

**WSR 22-19-036  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 22-203—Filed September 14, 2022, 12:17 p.m., effective September 16, 2022]

Effective Date of Rule: September 16, 2022.

Purpose: The purpose of this emergency rule is to [close] recreational fisheries in the Cascade River, from the mouth to the Rockport-Cascade Rd. Bridge.

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: Postponement of the opening of the Cascade River sport fishery is necessary to prevent state fisheries in the Skagit system from exceeding the state's conservation goals for encounters of Skagit summer/fall Chinook during Skagit River system sport fisheries. The state share of Skagit summer/fall Chinook encounters is divided among state fisheries in the Skagit Basin (terminal area) and marine areas (preterminal). This action is necessary to preserve opportunity later in the season, and to provide for a longer season that would likely be cut very short by exceeding Chinook impacts if opened as originally scheduled.

In-season monitoring of Skagit coho fisheries began in 2021 and is expected to continue into the future. This monitoring helps guide management actions to stay within conservation goals while providing maximum opportunity. The Washington department of fish and wildlife will continue to assess summer Chinook spawning activity in the Cascade River and throughout the Skagit system to reopen as soon as possible.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.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: September 14, 2022.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-312-04000N Freshwater exceptions to statewide rules—Puget Sound.** Effective September 16, 2022, until further notice, the following provisions of WAC 220-312-040 regarding fishing seasons for the Cascade River shall be modified in locations listed, as described herein. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

Cascade River; from the mouth to Rockport-Cascade Rd. Bridge: All species: Closed.

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