

**WSR 23-15-053
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-127—Filed July 13, 2023, 3:32 p.m., effective July 13, 2023, 3:32 p.m.]

Effective Date of Rule: Immediately upon filing.

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

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000K and 220-312-04000L; 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 rule is necessary to close a portion of the Skagit River to avoid gear conflicts with treaty fisheries.

This rule is also necessary to raise the sockeye daily limit for Baker Lake. Due to Baker Lake trap counts, the Washington department of fish and wildlife and tribal comanagers have updated the expected runsize to 52,000 sockeye. It is expected that by this weekend (July 15), over 20,000 sockeye will have been trucked to Baker Lake. This number of sockeye in the lake, at this point in the season, has only been topped once in the last decade. Broodstock collection is currently at 82 percent of the broodstock goal, which is expected to be met ahead of schedule. This runsize is sufficient to allow for increased opportunity in the lake.

Other previously scheduled salmon seasons for Cascade and Skagit rivers are also maintained by this rule.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 13, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000M Freshwater exceptions to statewide rules—Puget Sound. Effective immediately, through August 31, 2023, the following provisions of WAC 220-312-040 and regarding fishing seasons for portions of the Skagit River, Cascade River, and Baker Lake, shall be modified as described below. All other provisions 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: Effective immediately, through July 15, 2023: Salmon:
- (a) Daily limit 4 including no more than 2 adults. Release all salmon other than hatchery Chinook.
 - (b) Night Closure in effect.
 - (c) Anti-snagging rule in effect.
- (2) **Skagit River (Skagit Co.):**
- (a) From Hwy. 536 Bridge (Memorial Hwy. Bridge) in Mt. Vernon to the Hwy. 9 Bridge in Sedro Woolley: Effective immediately, through July 15, 2023: Salmon:
 - (i) Daily limit 3 sockeye. Release all salmon other than sockeye.
 - (ii) Night closure in effect.
 - (iii) Selective gear rules are not in effect for salmon.
 - (b) From the Hwy 9 Bridge in Sedro Woolley to the Dalles Bridge at Concrete:
 - (i) All species: July 12 through July 14, 2023: Closed Waters.
 - (ii) Salmon: Open the day of July 15, 2023, only:
 - (A) Daily limit 3 sockeye. Release all salmon other than sockeye.
 - (B) Night closure in effect.
 - (C) Selective gear rules are not in effect for salmon.
 - (c) From the Dalles Bridge at Concrete to the Baker River: All species: July 12 through July 14, 2023: Closed Waters.
 - (d) From the Hwy. 530 Bridge at Rockport to Cascade River Rd. (Marblemount Bridge): Effective immediately, through July 15, 2023: Salmon:
 - (i) Daily limit 4 including no more than 2 adults. Release all salmon other than hatchery Chinook.
 - (ii) Night Closure in effect.
 - (iii) Anti-snagging rule in effect.
- (3) **Baker Lake (Whatcom Co.):** Effective immediately, through August 31: Salmon:
- (a) Daily limit 5 sockeye only. Minimum size 18 inches.
 - (b) Each angler aboard a vessel may deploy salmon angling gear until the daily salmon limit for all anglers aboard has been achieved.

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REPEALER

The following sections of Washington Administrative Code are repealed, effective immediately:

- WAC 220-312-04000K Freshwater exceptions to statewide rules—Puget Sound. (23-118)

WAC 220-312-04000L Freshwater exceptions to statewide
rules—Puget Sound. (23-120)