



# 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 14-208**

- Immediately upon filing.
- Later (specify) August 16, 2014

**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Repealed: WAC 232-28-62100D, WAC 232-28-62100E  
 Amended: WAC 232-28-621  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 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: The area south of a line from Foulweather Bluff to Olele Point is closed during the Area 9 mark-selective Chinook fishery. The Chinook mark-selective fishery ends on August 15. Surplus coho are available for harvest allowing these areas to open for additional angling opportunity. There is insufficient time to adopt permanent rules.

**Date adopted:** August 13, 2014

**NAME (TYPE OR PRINT)**

Philip Anderson

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: August 13, 2014**

**TIME: 4:04 PM**

**WSR 14-17-036**

(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:**

<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>1</u>	Amended	_____	Repealed	<u>2</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:**

<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 232-28-62100E Puget Sound salmon—saltwater seasons and daily limits.**

Notwithstanding the provisions of WAC 232-28-621, effective August 16 through August 31, 2014, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect:

- (1) **Catch Record Card Area 5:** Daily limit may include an additional 2 sockeye.
- (2) **Catch Record Card Area 6:** Daily limit may include an additional 2 sockeye.
- (3) **Catch Record Card Area 7:** Daily limit may include an additional 2 sockeye.
- (4) **Catch Record Card Area 9:**
  - (a) Daily limit of 2 salmon. Release Chinook and chum.
  - (b) South of a line from Foulweather Bluff to Olele Point: Open. Daily limit 2 salmon. Release Chinook and chum.
- (5) **Catch Record Card Area 10:**
  - (a) Daily limit of 2 salmon. Release Chinook and chum.
  - (b) Waters of Sinclair Inlet and Port Orchard south of 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 3 salmon. Release chum and wild Chinook.
- (6) **Catch Record Card Area 13:**
  - (a) The Fox Island Public Fishing Pier is open.
  - (b) Daily limit of 2 salmon, of which no more than one Chinook may be retained.
  - (c) It is permissible to retain wild coho.

REPEALERS

The following section of the Washington Administrative Code is repealed:

WAC 232-28-62100D Puget Sound salmon—saltwater seasons and daily limits. (14-198)

The following section of the Washington Administrative Code is repealed effective September 1, 2014:

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

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( ) 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 , 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 area south of a line from Foulweather Bluff to Olele Point is closed during the Area 9 mark-selective Chinook fishery. The Chinook mark-selective fishery ends on August 15. Surplus coho are available for harvest allowing these areas to open for additional angling opportunity. There is insufficient time to adopt permanent rules.

**(14-208, 8/13/2014)**