



**RULE-MAKING ORDER
EMERGENCY RULE ONLY**

**CR-103E (December 2017)
(Implements RCW 34.05.350
and 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 18, 2020

TIME: 1:40 PM

WSR 20-11-047

Agency: Department of Fish and Wildlife (Order 20-81)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) June 1, 2020

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

- Yes No If Yes, explain:

Purpose: This emergency rule is needed to close fishing three days per week for a portion of the Cascade River in order to avoid gear conflicts between tribal and recreational fishers.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000M
 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.

Reasons for this finding: This emergency rule is needed to close fishing on a portion of the Cascade river on days of the week that tribal fishing gear is scheduled to be deployed in the river. These closures have been agreed to with comanagers during the 2020 North of Falcon proceedings and are necessary to avoid gear conflicts between tribal and recreational fishers. There is insufficient time to adopt permanent rules.

**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:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

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

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:


New 1 Amended ____ Repealed 1

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

The number of sections adopted using:

Negotiated rule making:	New	____	Amended	____	Repealed	____
Pilot rule making:	New	____	Amended	____	Repealed	____
Other alternative rule making:	New	____	Amended	____	Repealed	____

Date Adopted: May 18, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-04000M Freshwater exceptions to statewide rules—Puget Sound.

Effective June 1 through July 15, 2020, the following provisions of WAC 220-312-040 regarding fishing seasons for all species on the Cascade River, shall be as described below. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

Cascade River (Skagit Co.) from the mouth to Rockport-Cascade Rd. Bridge:

Closed to all recreational fishing on Mondays, Tuesdays, and Wednesdays of each week.

REPEALER

The following section of the Washington Administrative Code is repealed effective July 16, 2020:

WAC 220-312-04000M Freshwater exceptions to statewide rules—Puget Sound.