

WSR 22-20-079
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-224—Filed September 30, 2022, 3:59 p.m., effective October 1, 2022]

Effective Date of Rule: October 1, 2022.

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

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: Preliminary monitoring data indicate the Stillaguamish River sport fisheries are close to their allowable Chinook encounters and are in danger of exceeding the allowable total, should these fisheries continue.

By November 15, the Washington department of fish and wildlife expects the majority of Chinook to no longer be present in the system and sport fisheries will resume under the rules listed in the 2022/2023 Washington Sport Fishing Rules pamphlet.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 30, 2022.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000R Freshwater exceptions to statewide rules—Puget Sound. Effective October 1 through November 15, 2022, fishing seasons within the Stillaguamish River system shall be closed in locations listed and described herein. All other provisions of WAC 220-312-040, not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

- (1) **Boulder River (Snohomish County)**; from mouth to Boulder Falls.
- (2) **Canyon Creek River (tributary to South Fork Stillaguamish River) (Snohomish County)**; from mouth to forks (North Fork and South Fork).
- (3) **Pilchuck Creek (Snohomish County)**; from mouth to Pilchuck Falls.
- (4) **Squire Creek (tributary to North Fork Stillaguamish River) (Snohomish County)**; from mouth upstream.
- (5) **Stillaguamish River (Snohomish County)**; from Marine Drive to forks.
- (6) **Stillaguamish River, North Fork (Snohomish County)**; from mouth to North Fork Falls.
- (7) **Stillaguamish River, South Fork (Snohomish County)**; from mouth to Granite Falls Fishway.

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