



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: November 08, 2019

TIME: 5:08 PM

WSR 19-23-030

Agency: Department of Fish and Wildlife (Order 19-285)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 12, 2019

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 Marine Areas 10 and 13, Green (Duwamish) River, Kennedy Creek, and Minter Creek.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-313-06000M
 Amended: WAC 220-312-040; 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: This emergency rule closes all recreational salmon angling in the areas specified. In season indicators show extremely low chum returns to this point in the season. This conservation measure is necessary to ensure that hatchery broodstock and escapement goals are met. There is insufficient time to adopt permanent rules.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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 on the agency's own initiative:

New 2 Amended ____ Repealed 1

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	____

Date Adopted: November 8, 2019	Signature: 
Name: Amy Windrope for Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-313-06000N Puget Sound salmon—saltwater seasons and daily limits.

Notwithstanding the provisions of WAC 220-313-060:

1. **Catch Record Card Area 10:** Effective November 12 through November 15, 2019: Closed.
2. **Catch Record Card Area 13, waters EAST of a line from the southernmost point of Devil's Head (at the southern end of Key Peninsula) to the eastern boundary of Tolmie State Park :** release all chum.
3. **Marine Area 13 (South Puget Sound) waters WEST of a line from the southernmost point of Devil's Head (at the southern end of Key Peninsula) to the eastern boundary of Tolmie State Park:** Effective November 12, 2019 until further notice: Closed.

NEW SECTION

WAC 220-3112-04000D Freshwater exceptions to statewide rules—Puget Sound.

Notwithstanding the provisions of WAC 220-312-040, effective November 12, 2019 until further notice, the following areas are closed to salmon angling:

1. **Green (Duwamish) River (King Co.):** from an east-west line extending through the southernmost tip of Harbor Island to Tukwila International Blvd./Old Hwy. 99 to the Tacoma Municipal Watershed Boundary Marker (1 mile downstream of Tacoma Headworks Dam)
2. **Kennedy Creek (Thurston Co.):** from the mouth (500 yards east of the northbound Hwy. 101 Bridge) to the northbound Hwy. 101 Bridge
3. **Minter Creek (Pierce Co.):** from the mouth to boundary markers (approx. 50' downstream of the hatchery rack)

REPEALER

The following section of the Washington Administrative Code is repealed effective November 12, 2019:

WAC 220-313-06000M Puget Sound salmon—saltwater seasons and daily limits. (19-251)

