



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 29, 2022

TIME: 3:54 PM

WSR 22-14-067

Agency: Department of Fish and Wildlife (Order 22-121)

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: The purpose of this emergency rule is to to extend spring Chinook retention seasons in the Nooksack River, North Fork.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-04000G
- 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: River conditions have continued to be poor for sport fishing throughout most of this season and catch remains within guidelines. The fishery will continue to be monitored and may close earlier than scheduled if the total encounters agreed to may be reached. There will be no further extensions for this fishery.

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, WSR 22-13-004 on June 1, WSR 22-13-057 on June 8, WSR 22-13-073 on June 9, and WSR 22-14-041 on June 27, 2022.

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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____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 29, 2022	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective immediately, 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, and periodic all species closures for 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 July 10, 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 Hwy. 9 Bridge in Sedro Woolley: Salmon: Effective immediately, 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 for salmon.
 - (b) From Hwy. 9 Bridge in Sedro Woolley to the Dalles Bridge at Concrete: Effective immediately, through July 15, 2022:
 - (i) Salmon: Open (see exception in subsection (ii))
 - (A) Daily limit 2 sockeye. Release all salmon other than sockeye.
 - (B) Night closure in effect.
 - (C) Selective gear rules are not in effect for salmon.
 - (ii) All species: Closed waters immediately, through June 30, 2022.
 - (c) From the Dalles Bridge at Concrete to line projected across the thread of the river 200 feet below the west bank of the Baker River: Effective immediately, through June 30, 2022: All species: Closed waters.

REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:

WAC 220-312-04000G Freshwater exceptions to statewide rules—Puget Sound. (22-117)