

WSR 23-21-037
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-226—Filed October 6, 2023, 5:02 p.m., effective October 6, 2023, 5:02 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to set closure dates for a portion of the Skagit River and to open a portion of Cascade River seven days per week.

Citation of Rules Affected by this Order: Amending WAC 220-312-040.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: This rule is necessary to close a portion of the Skagit River to avoid gear conflicts with scheduled treaty fisheries and to open a portion of Cascade River daily.

Weekly closure days are no longer necessary in Cascade River as treaty fisheries for coho have concluded for the season in the section listed.

There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: October 6, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000V Freshwater exceptions to statewide rules—Puget Sound. Effective immediately, through October 31, 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 Hwy 9 Bridge in Sedro Woolley to the mouth of the Baker River:

All species: October 11 through October 12, 2023: Closed Waters.

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