RULE-MAKING ORDER

CR-103E (May 2009)
(Implements RCW 34.05.360)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:
Emergency Rules 11-175
☐ Immediately upon filing.
☒ Later (specify) August 1, 2011

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
☐ Yes ☒ No If Yes, explain:

Purpose: Amend personal use fishing rules

Citation of existing rules affected by this order:
Repealed: WAC 232-28-62000D
Amended: WAC 232-28-620
Suspended:

Statutory authority for adoption: RCW 77.12.047 and RCW 77.04.020

Other authority :

EMERGENCY RULE
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.
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
☐ That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: Sufficient quota and guideline remain in ocean areas to allow expanded opportunity. There is insufficient time to adopt permanent rules.

Date adopted: July 29, 2011

NAME (TYPE OR PRINT)
Philip Anderson

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 29, 2011
TIME: 9:19 AM

WSR 11-16-060

(COMPLETE REVERSE SIDE)

Note: If any category is left blank, it will be calculated as zero. No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note. A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New _____ Amended _____ Repealed _____

The number of sections adopted in the agency's own initiative:

New 1 Amended _____ Repealed 1

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New _____ Amended _____ Repealed _____

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

N E W S E C T I O N

WAC 232-28-62000E Coastal salmon--Saltwater seasons and daily limits.
Notwithstanding the provisions of WAC 232-28-620, effective August 1, 2011, until furthe notice, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect. An area is open when a daily limit is provided:

(1) Catch Record Card Area 1: Open immediately through September 30. Daily limit of 2 salmon, of which not more than one may be a Chinook salmon. Release wild coho.

(2) Catch Record Card Area 2: Open immediately through September 18. Daily limit of 2 salmon, of which not more than one may be a Chinook salmon. Release wild coho.

a) September 19 until further notice- Closed.

(3) Willapa Bay (Catch Record Card Area 2-1): Open August 1 until further notice - Daily limit of six salmon, not more than three of which may be adult salmon. Release chum and wild Chinook.

(4) Grays Harbor (Catch Record Card Area 2-2 east of the Buoy 13 line):

a) Open September 16 until further notice - Daily limit of 2 salmon. Release Chinook and chum.
b) Notwithstanding the provisions of this subsection, Westport Boat Basin and Ocean Shores Boat Basin: Open only August 16 until further notice - Daily limit of six salmon, not more than four of which may be adult salmon. Release wild Chinook.

(5) Catch Record Card Area 3:

a) Open immediately through September 18. Daily limit of 2 salmon. In years ending in odd numbers, 1 additional pink salmon may be retained as part of the daily limit. Release wild coho.
b) September 19 until further notice - Closed.
c) Notwithstanding the provisions of this subsection, waters north of 47° 50'00"N latitude and south of 48°00'00"N latitude also open September 24 through October 9 - Daily limit two salmon. In years ending in odd numbers, 1 additional pink salmon may be retained as part of the daily limit. Release wild coho.

(6) Catch Record Card Area 4:

a) Open immediately through September 18 - Daily limit of 2 salmon. In years ending in odd numbers, 1 additional pink salmon may be retained as part of the daily limit. Release wild coho salmon. Waters east of a true north-south line through Sail Rock closed June 26 through July 31. Release Chinook salmon caught east of the Bonilla-Tatoosh line beginning August 1. Release chum salmon beginning August 1.
b) September 19 until further notice - Closed.

R E P E A L E R

The following section of the Washington Administrative Code is repealed effective August 1, 2011:

WAC 232-28-62000D Coastal salmon--Saltwater seasons and daily limits. (11-114)

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(x) 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.

( ) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

( ) That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: Sufficient quota and guideline remain in ocean areas to allow expanded opportunity. There is insufficient time to adopt permanent rules.

(11-175, 7/29/2011)