



# 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: May 30, 2023

TIME: 7:25 AM

WSR 23-12-035

**Agency:** Department of Fish and Wildlife (Order 23-86)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) June 1, 2023

**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 spring Chinook seasons in the upper Skagit and Cascade rivers.

**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- Repealed: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:** This rule is necessary to open salmon seasons in the Skagit River and Cascade River as agreed to with comanagers during the 2023 North of Falcon proceedings. Harvestable numbers of hatchery spring Chinook are forecast to return to Marblemount Hatchery. 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| Federal statute:                 | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards:      | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | ___ | Repealed | ___ |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 \_\_\_\_

**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 | ____ |

|  |  |
|--|--|
| <b>Date Adopted:</b> May 26, 2023            | <b>Signature:</b><br> |
| <b>Name:</b> Amy Windrope for Kelly Susewind |  |
| <b>Title:</b> Director                       |  |

## NEW SECTION

### **WAC 220-312-04000G Freshwater exceptions to statewide rules—Puget Sound.**

Effective June 1, through July 15, 2023, the following provisions of WAC 220-312-040 and regarding salmon seasons for portions of the Skagit River and Cascade River, shall be modified as described below. 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:
  - (a) Open Wednesdays through Saturdays. Closed Sundays through Tuesdays.
  - (b) Daily limit 4 including no more than 2 adults. Release all salmon other than hatchery Chinook.
  - (c) Night Closure in effect.
  - (d) Anti-snagging rule in effect.
  
- (2) **Skagit River (Skagit Co.):** From the Hwy. 530 Bridge at Rockport to Cascade River Rd. (Marblemount Bridge): Salmon:
  - (a) Daily limit 4 including no more than 2 adults. Release all salmon other than hatchery Chinook.
  - (b) Night Closure in effect.
  - (c) Anti-snagging rule in effect.