



# 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 17, 2024

TIME: 11:02 AM

WSR 24-19-089

**Agency:** Department of Fish and Wildlife (Order 24-188)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) September 21, 2024

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**Purpose:** This emergency rule will return most of the Snohomish watershed streams to permanent rules. Cherry Creek, Skykomish River tributaries except Sultan and Wallace rivers; and Skykomish River, North and South Fork tributaries will remain closed.

**Citation of rules affected by this order:**

New:  
 Repealed: WAC 220-312-04000L  
 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 needed to return most Snohomish watershed to permanent rules. Limited allowable take of wild Chinook in the Snohomish system necessitates monitoring and strict controls to conserve impacts for Fall in-river fisheries. The opening dates listed in permanent rules have taken into account that most returning Chinook will no longer be present in those areas. Cherry Creek and Skykomish tributaries will remain closed to avoid impacts to spawning Chinook that do remain present in those systems. 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Federal statute:	New	___	Amended	___	Repealed	___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	____

<b>Date Adopted:</b> September 17, 2024	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-312-04000T Freshwater exceptions to statewide rules---Puget Sound.**

Effective September 21, 2024, 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:

The following waters are closed to all fishing immediately, until further notice:

- (a) **Cherry Creek**, from mouth upstream
- (b) **Skykomish River tributaries**, except Sultan River and Wallace River
- (c) **Skykomish River, North Fork tributaries**
- (d) **Skykomish River, South Fork tributaries**

## REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:  
WAC 220-312-04000L Freshwater exceptions to statewide rules---Puget Sound. (24-105)