

WSR 22-12-021
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-79—Filed May 23, 2022, 3:22 p.m., effective May 28, 2022]

Effective Date of Rule: May 28, 2022.

Purpose: The purpose of this emergency rule is to open salmon seasons in Cascade, North Fork Nooksack, and Skagit rivers.

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000A; 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 open salmon seasons in the Cascade River, Nooksack River, North Fork, and Skagit River as agreed to with comanagers during the 2022 North of Falcon proceedings. Harvestable numbers of hatchery spring Chinook are forecast to return to the respective hatcheries for these fisheries. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: May 23, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000B Freshwater exceptions to statewide rules—Puget Sound. Effective May 28 through July 15, 2022, the following provisions of WAC 220-312-040 regarding salmon seasons for the Cascade River, Nooksack River, North Fork, 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) **Cascade River** (Skagit Co.): From mouth to Rockport-Cascade Rd. Bridge: Salmon: Effective June 1 through July 15, 2022:

(a) Open Wednesdays through Saturdays only. Closed Sundays through Tuesdays.

(b) Daily limit 4 of which up to 2 adults may be retained. Release all salmon other than hatchery Chinook.

(c) Night closure and Anti-snagging rule in effect.

(2) **Nooksack River, North Fork** (Whatcom Co.): From the Hwy. 9 Bridge to the yellow marker at the upstream side of the Kendall Hatchery: Salmon: Effective May 28 through June 12, 2022:

(a) Daily limit 2. Release all salmon other than hatchery Chinook.

(b) Night closure and Anti-snagging rule in effect.

(3) **Skagit River** (Skagit Co.):

(a) From the Hwy. 536 (Memorial Hwy.) Bridge in Mt. Vernon to Gilligan Creek: Salmon: Effective immediately, through May 31, 2022:

(i) Daily limit 2. Release all salmon other than hatchery Chinook.

(ii) Night Closure in effect.

(b) From Hwy. 530 Bridge at Rockport to Cascade River Rd. (Marblemount Bridge): Salmon: Effective June 1 through July 15, 2022:

(i) Daily limit 4 of which up to 2 adults may be retained. Release all salmon other than hatchery Chinook.

(ii) Night closure and Anti-snagging rule in effect.

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REPEALER

The following section of Washington Administrative Code is repealed, effective May 28, 2022:

WAC 220-312-04000A Freshwater exceptions to statewide rules—Puget Sound.