



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 13-242

- Immediately upon filing.
- Later (specify) 12:01 a.m. September 22, 2013

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Repealed: WAC 232-28-62000X
 Amended: WAC 232-28-620
 Suspended:

Statutory authority for adoption: RCW 77.04.020, 77.12.045 and 77.12.047

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: Catch and sampling information to date, suggests that the amount of effort and recreational harvest of Chinook in marine area 2-2 (Grays Harbor) will exceeds per-season expectations with no indication that the runsize is commensurately larger. This action is necessary in order to ensure that a sufficient up-river escapement is achieved to allow other planned fisheries to be maintained to the extent practical while seeking to achieve conservation objectives. There is insufficient time to adopt permanent rules.

Date adopted: September 20, 2013

NAME (TYPE OR PRINT)

Philip Anderson

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 20, 2013

TIME: 4:38 PM

WSR 13-20-016

(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	<u>1</u>	Amended	_____	Repealed	<u>1</u>
-----	----------	---------	-------	----------	----------

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	_____

NEW SECTION

WAC 232-28-62000C 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. **Grays Harbor (Catch Record Card Area 2-2 east of the Buoy 13 line):**
 - a. Effective 12:01 a.m. September 22, 2013, release Chinook salmon.
 - b. Effective 12:01 a.m. September 23 through September 28, 2013, closed to salmon fishing.
 - c. Effective 12:01 a.m. September 29, 2013 until further notice, daily limit 3 salmon; release Chinook. Chum retention permitted.
2. **Grays Harbor (Catch Record Card Area 2-2 west of the Buoy 13 line):**
 - a. Immediately until further notice: Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 22, 2013:

WAC 232-28-62000X Coastal salmon – saltwater seasons and daily limits. (13-174)

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, 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: Catch and sampling information to date, suggests that the amount of effort and recreational harvest of Chinook in marine area 2-2 (Grays Harbor) will exceeds per-season expectations with no indication that the runsize is commensurately larger. This action is necessary in order to ensure that a sufficient up-river escapement is achieved to allow other planned fisheries to be maintained to the extent practical while seeking to achieve conservation objectives. There is insufficient time to adopt permanent rules.

(13-242, 9/20/2013)

