RULE-MAKING ORDER
EMERGENCY RULE ONLY

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

Agency: Department of Fish and Wildlife (Order 22-62)

Effective date of rule:
- Emergency Rules
  - Immediately upon filing.
  - Later (specify) May 1, 2022

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 open hatchery Chinook salmon seasons in a portion of the Skagit River.

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- Repealed: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 open salmon seasons in the Skagit River as agreed to with co-managers during the 2022 North of Falcon proceedings. Harvestable numbers of hatchery spring Chinook are forecast to return to Marblemount Hatchery. 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Federal statute: New ____ Amended ____ Repealed ____
Federal rules or standards: New ____ Amended ____ Repealed ____
Recently enacted state statutes: New ____ Amended ____ Repealed ____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:

<table>
<thead>
<tr>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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The number of sections adopted on the agency's own initiative:

<table>
<thead>
<tr>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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<tr>
<td>1</td>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

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<tr>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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The number of sections adopted using:

<table>
<thead>
<tr>
<th>Negotiated rule making:</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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<tbody>
<tr>
<td>Pilot rule making:</td>
<td>New</td>
<td>Amended</td>
<td>Repealed</td>
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<tr>
<td>Other alternative rule making:</td>
<td>New</td>
<td>Amended</td>
<td>Repealed</td>
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<thead>
<tr>
<th><strong>Date Adopted:</strong></th>
<th>April 25, 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td>Kelly Susewind</td>
</tr>
<tr>
<td><strong>Title:</strong></td>
<td>Director</td>
</tr>
</tbody>
</table>

**Signature:**
NEW SECTION

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

Effective May 1, through May 31, 2022 the following provisions of WAC 220-312-040 regarding salmon seasons for the Skagit River from the Hwy. 536 Bridge in Mt. Vernon to Gilligan Creek, shall be as described 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. 536 (Memorial Hwy.) Bridge in Mt. Vernon to Gilligan Creek: Salmon:

(a) Daily limit 2. Release all salmon other than hatchery Chinook.
(b) Night Closure in effect.