



# 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 23, 2023

TIME: 10:51 AM

WSR 23-14-022

Agency: Department of Fish and Wildlife (Order 23-103)

**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 open Cascade River hatchery Chinook seasons 7 days per week.

**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 Repealed: WAC 220-312-04000H  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 open salmon seasons in a portion of Cascade River, 7 days per week.

Treaty fisheries for hatchery spring Chinook in this section of the Cascade have concluded for the season. Sunday through Tuesday closures to avoid gear conflicts are no longer necessary. The ongoing Skagit system sport fisheries are still within conservation objectives for wild spring Chinook encounters.

This rule also maintains salmon seasons for the Skagit River set in WSR 23-13-075, filed on June 14, 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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 \_\_\_\_

**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	____

<b>Date Adopted:</b> June 23, 2023	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

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

Effective immediately, 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) 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.
  
- (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 immediately:  
WAC 220-312-04000H Freshwater exceptions to statewide rules—Puget Sound. (23-100)