rules on Skagit basin rivers

**Citation of existing rules affected by this order:**

Repealed: WAC 220-312-04000J, WAC 220-312-04000K  
 Amended: WAC 220-312-040  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020, 77.12.045 and 77.12.047

**Other authority :**

**EMERGENCY RULE**

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.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: The Department is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings and to avoid gear conflicts with tribal fisheries scheduled for those dates. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

**Date adopted:** July 11, 2017

**NAME (TYPE OR PRINT)**  
Nate Pamplin for J W Unsworth

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: July 11, 2017**  
**TIME: 12:57 PM**  
**WSR 17-15-045**

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	<u>1</u>	Amended	_____	Repealed	<u>2</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

## NEW SECTION

### **WAC 220-312-04000R Freshwater exceptions to statewide rules—Puget Sound.**

Notwithstanding the provisions of WAC 220-312-040, effective immediately until further notice, it is unlawful to violate the provisions, provided that unless otherwise amended, all permanent rules remain in effect:

(a) Skagit River:

- (i) From the mouth to the Highway 536 Bridge at Mt. Vernon: Closed; July 11 through July 13 and July 16 until further notice.
- (ii) From Hwy. 536 Bridge at Mt. Vernon (Memorial Hwy. Bridge) to mouth of Gilligan Creek:
  - (A) Open July 14 through July 21; Daily limit of three sockeye salmon. Night closure is in effect.
  - (B) Closed July 11 through 13 and July 22 until further notice
- (iii) From the mouth of Gilligan Creek to Hwy 530 Bridge at Rockport: Closed; July 11 through 13 and July 16 until further notice.
- (iv) Hwy 530 Bridge at Rockport to Gorge powerhouse at Newhalem: Closed; July 16 until further notice.

(b) Cascade River, mouth upstream: Closed; effective July 16 until further notice.

(c) Sauk River

- (i) From the mouth to White Chuck River: Closed effective July 16 until further notice
- (ii) From White Chuck River mouth upstream, including North fork to North Fork Falls, and South fork to Elliot Creek: Closed; effective July 16 through October 31, 2017.

(d) White Chuck River, mouth upstream: Closed; effective July 16 through October 31, 2017.

(e) Suiattle River, mouth upstream: Closed; effective July 16 through October 31, 2017.

## REPEALERS

The following sections of the Washington Administrative Code are repealed:

WAC 220-312-04000K Freshwater exceptions to statewide rules—Puget Sound. (17-151)

WAC 220-312-04000J Freshwater exceptions to statewide rules—Puget Sound. (17-145)