



**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: September 25, 2023

TIME: 5:09 PM

WSR 23-20-031

Agency: Department of Fish and Wildlife (Order 23-212)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 27, 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 recreational fishing in the Stillaguamish River and its forks.

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- Repealed: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: Preliminary monitoring data indicate the Stillaguamish River sport fisheries are close to their allowable Chinook encounters and are in danger of exceeding the allowable total should these fisheries continue.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____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New ____ Amended ____ Repealed ____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	____

Date Adopted: September 25, 2023	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective September 27, 2023, until further notice, fishing seasons within the Stillaguamish River and its forks shall be closed in locations listed and described herein. All other provisions of WAC 220-312-040, not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

- (1) **Stillaguamish River (Snohomish County);** from the mouth, including all sloughs downstream of Marine Drive (south of Stanwood) upstream to forks.
- (2) **Stillaguamish River, North Fork (Snohomish County);** from mouth to North Fork Falls.
- (3) **Stillaguamish River, South Fork (Snohomish County);** from mouth upstream (including upstream of Granite Falls.)