



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 08, 2021

TIME: 4:05 PM

WSR 21-21-022

Agency: Department of Fish and Wildlife (Order 21-228)

Effective date of rule:

Emergency Rules

- 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 for the Cascade River

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000P
 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 area of the Cascade River was closed to avoid gear conflicts with tribal fisheries. Tribal fisheries have concluded in the Cascade so gear conflict avoidance closures are no longer necessary. The coho return is sufficient to allow for recreational salmon fishing seven days per week through October 24, 2021. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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: October 8, 2021

Name: Amy Windrope for Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective immediately, 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 12, 13, 14, 19, 20 and 21, 2021.
- (b) From mouth to Cascade River Rd. (Marblemount Bridge): Recreational salmon fishing is open immediately, through October 24, 2021 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 immediately, through October 24, 2021, seven days per week:

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

REPEALER

The following section of the Washington Administrative Code is repealed:

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