



# 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 16-191**

- Immediately upon filing.
- Later (specify) August 5, 2016

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** Amend Puget Sound saltwater recreational fishing rules

**Citation of existing rules affected by this order:**

Repealed: WAC 232-28-62100F  
 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: Preliminary estimates indicate that landed catch of Chinook in Marine Area 9 will exceed the preseason expectations without modification to the fishery. This emergency rule is needed to close the recreational salmon fishery to control impacts on stocks of concern and ensure compliance with conservation objectives and agreed-to management plans. There is insufficient time to adopt permanent rules.

**Date adopted:** August 2, 2016

**NAME (TYPE OR PRINT)**

J W Unsworth

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: August 02, 2016**

**TIME: 4:16 PM**

**WSR 16-16-112**

**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>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:**

<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	_____

ORDER NO. 16-191

NEW SECTION

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

Notwithstanding the provisions of WAC 232-28-621: effective August 5, 2016, until further notice:

- (1) **Catch Record Card Area 5:** Immediately through August 15: release coho. August 16 until further notice: closed.
- (2) **Catch Record Card Area 6:** Immediately through August 15: release coho. August 16 until further notice: closed.
- (3) **Catch Record Card Area 7:** Immediately until further notice: release coho.
- (4) **Catch Record Card Area 8-1:** Closed.
- (5) **Catch Record Card Area 8-2:** Closed, except in Tulalip Bay. Tulalip Bay: release coho and wild Chinook.
- (6) **Catch Record Card Area 9:** Closed to fishing for salmon through August 15, except Edmonds Public Fishing Pier: Daily limit of 2 salmon. No more than 1 may be a Chinook. Release coho. Release chum through August 15, 2016.
- (7) **Catch Record Card Area 10:** Immediately through August 15: 2 salmon limit; no more than one may be a Chinook; release coho, chum and wild Chinook. August 16 until further notice: closed. Sinclair Inlet: Immediately until further notice: 3 salmon limit; release wild Chinook and wild coho.
- (8) **Catch Record Card Area 11:** Immediately through August 31: release coho. September 1 until further notice: closed.
- (9) **Catch Record Card Area 12 (north of Ayock Point):** Immediately through August 15: closed. August 16 until further notice: 4 salmon limit; release chum and Chinook.
- (10) **Catch Record Card Area 12 (south of Ayock Point):** Immediately until further notice: 4 hatchery Chinook may be harvested as part of the daily limit.
- (11) **Catch Record Card Area 13:** Immediately through August 31: release coho. September 1 until further notice: closed.
- (12) **Year-round Piers (Edmonds Public Fishing Pier, Elliott Bay Fishing Pier at Terminal 86, Seacrest Pier, Dash Point Dock, Les Davis Pier, Des Moines Pier,**

**Redondo Pier, Point Defiance Boathouse Dock, Fox Island Public Fishing Pier):**  
Immediately through August 31: release coho. September 1 until further notice: closed.

**(13) Year-round Piers located in Sinclair Inlet (Waterman Pier, Bremerton Boardwalk, Illahee State Park):** release wild coho.

## REPEALER

The following section of the Washington Administrative Code is repealed effective August 5, 2016:

WAC 232-28-62100F Puget Sound salmon-saltwater seasons and daily limits. (16-165)

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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, 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: Preliminary estimates indicate that landed catch of Chinook in Marine Area 9 will exceed the preseason expectations without modification to the fishery. This emergency rule is needed to close the recreational salmon fishery to control impacts on stocks of concern and ensure compliance with conservation objectives and agreed-to management plans. There is insufficient time to adopt permanent rules.

**(16-191, 8/2/2016)**