



# 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 13-74**

- Immediately upon filing.
- Later (specify) \_\_\_\_\_

**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Repealed:  
 Amended: WAC 232-28-620, WAC 232-28-621  
 Suspended:

**Statutory authority for adoption:** RCW 77.12.045, 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: The Department is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

**Date adopted:** April 23, 2013

**NAME (TYPE OR PRINT)**  
Philip Anderson

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** April 23, 2013  
**TIME:** 10:24 AM  
**WSR 13-10-022**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	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>3</u>	Amended	_____	Repealed	_____
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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:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

NEW SECTION

**WAC 232-28-62000U Coastal salmon—saltwater seasons and daily limits.**

Notwithstanding the provisions of WAC 232-28-620, effective immediately until further notice, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

(1) **Catch Record Card Area 1:** May 1 through June 7: Closed. June 8 through June 21: Daily limit of 2 salmon, release coho and wild Chinook. June 22 until further notice: 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:** May 1 through June 7: Closed. June 8 through June 22: Daily limit of 2 salmon, release coho and wild Chinook. June 23 until further notice: Open Sundays through Thursdays only, daily limit of 2 salmon, of which not more than one may be a Chinook salmon, release wild coho.

(3) **Catch Record Card Area 3:** May 1 through June 21: Closed, except open May 10, May 11, May 17, and May 18: daily limit of 2 salmon, release coho and wild Chinook. June 22 through June 28: daily limit of 2 salmon, release coho and wild Chinook. June 29 until further notice: daily limit of 2 salmon plus 2 additional pink salmon, release wild coho.

(4) **Catch Record Card Area 4:** May 1 through June 21: Closed, except open May 10, May 11, May 17, and May 18: daily limit of 2 salmon, release coho and wild Chinook. June 22 through June 28: daily limit of 2 salmon, release coho and wild Chinook. June 29 until further notice: daily limit of 2 salmon plus 2 additional pink salmon, release wild coho salmon. Waters east of a true north-south line through Sail Rock are closed through July 31, release Chinook salmon caught east of the Bonilla-Tatoosh line beginning August 1, release chum salmon beginning August 1.

NEW SECTION

**WAC 232-28-62100U Puget Sound salmon—saltwater seasons and daily limits.**

Notwithstanding the provisions of WAC 232-28-621, effective immediately until further notice, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

(1) **Catch Record Card Area 8-2:** May 1 through July 31 are closed, except: Waters west of Tulalip Bay and within 2,000 feet of shore from the pilings at Old Bower's Resort to a fishing boundary marker approximately 1.4 miles northwest of Hermosa Point are open only from Friday through 11:59 a.m. the following Monday of each week, May 31 through June 14 and June 16 until further notice: Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing.

(2) **Catch Record Card Area 9:** July 16, 2013, until further notice: Closed south of a line from Foulweather Bluff to Olele Point, except it is permissible to fish from shore between the southern and the northern boundaries of Salsbury Point Park.

(3) **Catch Record Card Area 10:** Immediately until further notice, waters of Elliott Bay east of a line from West Point to Alki Point: Closed, except waters north of a line from Jack Block Park through the north end of Harbor Island open August 16, 2013, until further notice, Friday through Sunday only of each week – Daily limit 2 salmon plus 2 additional pink salmon. Release Chinook and chum. Bait prohibited. Hooks must measure ½” or less from point to shank.

(4) **Catch Record Card Area 10:** Waters of Sinclair Inlet and Port Orchard south of the Manette Bridge in Bremerton, south of a line true west from Battle Point, and west of a line drawn true south from Point White: Daily limit of 3 salmon plus 1 additional pink salmon, July 1 until further notice. Release wild Chinook. Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing, beginning July 1.

(5) **Catch Record Card Area 12:** Waters north of a line true east from Broad Spit: open August 16 until further notice, daily limit 4 coho salmon.

(6) **Catch Record Card Area 13:** July 1 until further notice: Daily limit of 2 salmon plus 2 additional pink salmon. Release wild coho and wild Chinook.

(7) **Catch Record Card Area 13:** Fox Island Public Fishing Pier, effective July 1 until further notice: 2 additional pink salmon may be retained as part of the daily limit.

## NEW SECTION

### **WAC 220-56-13600A Dash Point Dock public fishing pier.**

Effective immediately until further notice, it is unlawful to fish for or possess food fish or shellfish taken within 100 yards of the Dash Point Dock public fishing pier except while fishing from the Dash Point Dock public fishing pier. Violation of this section is an infraction, punishable under RCW 77.15.160.

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## **EMERGENCY RULE ONLY**

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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, 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:** The Department is in the process of adopting permanent rules that are necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

**(13-74, 4/23/2013)**

