

WSR 22-14-031
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-112—Filed June 24, 2022, 3:41 p.m., effective June 24, 2022, 3:41 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to set closure dates for all species in a portion of the Skagit River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000E; 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 closure is necessary to avoid gear conflicts during scheduled treaty fisheries.

Additional periodic closures to prevent conflicts with tribal fisheries are expected. In-season closures will be announced as soon as possible.

This rule also maintains salmon seasons for the Skagit River, Cascade River, and Nooksack River, North Fork that were originally set in WSR 22-12-021 on May 28; WSR 22-13-004 on June 1; WSR 22-13-057 on June 8; and WSR 22-13-073 on June 9, 2022.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: June 22, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000F Freshwater exceptions to statewide rules—Puget Sound. Effective immediately, through July 15, 2022, the following provisions of WAC 220-312-040 regarding salmon seasons for the Cascade River, Nooksack River, North Fork, and Skagit River, and periodic all species closures for Skagit River shall be modified during the dates and in locations listed and described herein. All other pro-

visions 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: Salmon: Effective immediately, through July 15, 2022:
 - (a) Daily limit 4 of which up to 2 adults may be retained. Release all salmon other than hatchery Chinook.
 - (b) Night closure and Anti-snagging rule in effect.
- (2) **Nooksack River, North Fork** (Whatcom Co.): From the Hwy. 9 Bridge to the yellow marker at the upstream side of the Kendall Hatchery: Salmon: Effective immediately, through June 30, 2022:
 - (a) Daily limit 2. Release all salmon other than hatchery Chinook.
 - (b) Night closure and Anti-snagging rule in effect.
- (3) **Skagit River** (Skagit Co.):
 - (a) From Hwy. 536 Bridge (Memorial Hwy. Bridge) in Mt. Vernon to the Hwy. 9 Bridge in Sedro Woolley: Salmon: Effective immediately, through July 15, 2022:
 - (i) Daily limit 2 sockeye. Release all salmon other than sockeye.
 - (ii) Night closure in effect.
 - (iii) Selective gear rules are not in effect for salmon.
 - (b) From Hwy. 9 Bridge in Sedro Woolley to the Dalles Bridge at Concrete: Effective immediately, through July 15, 2022:
 - (i) Salmon: Open (see exception in subsection (ii))
 - (A) Daily limit 2 sockeye. Release all salmon other than sockeye.
 - (B) Night closure in effect.
 - (C) Selective gear rules are not in effect for salmon.
 - (ii) All species: Closed waters June 28 through June 29, 2022.
 - (c) From the Dalles Bridge at Concrete to line projected across the thread of the river 200 feet below the west bank of the Baker River: Effective June 28 through June 29, 2022: All species: Closed waters.

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REPEALER

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

WAC 220-312-04000E Freshwater exceptions to statewide rules—Puget Sound. (22-102)