



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 14-148

- 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 fishing rules

Citation of existing rules affected by this order:

Repealed: WAC 232-28-62100B, 220-55-22000H, 232-28-62100C, 220-55-20000I
 Amended: WAC 232-28-621, WAC 220-55-220
 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 Department is in the process of adopting permanent rules necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

Date adopted: June 26, 2014

NAME (TYPE OR PRINT)

Philip Anderson

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 26, 2014

TIME: 3:04 PM

WSR 14-14-061

(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	_____
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The number of sections adopted in the agency's own initiative:

New	<u>2</u>	Amended	_____	Repealed	<u>4</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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

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

Notwithstanding the provisions of WAC 232-28-621, effective immediately 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:** From July 1 through August 31, 2014, the daily limit may include an additional 2 sockeye.
- (2) **Catch Record Card Area 6:** From July 1 through August 31, 2014, the daily limit may include an additional 2 sockeye.
- (3) **Catch Record Card Area 7:** From July 1 through August 31, 2014, the daily limit may include an additional 2 sockeye.
- (4) **Catch Record Card Area 8-2:** Closed immediately through July 31, 2014, except for the 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 only from Friday through 11:59 a.m. the following Monday of each week.
- (5) **Catch Record Card Area 9:**
 - (a) From July 16 through August 15, 2014: Daily limit of 2 salmon, of which no more than one Chinook may be retained. Release chum and wild Chinook.
 - (b) Beginning August 16, 2014: Daily limit of 2 salmon. Release Chinook and chum.
- (6) **Catch Record Card Area 10:**
 - (a) From July 16 through August 15, 2014: Daily limit of 2 salmon, of which no more than one Chinook may be retained. Release chum and wild Chinook.
 - (b) Beginning August 16: Daily limit of 2 salmon. Release Chinook and chum.
- (7) **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.

NEW SECTION

WAC 220-55-22000I Two-pole endorsement.

Notwithstanding the provisions of WAC 220-55-220, effective immediately until further notice, anglers in possession of a valid-two pole endorsement may use up to two lines while fishing for salmon in the following waters when open for salmon:

- (1) **Port Susan and Port Garner (Catch Record Card Area 8-2):** Tulalip Terminal Area.
- (2) **Seattle/Bremerton Area (Catch Record Card Area 10):** Waters within the Sinclair Inlet.
- (3) **South Puget Sound (Catch Record Card Area 13):** All waters within Catch Record Card Area 13.

REPEALERS

The following sections of the Washington Administrative Code are repealed:

WAC 232-28-62100B Puget Sound salmon—saltwater seasons and daily limits. (14-87)
WAC 220-55-22000H Two-pole endorsement. (14-87)

The following sections of the Washington Administrative Code are repealed effective September 1, 2014:

WAC 232-28-62100C Puget Sound salmon—saltwater seasons and daily limits.
WAC 220-55-22000I Two-pole endorsement.

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 , 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 Department is in the process of adopting permanent rules necessary to implement the personal use fishing plans agreed-to with resource co-managers at the North of Falcon proceedings. These emergency rules are necessary to comply with agreed-to management plans, and are interim until permanent rules take effect.

(14-148, 6/26/2014)

