



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: September 14, 2022

TIME: 12:17 PM

WSR 22-19-036

Agency: Department of Fish and Wildlife (Order 22-203)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 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 recreational fisheries in the Cascade River, from the mouth to the Rockport-Cascade Rd. Bridge.

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- Repealed: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: Postponement of the opening of the Cascade River sport fishery is necessary to prevent State fisheries in the Skagit system from exceeding the State's conservation goals for encounters of Skagit summer/fall Chinook during Skagit River system sport fisheries. The State share of Skagit summer/fall Chinook encounters is divided among state fisheries in the Skagit Basin (terminal area) and marine areas (pre-terminal). This action is necessary to preserve opportunity later in the season, and to provide for a longer season that would likely be cut very short by exceeding Chinook impacts if opened as originally scheduled.

In-season monitoring of Skagit coho fisheries began in 2021 and is expected to continue into the future. This monitoring helps guide management actions to stay within conservation goals while providing maximum opportunity. WDFW will continue to assess summer Chinook spawning activity in the Cascade River and throughout the Skagit system to reopen 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	___
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The number of sections adopted on the agency's own initiative:


New	1	Amended	___	Repealed	___
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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: September 14, 2022	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective September 16, 2022, until further notice, the following provisions of WAC 220-312-040 regarding fishing seasons for the Cascade River shall be modified in locations listed, as described herein. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

Cascade River; from the mouth to Rockport-Cascade Rd. Bridge: All species: Closed.