

**WSR 21-21-085
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 21-234—Filed October 18, 2021, 4:49 p.m., effective October 18, 2021, 4:49 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to open recreational fishing in the Skagit River from the Highway 9 Bridge to the Baker River on October 19, 2021.

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000T; 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: The Skagit River from Highway 9 to Baker River was scheduled to be closed October 19 to avoid gear conflicts with tribal fisheries. The October 19 closure is no longer necessary so the section will open immediately and remain open through the next scheduled closures outlined above.

The Skagit River coho return remains sufficient to allow for the recreational salmon season to extend through October 24. Additional recreational opportunity is being evaluated and will be announced as soon as possible.

Washington department of fish and wildlife asks anglers to respect tribal fishers and not to interfere with tribal fisheries. Conflicts that arise during ongoing fisheries may necessitate additional time and area closures in the future to reduce conflicts.

Immediate adoption of this rule is necessary for the preservation of the public health, safety, or general welfare. Observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.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 18, 2021.

Amy H. Windrope
Director

NEW SECTION

WAC 220-312-04000U Freshwater exceptions to statewide rules—Puget Sound. Effective immediately, through October 24, 2021 recreational fishing seasons for the Skagit River and Cascade River, shall be modified as follows, during dates listed below. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

(1) Skagit River (Skagit County):

(a) From Highway 9 Bridge at Sedro Woolley to the Baker River: All recreational fishing is closed October 20 and 21, 2021.

(b) From mouth to Cascade River Rd. (Marblemount Bridge): Recreational salmon fishing is open immediately through October 24, except in areas and times listed in subsection (1) (a) of this rule:

(i) Daily limit 4, of which up to 2 may be coho. Release Chinook and chum.

(ii) Night Closure in effect.

(2) Cascade River (Skagit County): From the mouth to Rockport-Cascade Road Bridge:

Recreational salmon fishing is open immediately, through October 24, 2021, seven days per week:

(a) Daily limit 4. Release all salmon other than coho.

(b) Night Closure in effect.

(c) Anti-snagging Rule in effect.

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REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:

WAC 220-312-04000T Freshwater exceptions to statewide rules—Puget Sound. (21-230)