



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 17-21

- Immediately upon filing.
- Later (specify) February 11, 2017

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

- Yes
 - No
- If Yes, explain:

Purpose: Amend Puget Sound saltwater recreational fishing rules

Citation of existing rules affected by this order:

Repealed: WAC 232-28-62100N, WAC 232-28-62100S
 Amended: WAC 232-28-621
 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: Washington Department of Fish and Wildlife and tribal co-managers agreed to a limited number of chinook encounters that anglers are allowed in Marine Areas 6, 7, 8-1, 8-2, 9, and 10. This emergency rule is needed to modify these fisheries to stay within the agreed to number of encounters and increasing the possibility of providing season-long fisheries which will provide additional angling opportunity. State and tribal co-managers previously agreed to keep the area closed to wild and hatchery coho retention due to the low number of coho projected to return this year. The co-managers agree there are sufficient numbers hatchery coho in Area 13 to allow the retention of hatchery coho. There is insufficient time to adopt permanent rules.

Date adopted: February 8, 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: February 08, 2017
TIME: 4:34 PM

WSR 17-05-043

**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 232-28-62100T 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 Area 6:** Effective February 16, 2017, until further notice, daily limit of 2 salmon, no more than 1 Chinook. Release coho and wild Chinook.
- (2) **Marine Area 7:** Closed effective February 11, 2017.
- (3) **Marine Areas 8-1 and 8-2:** Effective immediately until further notice, daily limit of 2 salmon, no more than 1 Chinook. Release coho and wild Chinook.
- (4) **Marine Area 9 (excluding year-round piers):** Effective immediately until February 15, 2017, closed. Effective February 16, 2017, until further notice, daily limit of 2 salmon, no more than 1 Chinook. Release coho and wild Chinook.
- (5) **Marine Area 10 (excluding year-round piers):** Effective immediately through February, 28, 2017, closed.
- (6) **Marine Area 13:** Effective immediately until further notice, it is permissible to retain hatchery coho salmon as part of the daily limit.

REPEALERS

The following sections of the Washington Administrative Code are repealed effective February 11, 2017:

WAC 232-28-62100N Puget Sound salmon—saltwater seasons and daily limits. (16-296)

The following section of the Washington Administrative Code is repealed:

WAC 232-28-62100S Puget Sound salmon—saltwater seasons and daily limits. (17-16)