

**WSR 22-16-014**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 22-147—Filed July 21, 2022, 3:07 p.m., effective July 22, 2022]

Effective Date of Rule: July 22, 2022.

Purpose: The purpose of this emergency rule is to open sockeye retention in a portion of the Skagit River and to increase the sockeye daily limit in Baker Lake.

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: This rule is necessary to reopen recreational salmon fishing [in] a portion of the Skagit River and to increase the salmon daily limit in Baker Lake.

The sockeye runsize for Skagit River/Baker Lake has been increased to 30,176 sockeye, so additional harvest opportunity is available in the Skagit River the threshold for a three fish daily limit has been met for Baker Lake.

Sockeye harvest in the river fishery will be limited to 20 percent of state share. The remaining 80 percent will be reserved for Baker Lake opportunity. The split was agreed to between anglers during public sockeye workshops held in 2014 and 2015. Current river sport share is 1,991 sockeye, but 1,555 were estimated to have been caught during the initial opening. Based on catch and effort rates in the final weeks of the river fishery, the remaining river share may be harvested in seven days. Due to the limited amount of additional catch available in the river, the river limit will remain at two sockeye to allow for a full week of salmon fishing opportunity.

During the 2014 and 2015 public sockeye workshops, anglers established runsize tiers to guide the daily limit allowed in the lake. Based on the tiers, if the forecast, or an in-season runsize update exceeds 29,999 sockeye, the daily limit would be three sockeye.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.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: July 21, 2022.

Kelly Susewind

NEW SECTION

**WAC 220-312-04000K Freshwater exceptions to statewide rules—Puget Sound.** Effective July 22 through August 31, 2022, the following provisions of WAC 220-312-040 regarding salmon seasons for Baker Lake and Skagit River shall be modified during the dates and in locations listed and described herein. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

(1) **Baker Lake (Whatcom Co.):** Salmon: Effective July 22 through August 31, 2022:

- (a) Daily limit 3.
- (b) Sockeye min. size 18 inches.
- (c) Release all salmon other than Sockeye.
- (d) Each angler aboard a vessel may deploy salmon angling gear until the daily limit for all anglers aboard has been achieved.

(2) **Skagit River (Skagit Co.):** From Hwy. 536 Bridge (Memorial Hwy. Bridge) in Mt. Vernon to the Dalles Bridge at Concrete: Salmon: Effective July 22 through July 29, 2022:

- (a) Daily limit 2 sockeye.
- (b) Release all salmon other than sockeye.
- (c) Night closure in effect.
- (d) Selective gear rules are not in effect for salmon.

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