

WSR 23-21-057
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-230—Filed October 11, 2023, 2:50 p.m., effective October 11, 2023, 2:50 p.m.]

Effective Date of Rule: Immediately upon filing.

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: Repealing WAC 220-312-04000Q; and 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 open fishing seasons, increase the salmon daily limit, allow retention of wild coho in the Wallace River, and 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.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 11, 2023.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

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.

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REPEALER

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)