



**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: August 10, 2023

TIME: 1:00 PM

WSR 23-17-051

Agency: Department of Fish and Wildlife (Order 23-152)

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 salmon seasons in the Snohomish River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000P
 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 Snohomish River.

Preseason forecast of pink and coho salmon returns are sufficient to open the lower portion of the river two weeks early. In addition, there are sufficient Chinook impacts remaining in the season to allow this earlier opening targeting coho and pink salmon.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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: August 10, 2023	Signature: 
Name: Kelly Susewind	
Title: Director	

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

Effective immediately, until further notice, provisions of WAC 220-312-040 regarding recreational fishing seasons for the Snohomish River system shall be modified as described below. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended by emergency rule remain in effect:

(1) Effective immediately, until further notice, the following waters are closed to fishing for or possessing food fish or game fish:

- (a) **Cherry Creek**, from mouth upstream
- (b) **Raging River**, from mouth upstream
- (c) **Skykomish River**, from mouth to confluence of North and South forks
- (d) **Skykomish River, North Fork**, from mouth upstream
- (e) **Skykomish River, South Fork**, from mouth upstream
- (f) **Snoqualmie River**, from mouth to Snoqualmie Falls
- (g) **Sultan River**, from mouth upstream
- (h) **Tolt River**, from mouth to confluence of North and South forks
- (i) **Wallace River**, from mouth to 200' upstream of water intake of salmon hatchery

(2) **Snohomish River:**

- (a) From the mouth to the railroad (RR) bridge immediately upstream of WDFW's Lincoln Ave Snohomish Boat Launch:
 - (i) Effective immediately through August 31, 2023: Closed to fishing for food fish or game fish.
 - (ii) Effective September 1 through October 15: Salmon: Daily limit 4 including no more than 2 coho. Release Chinook and chum. Bait is allowed, except use of fish eggs is prohibited. Single point barbless hooks required.
- (b) From the RR bridge immediately upstream of WDFW's Lincoln Ave Snohomish Boat Launch to the confluence of Skykomish and Snoqualmie rivers:
 - (i) Effective immediately through September 15, 2023: Closed to fishing for food fish or game fish.
 - (ii) Effective September 16 through October 15, 2023: Salmon: Daily limit 4 including no more than 2 coho. Release Chinook and chum. Bait is allowed, except use of fish eggs is prohibited. Single point barbless hooks required.

REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:
WAC 220-312-04000P Freshwater exceptions to statewide rules---Puget Sound. (23-148)