

**WSR 24-19-089**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 24-188—Filed September 17, 2024, 11:02 a.m., effective September 21, 2024]

Effective Date of Rule: September 21, 2024.

Purpose: This emergency rule will return most of the Snohomish watershed streams to permanent rules. Cherry Creek, Skykomish River tributaries except Sultan and Wallace rivers; and Skykomish River, North and South Fork tributaries will remain closed.

Citation of Rules Affected by this Order: Repealing WAC 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 needed to return most Snohomish watershed to permanent rules. Limited allowable take of wild Chinook in the Snohomish system necessitates monitoring and strict controls to conserve impacts for fall in-river fisheries. The opening dates listed in permanent rules have taken into account that most returning Chinook will no longer be present in those areas. Cherry Creek and Skykomish tributaries will remain closed to avoid impacts to spawning Chinook that do remain present in those systems. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 17, 2024.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-312-04000T Freshwater exceptions to statewide rules—Puget Sound.** Effective September 21, 2024, 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:

The following waters are closed to all fishing immediately, until further notice:

- (a) **Cherry Creek**, from mouth upstream
- (b) **Skykomish River tributaries**, except Sultan River and Wallace River
- (c) **Skykomish River, North Fork tributaries**
- (d) **Skykomish River, South Fork tributaries**

REPEALER

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

WAC 220-312-04000L Freshwater exceptions to statewide rules—Puget Sound. (24-105)