



# 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 01, 2021

TIME: 4:36 PM

WSR 21-20-098

**Agency:** Department of Fish and Wildlife (Order 21-220)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) October 7, 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 add additional recreational salmon retention season dates to the portions of the Skagit and Cascade rivers, and to add additional recreational fishing closure dates to that portion of the Skagit River from the Highway 9 Bridge in Sedro Woolley to the mouth of the Baker River.

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

New:  
 Repealed: WAC 220-312-04000J  
 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 extend recreational salmon seasons and to avoid gear conflicts with treaty fisheries scheduled on dates listed for closures.

The extended salmon seasons are needed to make up for necessary closure dates and because recent test fisheries and catch observations indicate the coho return to be sufficient to allow for additional angling days.

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


New	1	Amended	___	Repealed	<u>1</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:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

<b>Date Adopted:</b> October 1, 2021	<b>Signature:</b> 
<b>Name:</b> Nate Pamplin for Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

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

Effective October 7 through October 24, 2021 recreational fishing seasons for the Skagit River and Cascade River, shall be modified as follows, during dates listed below. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

#### **(1) Skagit River (Skagit County):**

- (a) From Highway 9 Bridge at Sedro Woolley to the Baker River: All recreational fishing is closed October 7, 12, 13, 14, 19, 20 and 21, 2021.
- (b) From mouth to Cascade River Rd. (Marblemount Bridge): Recreational salmon fishing is open October 7 through October 24, except in areas and times listed in subsection (1) (a) of this rule:
  - (i) Daily limit 4, of which up to 2 may be coho. Release Chinook and chum.
  - (ii) Night Closure in effect.

#### **(2) Cascade River (Skagit County):** From the mouth to Rockport-Cascade Road Bridge:

Recreational salmon fishing is open Tuesdays through Saturdays from October 7 through October 23, 2021:

- (a) Daily limit 4. Release all salmon other than coho.
- (b) Night Closure in effect.
- (c) Anti-snagging Rule in effect.
- (d) Closed Sundays and Mondays.

## REPEALER

The following section of Washington Administrative Code is repealed, effective October 7, 2021:

WAC 220-312-04000J Freshwater exceptions to statewide rules—Puget Sound. (21-157)