



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: October 14, 2020

TIME: 4:30 PM

WSR 20-21-059

Agency: Department of Fish and Wildlife (Order 20-231)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 15, 2020

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

- Yes No If Yes, explain:

Purpose: The purpose of this emergency rule is to extend coho salmon seasons in the Skagit River through December 31, 2020. This rule will also close the Skagit River to recreational fishing from the Hwy. 9 Bridge to the Baker River, October 15 and 16, 2020.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000V; WAC 220-312-04000W
 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 rule is necessary to allow retention of two hatchery coho in addition to the daily salmon limit of 2 fish through December 31, 2020 and to close a portion of the Skagit River to avoid gear conflicts with tribal fishers October 15 and 16, 2020. The coho return is sufficient to allow for this extension of the increased hatchery coho daily limit. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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 2

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: October 14, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective October 15 through December 31, 2020 the following provisions of WAC 220-312-040 regarding salmon seasons for the Skagit River from the mouth to the Cascade River Road Bridge, shall be as described below, except from October 15 through October 16, 2020, all species from Highway 9 Bridge to the mouth of the Baker River will be closed. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

Skagit River (Skagit Co.):

- (1) From the mouth to Highway 9 Bridge: Salmon daily limit 2, plus 2 additional hatchery coho may be retained. Release Chinook and chum.
- (2) From Highway 9 Bridge to the mouth of the Baker River:
 - (a) October 15 through October 16, 2020: All species: Closed.
 - (b) October 17 through December 31, 2020: Salmon daily limit 2, plus 2 additional hatchery coho may be retained. Release Chinook and chum.
- (3) From the mouth of the Baker River to the Cascade River Road Bridge (Marblemount Bridge): Salmon daily limit 2, plus 2 additional hatchery coho may be retained. Release Chinook and chum.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 15, 2020:

WAC 220-312-04000V Freshwater exceptions to statewide rules—Puget Sound. (20-223)

The following section of the Washington Administrative Code is repealed effective November 1, 2020:

WAC 220-312-04000W Freshwater exceptions to statewide rules—Puget Sound. (20-231)