



# RULE-MAKING ORDER EMERGENCY RULE ONLY

## CR-103E (August 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: August 21, 2017

TIME: 4:45 PM

WSR 17-17-122

**Agency:** Washington Department of Fish and Wildlife (17-209)

**Effective date of rule:**

**Emergency Rules**

- 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:** Amends rules for Puget Sound recreational salmon fishery

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

New:  
Repealed: WAC 220-313-06000H  
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.

**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. This emergency rule is interim until permanent rules take effect.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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 on 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	Amended	___	Repealed	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:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

**Date adopted:** August 21, 2017

**Name:** J W Unsworth

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-313-06000I Puget Sound salmon-saltwater seasons and daily limits.**

Notwithstanding the provisions of WAC 220-313-060, effective immediately until further notice, the following rules apply:

- (1) **Catch Record Card Area 5:** Daily limit of 2 salmon. Release chum, Chinook, and wild coho. No additional pink or sockeye salmon limit in addition to the daily limit.
- (2) **Catch Record Card Area 7:** Excluding Bellingham Bay: Release coho. No additional pink salmon limit in addition to the daily limit.
- (3) **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) 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. No additional pink salmon limit in addition to the daily limit.
- (4) **Catch Record Card Area 9:**
  - (a) Closed to salmon angling except it is permissible to fish from shore in Area 9 and waters south of a line from Foulweather Bluff to Olele Point: Daily limit of 2 salmon. Release chum, Chinook, and wild coho. No additional pink salmon limit in addition to the daily limit.
  - (b) Closed to salmon angling east of a line from Teekalet Bluff extending north to a line with the intersection of NE Cliffside Road and Hood Canal Drive NE.
  - (c) Edmonds Fishing Pier is open year-round: Daily limit of 2 salmon. No more than one may be a Chinook. Coho may be kept as part of the daily salmon limit. No additional pink salmon limit in addition to the daily limit.
- (5) **Catch Record Card Area 10:**
  - (a) Area 10 and Sinclair Inlet: No additional pink salmon limit in addition to the daily limit.
  - (b) It is permissible to fish for salmon in free-flowing freshwaters downstream of Chico Creek mouth.
  - (c) 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): Night closure, anti-snagging rule and only fish hooked inside the mouth may be retained.
  - (d) 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. Bait is permitted and single-point hooks larger than one-half inch from the point to the shank may be used.

(e) Elliott Bay Fishing Pier at Terminal 86, Seacrest Pier, Waterman Pier, Bremerton Boardwalk and Illahee State Park Pier is open year-round: Daily limit of 2 salmon. No more than one may be a Chinook. 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 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: Daily limit of 2 salmon. No more than one may be a Chinook. Coho may 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 12 (south of Ayock Point):** It is unlawful to fish from any Hoodsport 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 Hoodsport Salmon Hatchery as long as persons follow all applicable department rules.

**(8) 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: Daily limit of 2 salmon. No more than one may be a Chinook. Coho may 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:

WAC 220-313-06000H Puget Sound salmon—Saltwater seasons and daily limits. (17- 185)