



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: June 09, 2022

TIME: 3:19 PM

WSR 22-13-073

Agency: Department of Fish and Wildlife (Order 22-102)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) June 16, 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 recreational sockeye seasons in a portion of the Skagit River.

This rule also maintains salmon seasons for the Skagit River, Cascade River, and Nooksack River, North Fork that were originally set in WSR 22-12-021 on May 28, 2022, WSR 22-13-004 on June 1, 2022, and WSR 22-13-057 on June 8, 2022, respectively.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-04000D
- 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: Harvestable numbers of sockeye are forecast to return to the Baker system. Sockeye harvest in the river fishery will be limited to 20% of state share. The remaining 80% will be reserved for Baker Lake opportunity. The split was agreed to between anglers during public sockeye workshops held in 2014 and 2015. Current river sport share is over 1,600 fish, but exact number could change with in-season run-size updates.

Periodic closures to prevent conflicts with tribal fisheries are expected. In-season closures will be announced as soon as possible.

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: June 9, 2022	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective June 16 through July 15, 2022, the following provisions of WAC 220-312-040 regarding salmon seasons for the Cascade River, Nooksack River, North Fork, and Skagit River, shall be modified during the dates and in locations listed and described herein. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

- (1) **Cascade River** (Skagit Co.): From mouth to Rockport-Cascade Rd. Bridge: Salmon: Effective immediately, through July 15, 2022:
 - (a) Daily limit 4 of which up to 2 adults may be retained. Release all salmon other than hatchery Chinook.
 - (b) Night closure and Anti-snagging rule in effect.

- (2) **Nooksack River, North Fork** (Whatcom Co.): From the Hwy. 9 Bridge to the yellow marker at the upstream side of the Kendall Hatchery: Salmon: Effective immediately, through June 30, 2022:
 - (a) Daily limit 2. Release all salmon other than hatchery Chinook.
 - (b) Night closure and Anti-snagging rule in effect.

- (3) **Skagit River** (Skagit Co.):
 - (a) From Hwy. 536 Bridge (Memorial Hwy. Bridge) in Mt. Vernon to the Dalles Bridge at Concrete: Salmon: Effective June 16 through July 15, 2022:
 - (i) Daily limit 2 sockeye. Release all salmon other than sockeye.
 - (ii) Night closure in effect.
 - (iii) Selective gear rules are not in effect when fishing for salmon.

 - (b) From Hwy. 530 Bridge at Rockport to Cascade River Rd. (Marblemount Bridge): Salmon: Effective immediately, through July 15, 2022:
 - (i) Daily limit 4 of which up to 2 adults may be retained. Release all salmon other than hatchery Chinook.
 - (ii) Night closure and Anti-snagging rule in effect.

REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:

WAC 220-312-04000D Freshwater exceptions to statewide rules—Puget Sound. (22-99)