



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: November 10, 2022

TIME: 4:11 PM

WSR 22-23-077

Agency: Department of Fish and Wildlife (Order 22-269)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 12, 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 allow the use of bait in Cascade and Skagit river fisheries.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-04000V
- 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 emergency rule is necessary to remove bait restrictions previously in place to protect Chinook salmon returning to the Skagit system. The most recent chum spawning ground and aerial Chinook spawning ground surveys indicate that Chinook spawning activities have concluded in the Skagit system with very few live Chinook observed. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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: November 10, 2022
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Effective immediately, through November 30, 2022, the following provisions of WAC 220-312-040 regarding fishing seasons for the Cascade River and Skagit 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:

(1) Cascade River (Skagit County); from mouth to Rockport-Cascade Rd. Bridge:

Salmon:

- (a) Open daily.
- (b) Daily limit 4. Release all fish other than coho.
- (c) Anti-snagging rules in effect.
- (d) Night closure in effect.

(2) Skagit River (Skagit County); from the mouth (a line projected from the terminus of the jetty with McGlenn Island to the white monument on the easterly end of Ika Island, then to a white monument on the westerly end of Craft Island, then to a white monument near the corner of the levee on the westerly side of Dry Slough, and then to a white monument on the easterly side of Tom Moore Slough) to Cascade River Rd. (Marblemount Bridge):

- (a) All species: Night closure in effect.
- (b) Salmon: Daily limit 2. Release all salmon other than coho.

REPEALERS

The following sections of Washington Administrative Code are repealed, effective November 12, 2022:

WAC 220-312-04000V Freshwater exceptions to statewide rules—Puget Sound. (22-254)