



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: July 07, 2022

TIME: 4:31 PM

WSR 22-15-013

Agency: Department of Fish and Wildlife (Order 22-131)

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 set recreational fishing closure dates for a portion of the Skagit River.

Citation of rules affected by this order:

New:
Repealed: WAC 220-312-04000H
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 set closure dates for all species in a portion of the Skagit River. Previously scheduled dates for the treaty fishery have changed. This closure is necessary to avoid gear conflicts during those scheduled treaty fisheries.

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

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, WSR 22-14-041 on June 27, and WSR 22-14-067 on June 29, 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Federal statute:	New	___	Amended	___	Repealed	___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	___
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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	___

Date Adopted: July 7, 2022

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-312-04000I 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) Immediately, through July 10:
 - (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) July 11 through July 12: Closed.
 - (iii) July 13 through July 15:
 - (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.
 - (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 June 29 through June 30, 2022.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-312-04000H Freshwater exceptions to statewide rules—Puget Sound. (22-121)