

WSR 23-16-107
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-148—Filed July 31, 2023, 3:40 p.m., effective August 2, 2023]

Effective Date of Rule: August 2, 2023.

Purpose: The purpose of this emergency rule is to close recreational fishing in the upper Skykomish River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000N; 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 close fishing in the Skykomish River upstream of Hwy. 2 (above Big Eddy). This rule also maintains previously announced closures in other areas of the Snohomish River system.

Chinook presence has been observed in the Skykomish River in the area near Reiter ponds. Due to limited allowable take of wild Chinook in the Snohomish system, strict controls are needed to conserve Chinook impacts for pink and coho fisheries later this fall.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: July 31, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000P Freshwater exceptions to statewide rules—Puget Sound. Effective August 2, 2023, 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:

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

- (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) **Snohomish River**, from mouth to confluence of Skykomish and Snoqualmie rivers
- (g) **Snoqualmie River**, from mouth to Snoqualmie Falls
- (h) **Sultan River**, from mouth upstream
- (i) **Tolt River**, from mouth to confluence of North and South forks
- (j) **Wallace River**, from mouth to 200' upstream of water intake of salmon hatchery

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REPEALER

The following section of Washington Administrative Code is repealed, effective August 2, 2023:

WAC 220-312-04000N Freshwater exceptions to statewide rules—Puget Sound. (23-130)