



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 20, 2023

TIME: 12:08 PM

WSR 23-22-023

Agency: Department of Fish and Wildlife (Order 23-235)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 23, 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 temporarily open fishing seasons for the Skykomish River.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-04000W
- 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 in the Skykomish River.

As the end of the Chinook spawn timing approaches, enough Chinook encounters remain to allow for a limited salmon fishery, targeting coho, in this area.

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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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New ____ Amended ____ Repealed ____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 20, 2023	Signature: 
Name: Kelly Susewind	
Title: Director	

WAC 220-312-04000Y 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, North Fork**, from mouth upstream
- (d) **Skykomish River, South Fork**, from mouth upstream
- (e) **Snoqualmie River**, from mouth to Snoqualmie Falls
- (f) **Sultan River**, from mouth upstream
- (g) **Tolt River**, from mouth to confluence of North and South forks

(2) **Skykomish River**, from mouth to confluence of North and South forks:

- (a) Effective October 23 through October 31, 2023: Salmon: Daily limit 2. Release Chinook and chum. Barbless hooks required.
- (b) Effective November 1, until further notice: Closed to fishing for or possessing food fish or game fish.

(3) **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.

(4) **Wallace River**:

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

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

REPEALER

The following section of Washington Administrative Code is repealed, effective
October 23, 2023:

WAC 220-312-04000W Freshwater exceptions to statewide rules---Puget Sound. (23-230)