



# 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 14, 2023

TIME: 3:14 PM

WSR 23-13-075

**Agency:** Department of Fish and Wildlife (Order 23-100)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) June 16, 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 sockeye seasons in a portion of the Skagit River.

**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- Repealed: WAC 220-312-04000G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:** This rule is necessary to open recreational sockeye seasons in a portion of the Skagit River.

Harvestable numbers of sockeye are forecast to return to the Baker system. Sockeye harvest in the river fishery will be limited to 20% of state share. The remaining 80% will be reserved for Baker Lake opportunity. The split was agreed to between anglers during public sockeye workshops held in 2014 and 2015. Current river sport share is over 2,000 fish, but the exact number could change with in-season run-size updates.

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 23-12-035, filed on May 24, 2023.

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:** June 14, 2023

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

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

Effective June 16, 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.):**
  - (a) From Hwy. 536 Bridge (Memorial Hwy. Bridge) in Mt. Vernon to the Dalles Bridge at Concrete: Salmon:
    - (i) Daily limit 3 sockeye. Release all salmon other than sockeye.
    - (ii) Night closure in effect.
    - (iii) Selective gear rules are not in effect for salmon.
  
  - (b) From the Hwy. 530 Bridge at Rockport to Cascade River Rd. (Marblemount Bridge): Salmon:
    - (i) Daily limit 4 including no more than 2 adults. Release all salmon other than hatchery Chinook.
    - (ii) Night Closure in effect.
    - (iii) Anti-snagging rule in effect.

## REPEALER

The following section of Washington Administrative Code is repealed, effective June 16, 2023:  
WAC 220-312-04000G Freshwater exceptions to statewide rules—Puget Sound. (23-86)