



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 12, 2023

TIME: 3:59 PM

WSR 23-21-067

Agency: Department of Fish and Wildlife (Order 23-232)

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: Amends recreational fishing rules for the Skagit River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-04000V
 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 close a portion of the Skagit River to avoid gear conflicts with scheduled treaty fisheries. Sufficient recreational harvestable wild coho remain to allow retention and additional fishing opportunity in a portion of the Skagit River. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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New ____ Amended ____ Repealed ____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: October 12, 2023

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective immediately, through November 30, 2023, the following provisions of WAC 220-312-040 regarding open days for portions of Cascade River and Skagit 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: Effective immediately, through October 31, 2023:

Salmon and Gamefish seasons open daily (7 days per week). All other rules regarding salmon and gamefish seasons listed in WAC 220-312-040 (44)(a)(iii) remain in effect.

- (2) **Skagit River (Skagit Co.):** from the mouth to the Cascade River Rd. bridge (Marblemount Bridge). Effective October 13 through November 30:

Daily limit 2 salmon, release Chinook and chum. Minimum size: 12". Night closure in effect.

- (3) **Skagit River (Skagit Co.),** from the Hwy. 9 Bridge in Sedro Woolley to the mouth of the Baker River.

Immediately, until 12:00 p.m. (noon), Oct. 13: All species: Closed Waters.

- 12:00 p.m. (noon), Oct. 13 – Oct 17: Salmon: Min. size 12". Daily limit 2. Release Chinook and chum. Night Closure in effect.

Oct. 18 through 12:00 p.m. (noon) October 20: Closed Waters.

- 12:00 p.m. (noon), Oct. 20 – Nov. 30: Salmon: Min. size 12". Daily limit 2. Release Chinook and chum. Night Closure in effect.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-312-04000V Freshwater exceptions to statewide rules—Puget Sound. (23-226)