



# 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 17-16**

- Immediately upon filing.
- Later (specify) January 23, 2017

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

- Yes
  - No
- If Yes, explain:

**Purpose:** Amends recreational salmon rules for Puget Sound

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

Repealed: WAC 232-28-62100R  
 Amended: WAC 232-28-621  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020 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:** Before the salmon fishing season started, Washington Department of Fish and Wildlife and tribal co-managers agreed to a limited number (2,597) of Chinook encounters - retaining or releasing fish - anglers are allowed in Marine Area 10. Preliminary estimates indicate that anglers have retained or released 2,390 Chinook and are expected to reach the limit for Chinook encounters by January 23, 2017. The fishery is being closed to control impacts on stocks of concern and ensure compliance with conservation objectives. There is insufficient time to adopt permanent rules.

**Date adopted:** January 20, 2017

**NAME (TYPE OR PRINT)**  
Joe Stohr for J W Unsworth

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: January 20, 2017**  
**TIME: 9:30 AM**

**WSR 17-04-012**

(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:**

<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	_____

## NEW SECTION

### **WAC 232-28-62100S Puget Sound salmon—saltwater seasons and daily limits.**

Notwithstanding the provisions of WAC 232-28-621, it is unlawful to violate the provisions below. Unless otherwise amended, all permanent rules remain in effect.

- (1) **Marine Areas 7:** Effective immediately until further notice:
  - (a) Daily limit of 2 salmon, no more than 1 Chinook. Release coho and wild Chinook.
  
- (2) **Marine Areas 8-1 and 8-2:** Effective immediately until further notice:
  - (a) Daily limit of 2 salmon, no more than 1 Chinook. Release coho and wild Chinook.
  
- (3) **Marine Area 9:** Effective immediately until further notice, except year-round piers:
  - (a) Closed.
  
- (4) **Marine Area 10:** Effective January 23, 2017 through February, 28, 2017, except year-round piers:
  - (a) Closed.

## REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-62100R Puget Sound salmon—saltwater seasons and daily limits. (17-05)