



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: August 23, 2021

TIME: 4:41 PM

WSR 21-18-032

Agency: Department of Fish and Wildlife (Order 21-157)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 31, 2021

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 a portion of the Skagit River to recreational fishing during dates listed.

Citation of rules affected by this order:

- New:
- Repealed:
- 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 avoid gear conflicts with treaty fisheries scheduled on dates listed. (August 31, September 1, 7, 8, 9, 14, 15 and 16, October 5, 6, 12, 13, 19 and 20, 2021.)

WDFW asks anglers to respect tribal fishers and not to interfere with tribal fisheries. Conflicts that arise during on-going fisheries may necessitate additional time and area closures in the future to reduce conflicts.

Immediate adoption of this rule is necessary for the preservation of the public health, safety, or general welfare. Observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest. 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Federal statute:	New	_____	Amended	_____	Repealed	_____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 ____

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: August 23, 2021	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective August 31 through October 20, 2021 recreational fishing seasons for the section of the Skagit River from the Hwy. 9 Bridge in Sedro Woolley to the mouth of the Baker River, shall be closed during dates listed below. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

Skagit River (Skagit Co.): From the Hwy. 9 Bridge in Sedro Woolley to the mouth of the Baker River: Recreational fishing is closed August 31, September 1, 7, 8, 9, 14, 15 and 16, October 5, 6, 12, 13, 19 and 20, 2021.