



**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: July 10, 2023

TIME: 3:08 PM

WSR 23-15-032

Agency: Department of Fish and Wildlife (Order 23-120)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 11, 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 close a portion of the Skagit River to all recreational fishing, to avoid gear conflicts with tribal fishers.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000J
 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 temporarily close a portion of the Skagit River to avoid gear conflicts with treaty fisheries. This rule also opens a portion of the Skagit River to fishing that was previously scheduled to close, as a gear conflict will not be present.

This rule also maintains previously scheduled salmon seasons for Cascade and Skagit rivers.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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: July 10, 2023	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective July 11, through July 15, 2023, the following provisions of WAC 220-312-040 and regarding fishing 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 Hwy. 9 Bridge in Sedro Woolley: 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 9 Bridge in Sedro Woolley to the Dalles Bridge at Concrete:
 - (i) All species: July 12 through July 13, 2023: Closed Waters.

 - (ii) Salmon:
 - (A) Daily limit 3 sockeye. Release all salmon other than sockeye.
 - (B) Night closure in effect.
 - (C) Selective gear rules are not in effect for salmon.
 - (D) Closed July 12 through July 13, 2023.

 - (c) From the Dalles Bridge at Concrete to the Baker River:

All species: July 12 through July 13, 2023: Closed Waters.

 - (d) 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 July 11, 2023:
WAC 220-312-04000J Freshwater exceptions to statewide rules—Puget Sound. (23-111)