

WSR 23-11-051  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 23-67—Filed May 12, 2023, 10:35 a.m., effective May 27, 2023]

Effective Date of Rule: May 27, 2023.

Purpose: The purpose of this emergency rule is to close recreational fisheries in some waters of the Snohomish 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: Limited allowable take of wild Chinook in the Snohomish system necessitates strict controls to conserve impacts for pink and coho fisheries this fall. The Snohomish wild Chinook population saw a record low return of 1,023 in 2019, the year when dominant age class four-year-old Chinook returning in 2023 would have been hatched. There is now significant concern for a poor return of wild Chinook to the Snohomish [River] and its tributaries this year.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: May 12, 2023.

Kelly Susewind  
Director

[NEW SECTION]

**WAC 220-312-04000F Freshwater exceptions to statewide rules—Puget Sound.** Effective May 27, 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:

(1) Effective May 27, 2023, until further notice, the following waters are closed to all fishing:

- (a) **Cherry Creek**
- (b) **Raging River**
- (c) **Skykomish River, North Fork**
- (d) **Skykomish River, South Fork**, from mouth to 600' downstream of Sunset Falls fishway
- (e) **Snohomish River**, from mouth to confluence of Skykomish and Snoqualmie rivers
- (f) **Snoqualmie River**, from mouth to Snoqualmie Falls
- (g) **Sultan River**
- (h) **Tolt River**, from mouth to confluence of North and South forks
- (i) **Wallace River**, from mouth to 200' upstream of water intake of salmon hatchery

(2) Effective May 30, 2023, until further notice the following waters are closed to all fishing: **Skykomish River**, from mouth to U.S. Hwy. 2 Bridge (near Gold Bar)

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**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.