



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 17-86

- Immediately upon filing.
- Later (specify) May 1, 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 recreational fishing rules for Puget Sound

Citation of existing rules affected by this order:

Repealed: WAC 220-56-15600B, WAC 220-313-06000B
 Amended: WAC 220-300-220, WAC 220-310-210, WAC 220-313-020, 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.
- 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: April 28, 2017

NAME (TYPE OR PRINT)

J W Unsworth

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 28, 2017

TIME: 10:24 AM

WSR 17-10-047

(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>4</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 220-300-16000A Definitions-Personal-use fishing

Notwithstanding the provisions of WAC 220-300-160, effective July 1, 2017, until further notice “Shoreline Fishing” or “Shore Fishing” means fishing from shore or a structure affixed to the shore or by wading in the water.

NEW SECTION

WAC 220-300-22000A Geographical definitions-River mouth definition

Notwithstanding the provisions of WAC 220-300-220, effective July 1, 2017, until further notice Duwamish River mouth is an east-west line extending through the southernmost tip of Harbor Island.

NEW SECTION

WAC 220-310-21000A Possession and delivery of Canadian-origin food fish and shellfish

Notwithstanding the provisions of WAC 220-310-210, effective May 1, 2017, until further notice it is unlawful to possess in marine waters or deliver into Washington any fresh salmon taken for personal use from Canadian waters unless such salmon meet current salmon regulations for the waters of the applicable department of fish and wildlife catch record card area. However, if the vessel operator has a valid Canadian customs clearance number obtained once they are in Canadian waters fishers aboard the vessel may deliver Canadian-origin salmon into Washington that are lawfully taken in Canada, regardless of whether the salmon meet the current salmon regulations for the area where delivered.

NEW SECTION

WAC 220-313-02000A Closed areas-Saltwater salmon angling.

- (1) Notwithstanding the provisions of WAC 220-313-020, effective July 1 through July 31, 2017 Southern Rosario Strait and Eastern Strait of Juan de Fuca is closed to salmon angling.
- (2) Notwithstanding the provisions of WAC 220-313-020, effective July 1, 2017 until further notice those waters of Bellingham, Samish, and Padilla Bays, easterly of a line from Sandy Point to the northern most point of Lone Tree Island, thence easterly of a line from Lone Tree Island to the Northeast point of Sinclair Island, thence from the southeastern most point on Sinclair Island to Clark Point on Guemes Island, thence following the shoreline to Yellow Bluff on the southwest corner of Guemes Island, thence to Yellow Bluff Reef range marker, thence to the ferry terminal dock east of Shannon Point and north of the Burlington Railroad Bridges at the north end of Swinomish Slough are closed to salmon angling.

NEW SECTION

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

Notwithstanding the provisions of WAC 220-313-060, effective May 1, 2017, until further notice:

- (1) **Catch Record Card Area 5:** July 1 until further notice: hatchery coho can be kept as part of the daily salmon limit, no additional pink or sockeye salmon limit in addition to the daily limit.
- (2) **Catch Record Card Area 6:**
 - (a) July 1 until further notice: hatchery coho can be kept as part of the daily salmon limit, no additional pink salmon limit in addition to the daily limit.
 - (b) Dungeness Bay: July 16 until further notice: closed to salmon angling.
- (3) **Catch Record Card Area 7:**
 - (a) July 1 until further notice: no additional pink salmon limit in addition to the daily limit.
 - (b) Bellingham Bay and Southern Rosario Strait and Eastern Strait of Juan de Fuca are closed to salmon angling as described in WAC 220-313-020.
- (4) **Catch Record Card Area 8-2:** Tulalip Bay: Chinook and coho can be kept as part of the salmon daily limit, no additional pink salmon limit in addition to the daily limit.
- (5) **Catch Record Card Area 9:**
 - (a) July 1 through July 15: closed.
 - (b) July 16 until further notice: no additional pink salmon limit in addition to the daily limit, hatchery coho can be kept as part of the daily salmon limit, 2 hatchery Chinook may be kept as part of the daily limit.
 - (c) South of a line from Foulweather Bluff to Olele Point: closed to salmon angling July 15 until further notice except it is permissible to fish from shore with
 - (d) daily limit of 2 salmon, release Chinook, wild coho and chum, no additional pink salmon limit in addition to the daily limit, closed to salmon angling east of a line from the eastern boundary of Salsbury Point Park extending north to a line with the intersection of NE Cliffside Road and Hood Canal Drive NE.
 - (e) Edmonds Fishing Pier is open year-round, coho may be kept as part of the daily salmon limit, no additional pink salmon limit in addition to the daily limit.
- (6) **Catch Record Card Area 10:**
 - (a) June 1 through June 30: closed to salmon angling.
 - (b) July 1 through July 15: no additional pink salmon limit in addition to the daily limit, hatchery coho can be kept as part of the daily salmon limit.
 - (c) July 16 until further notice: no additional pink salmon limit in addition to the daily limit, hatchery coho can be kept as part of the daily salmon limit, 2 hatchery Chinook may be kept as part of the daily limit.
 - (d) Sinclair Inlet: July 1 until further notice: no additional pink salmon limit in addition to the daily limit, it is permissible to fish for salmon in free-flowing freshwaters downstream of Chico Creek mouth.

(e) Duwamish Waterway downstream from an east-west line through the southernmost tip of Harbor Island to a line extending from Jack Block Park through the northernmost tip of Harbor Island extending to shore northeast of the North Waterway (47°35.47'N, 122°20.58'W), from July 1 until further notice, night closure, anti-snagging rule, and only fish hooked inside the mouth may be retained.

(f) Elliott Bay Fishing Pier at Terminal 86, Seacrest Pier, Waterman Pier, Bremerton Boardwalk and Illahee State Park Pier is open year-round, coho can be kept as part of the daily salmon limit, no additional pink salmon limit in addition to the daily limit.

(7) Catch Record Card Area 11:

(a) June 1 until further notice: coho can be kept as part of the daily limit, no additional pink salmon limit in addition to the daily limit.

(b) Dash Point Dock, Les Davis Pier, Des Moines Pier, Redondo Pier and Point Defiance Boathouse Dock is open year-round, coho can be kept as part of the daily salmon limit, no additional pink salmon limit in addition to the daily limit.

(8) Catch Record Card Area 12 (north of Ayock Point): July 1 through July 31: closed to salmon angling.

(9) Catch Record Card Area 12 (south of Ayock Point): July 1 until further notice: no more than 2 hatchery Chinook may be kept as part of the daily limit, it is unlawful to fish from any Hoodspout Salmon Hatchery structure except persons with disabilities who permanently use a wheelchair and who have a designated harvester card under WAC 220-220-240 may fish from the ADA-access site at the Hoodspout Salmon Hatchery as long as persons follow all applicable department rules.

(10) Catch Record Card Area 13:

(a) May 1 until further notice: hatchery coho can be kept as part of the daily limit.

(b) July 1 until further notice: no additional pink salmon limit in addition to the daily limit.

(c) Fox Island Public Fishing Pier is open year-round, coho can be kept as part of the daily salmon limit, no additional pink salmon limit in addition to the daily limit.

REPEALERS

The following sections of the Washington Administrative Code are repealed effective May 1, 2017:

WAC 220-56-15600B Possession and delivery of Canadian-origin food fish and shellfish. (17-41)

WAC 220-313-06000B Puget Sound recreational salmon. (17-79)

