



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:

Emergency Rules 11-197

- Immediately upon filing.
- Later (specify) August 19, 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 recreational fishing rules

Citation of existing rules affected by this order:

Repealed: WAC 232-28-62000G
 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 year 2009, 2010, 2011, 2012, or 2013, 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: Insufficient quota and guideline remain in Marine Area 2 to allow a 7-day-per-week fishery. There is insufficient time to adopt permanent rules.

Date adopted: August 17, 2011

NAME (TYPE OR PRINT)
Philip Anderson

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 17, 2011

TIME: 11:11 AM

WSR 11-17-081

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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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	_____

NEW SECTION

WAC 232-28-62000H Coastal salmon--Saltwater seasons and daily limits.

Notwithstanding the provisions of WAC 232-28-620, effective August 19, 2011, until further notice, it is unlawful to violate the following provisions:

(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 Sunday through Thursday 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 immediately until further notice, Daily limit of six salmon, of which not more than three 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, of which not more than four 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. Release Chinook salmon caught east of the Bonilla-Tatoosh line. Release chum salmon.

b) September 19 until further notice - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 19, 2011:

WAC 232-28-62000G Coastal salmon--Saltwater seasons and daily limits. (11-193)

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

(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: Insufficient quota and guideline remain in Marine Area 2 to allow a 7-day-per-week fishery. There is insufficient time to adopt permanent rules.

(11-197, 8/17/2011)