



# 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 17-178**

- Immediately upon filing.
- Later (specify) July 29, 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 salmon fishing rules in Puget Sound.

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

Repealed: WAC 220-313-06000E  
 Amended: 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: Preliminary catch estimates indicate that sufficient hatchery Chinook are available to increase harvest opportunities. The change to the Chinook fishery in Marine Area 10 is consistent with conservation objectives and agreed-to management plans. This emergency rule is necessary to modify the fishery to control impacts on stocks of concern. There is insufficient time to adopt permanent rules.

**Date adopted:** July 27, 2017

**NAME (TYPE OR PRINT)**  
James B Scott for J W Unsworth

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** July 27, 2017

**TIME:** 11:13 AM

**WSR 17-16-087**

**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 220-313-06000F Puget Sound salmon-saltwater seasons and daily limits.**

Notwithstanding the provisions of WAC 220-313-060, effective July 29 until further notice:

**(1) Catch Record Card Area 5:**

- (a) Immediately through August 15: 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) Immediately through August 15: 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: immediately until further notice: closed to salmon angling.

**(3) Catch Record Card Area 7:**

- (a) Effective July 22 through July 31: no more than one hatchery Chinook can be kept as part of the daily limit.
- (b) No additional pink salmon limit in addition to the daily limit.
- (c) 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:**

- (a) 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.
- (b) August 1 until further notice: it is permissible to fish from shore in waters on Whidbey Island from Possession Point (Catch Record Card Area 8-2 and 9 border) north to the northern boundary of Possession Point Waterfront Park: daily limit of 2 hatchery coho.

**(5) Catch Record Card Area 9:**

- (a) Immediately through August 15: no additional pink salmon limit in addition to the daily limit, hatchery coho can be kept as part of the daily salmon limit, no more than one hatchery Chinook may be kept as part of the daily limit.
- (b) Closed to salmon angling August 16 until further notice except it is permissible to fish from shore: no additional pink salmon limit in addition to the daily limit, hatchery coho can be kept as part of the daily salmon limit.
- (c) South of a line from Foulweather Bluff to Olele Point: closed to salmon angling immediately until further notice except it is permissible to fish from shore with a 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.
- (d) 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) July 29 through August 15: daily limit 2; release chum, wild coho, and wild Chinook. No additional pink salmon limit in addition to the daily limit.
- (b) Sinclair Inlet: no additional pink salmon limit in addition to the daily limit.
- (c) It is permissible to fish for salmon in free-flowing freshwaters downstream of Chico Creek mouth.
- (d) 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.
- (e) August 11 through August 13: those waters of Elliott Bay east of a line from Pier 91 to Duwamish Head: daily limit of 2 salmon, release chum and wild coho.
- (f) August 18 through August 20 and August 25 through August 27: those waters of Elliott Bay east of a line from West Point to Alki Point to a line from Jack Block Park through the northernmost tip of Harbor Island extending to shore northeast of the North Waterway: daily limit of 2 salmon, release chum, Chinook and wild coho.
- (g) 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) 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):**

- (a) Immediately through July 31: closed to salmon angling.
- (b) August 1 through August 15: bait and two-single point barbless hooks measuring one-half inch or less from point to shank may be used.

**(9) Catch Record Card Area 12 (south of Ayock Point):**

- (a) 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.
- (b) Daily limit 4 salmon. Release chum and wild Chinook.

**(10) Catch Record Card Area 13:**

- (a) Hatchery coho can be kept as part of the daily limit, no additional pink salmon limit in addition to the daily limit.
- (b) 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.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective July 29, 2017:

WAC 220-313-06000E Puget Sound salmon—Saltwater seasons and daily limits. (17- 172)

**Reasons for this finding:** Preliminary catch estimates indicate that sufficient hatchery Chinook are available to increase harvest opportunities. The change to the Chinook fishery in Marine Area 10 is in compliance with conservation objectives and agreed-to management plans. This emergency rule is necessary to modify the fishery to control impacts on stocks of concern. There is insufficient time to adopt permanent rules.  
**(17-178, 7/25/2017)**