



# RULE-MAKING ORDER EMERGENCY RULE ONLY

## CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: May 30, 2019

TIME: 3:41 PM

WSR 19-12-046

**Agency:** Department of Fish and Wildlife (Order 19-113)

**Effective date of rule:**

**Emergency Rules**

- 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 salmon fishing rules for Puget Sound.

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

- New:
- Repealed:
- Amended: WAC 220-313-060
- 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.

**Reasons for this finding:** The Department is in the process of adopting permanent rules that are necessary to implement the state's share of the fishing plans agreed to with resource co-managers at the 2019 North of Falcon proceedings. These emergency rules are necessary to take advantage of the state's fishing opportunity that is imminent and will be available prior to the permanent rule, in a manner consistent with co-manager agreed fisheries. Specifically the emergency rules:

- A) Facilitate the Tulalip ceremonial fishery by closing an open state fishery in the Tulalip Special Fishery Area.
- B) Close Area 11 in June to salmon fishing, and limit salmon fishing in Area 11 in July, as described in the regulation.
- C) Change the opening dates for all salmon fishing in Marine Area 9, and the opening date for Chinook fishing in Marine Area 10.
- D) Changes the opening date for salmon in Marine Area 6.
- E) Removes additional sockeye limit in Marine Area 7.

The reason for the emergency rules are to meet conservation objectives and because the current 2018 permanent rule is inconsistent with the agreed 2019 North of Falcon fishery sharing package.

**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 on the agency's own initiative:**


New	1	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:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

<b>Date Adopted:</b> May 30, 2019	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-313-06000B Puget Sound salmon—saltwater seasons and daily limits.**

Notwithstanding the provisions of WAC 220-313-060, effective immediately:

- (1) Catch Record Card Area 6:
  - (a) Immediately through June 30, 2019: Closed.
  - (b) July 1 through August 15, 2019:
    - (i) Daily limit of 2 salmon.
    - (ii) Release chum, wild Chinook and wild coho.
  
- (2) Catch Record Card Area 7:
  - (a) Immediately through June 30, 2019: Closed.
  - (b) July 1 through July 31, 2019:
    - (i) Daily limit of 2 salmon.
    - (ii) Release chum and wild Chinook.
    - (iii) Closed to salmon fishing in the Southern Rosario Strait and Eastern Strait of Juan de Fuca closure area described in WAC 220-313-020(7).
  
- (3) Catch Record Card Area 8-2:
  - (a) 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 the day of May 31, 2019: Daily limit of 2 salmon.
  - (b) 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 closed for the day of June 15, 2019.
  
- (4) Catch Record Card Area 9:
  - (a) Immediately through July 24, 2019: Closed.
  - (b) July 25 through July 28, 2019, except waters in this subsection:
    - (i) Daily limit of 2 salmon; no more than one may be a Chinook salmon.
    - (ii) Release chum, wild coho and wild Chinook.
    - (iii) Closed south of a line from Foulweather Bluff to Olele Point July 16 through July 24, 2019, or until Chinook retention closes in Catch Record Card Area 9.
  
- (5) Catch Record Card Area 10:
  - (a) Immediately through May 31, 2019: Closed.
  - (b) June 1 through July 24, 2019:
    - (i) Daily limit of 2 salmon.
    - (ii) Release Chinook and chum.
  - (c) July 25 through August 31, 2019:
    - (i) Daily limit of 2 salmon; no more than one may be a Chinook salmon.
    - (ii) Release chum and wild Chinook.
  
- (6) Catch Record Card Area 11:
  - (a) Immediately through June 30, 2019: Closed.
  - (b) July 1, 2019 until further notice:
    - (i) Daily limit of 2 salmon of which one may be a hatchery Chinook.
    - (ii) Release wild Chinook.
    - (iii) Fishing for salmon from a vessel is prohibited Thursdays and Fridays of each week.

