



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 14-149

- 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Repealed: WAC 220-310-19000B and WAC 220-310-19000E
 Amended: WAC 220-310-190
 Suspended:

Statutory authority for adoption: RCW 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 that are 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: 3:09 PM

WSR 14-14-062

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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>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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 220-310-19000E Freshwater exceptions to statewide rules—Puget Sound.

Notwithstanding the provisions of WAC 220-310-190, effective immediately through August 31, 2014, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

1. Baker Lake (Whatcom Co.): Open for salmon July 10, 2014, until further notice.
 - (a) Daily limit 3; minimum length 18 inches.
 - (b) Each angler aboard a vessel may deploy salmon angling gear until the limit for all licensed and juvenile anglers aboard is reached.
 - (c) It is permissible to fish with two poles so long as the angler possesses a two-pole endorsement.

2. Nisqually River (Pierce Co.): Open July 1, 2014, until further notice, from the Military Tank Crossing.
 - (a) Vessel closure dates are rescinded.
 - (b) Closed August 11 through August 13, August 18 through August 20, and August 25 through August 27, 2014.
 - (c) Anti-snagging rule and night closure in effect; barbed hooks permitted.

3. Puyallup River (Pierce Co.):
 - (a) From the mouth to Freeman Road:
 - (i) August 16 until further notice: anti-snagging rule applies; night closure in effect; barbless hooks are required.
 - (ii) Trout is open when salmon angling is open: minimum length 14 inches.
 - (iii) Open for salmon August 16 through August 30: limit 6; no more than 2 adults may be retained; release wild adult Chinook.
 - (b) From Freeman Road to the mouth of White River:
 - (i) August 11 until further notice: Anti-snagging rule applies; night closure in effect; barbless hooks are required.
 - (ii) Trout is open when salmon angling is open: minimum length 14 inches.
 - (iii) Open for salmon August 11 through August 30: limit 6; no more than 2 adults may be retained; release wild adult Chinook.

4. Samish River (Skagit Co.): From the mouth to I-5 Bridge: Release wild coho.

5. Skagit River (Skagit/Whatcom counties):
 - (a) From the mouth to Memorial Highway Bridge (Highway 536 at Mt. Vernon):
 - (i) Immediately until further notice: trout is open; selective gear rules apply; hooks must measure $\frac{1}{2}$ inch or less from point to shank.
 - (b) From the Memorial Highway Bridge (Highway 536 at Mt. Vernon) to Gilligan Creek:
 - (i) June 30 until further notice: selective gear rules apply; hooks must measure $\frac{1}{2}$ inch or less from point to shank.
 - (ii) Immediately until further notice: Night closure.
 - (iii) Open for salmon immediately through June 29: Daily limit 2 sockeye only; minimum length 12 inches.
 - (c) From Gilligan Creek to Highway 530 Bridge at Rockport:
 - (i) Immediately until further notice: selective gear rules apply; hooks must measure $\frac{1}{2}$ inch or less from point to shank; night closure.
 - (d) From Highway 530 Bridge at Rockport to Cascade River Road:
 - (i) Immediately until further notice: Night closure.
 - (ii) July 16 until further notice: selective gear rules apply; hooks must measure $\frac{1}{2}$ inch or less from point to shank.

6. Skokomish River (Mason Co.):
 - (a) From the mouth to the Highway 106 Bridge:
 - (i) Open for game fish immediately through July 13: Catch and release only.
 - (ii) August 1 until further notice: anti-snagging rule applies; night closure in effect; it is unlawful to use anything other than single point, barbless hooks.
 - (iii) Open for salmon August 1 until further notice: limit 2; anglers must keep the first two fish caught if legal to do so; release chum and wild Chinook.
 - (b) From the Highway 106 Bridge to the Highway 101 Bridge:
 - (i) Open for game fish immediately through July 13: Catch and release only.
 - (ii) August 1 until further notice: anti-snagging rule applies; night closure in effect; it is unlawful to use anything other than single point, barbless hooks.
 - (iii) Open for salmon August 1 through August 21 on Fridays, Saturdays, and Sundays only: limit 2; anglers must keep the first two fish caught if legal to do so; release chum and wild Chinook.
 - (iv) Open for salmon August 22 until further notice: limit 2; anglers must keep the first two fish caught if legal to do so; release chum and wild Chinook.
 - (c) From Highway 101 Bridge to forks:
 - (i) Open for gamefish immediately until further notice: catch and release only; selective gear rules apply; fishing from a floating device equipped with an internal combustion motor is prohibited.

REPEALERS

The following section of the Washington Administrative Code is repealed:

WAC 220-310-19000B Freshwater exceptions to statewide rules—Puget Sound. (14-92)

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

WAC 220-310-19000E Freshwater exceptions to statewide rules—Puget Sound.

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.

(14-149, 6/26/2014)