



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: October 11, 2023

TIME: 2:50 PM

WSR 23-21-057

Agency: Department of Fish and Wildlife (Order 23-230)

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:

1. Open gamefish and salmon seasons in the Wallace River.
2. Increase salmon daily limits and allow wild coho and pink retention in the Wallace River.
3. Extend salmon seasons and allow the use of bait, including fish eggs through October 31 in the Snohomish River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000Q
 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 fishing seasons, increase the salmon daily limit, and allow retention of wild coho in the Wallace River; and to extend salmon seasons in the Snohomish River.

In-season observations and data indicate wild coho salmon returns to Wallace River are sufficient to increase the salmon daily limit and allow retention of wild coho. Pink and coho salmon returns are sufficient to extend salmon seasons through October in Snohomish River. There are sufficient Chinook impacts remaining in the season to allow for these fisheries targeting coho.

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	1
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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: October 11, 2023

Name: Amy Windrope for Kelly Susewind

Title: Director

Signature:



WAC 220-312-04000W 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

(2) **Snohomish River:**

From the mouth to the confluence of Skykomish and Snoqualmie rivers:

Effective immediately through October 31, 2023: Salmon: Daily limit 4 including no more than 2 coho. Release Chinook and chum. Use of bait is allowed. Single point barbless hooks required.

(3) **Wallace River:**

(a) From mouth (farthest downstream RR bridge) to 363rd Ave. SE/Reece Rd. (Dike Rd.):

Effective October 16 through October 31, 2023: Salmon daily limit is 4. Release all salmon other than coho and pinks.

(b) From 363rd Ave. SE/Reece Rd. (Dike Rd.) to 200' upstream of water intake of salmon hatchery:

Effective October 16 through November 30, 2023: Salmon daily limit is 4. Release all salmon other than coho and pinks.

R E P E A L E R

The following section of Washington Administrative Code is repealed, effective October 16, 2023:

WAC 220-312-04000Q Freshwater exceptions to statewide rules---Puget Sound. (23-152)