



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 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 24, 2018

TIME: 2:42 PM

WSR 18-18-018

Agency: Department of Fish and Wildlife (Order 18-212)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 26, 2018

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 Puget Sound salmon rules.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-313-06000T
 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: This emergency rule is needed to restrict the retention of Chinook salmon in Marine Area 11 because preliminary estimates indicate that anglers have harvested over 95 percent of the summer quota through August 23, 2018. There is insufficient time to adopt permanent rules.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New 1 Amended ____ Repealed 1

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

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 24, 2018

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-313-06000U Puget Sound salmon—Saltwater seasons and daily limits.

Notwithstanding the provisions of WAC 220-313-060, the following rules apply effective August 26, 2018:

- (1) Marine Area 5
 - (a) Open through September 30. Daily limit of 2 salmon. Release chum, Chinook and wild coho. 2 Additional sockeye salmon may be retained as part of the daily limit.
- (2) Marine Area 6
 - (a) Open through September 30, 2018: Daily limit of 2 salmon. Release chum, Chinook and wild coho. 2 Additional sockeye salmon may be retained as part of the daily limit.
- (3) Marine Area 7
 - (a) Open through September 3, 2018: Daily limit of 2 salmon; no more than one may be a Chinook salmon. Release chum. 2 Additional sockeye salmon may be retained as part of the daily limit. Closed to salmon fishing in the Southern Rosario Strait and Eastern Strait of Juan de Fuca closure area described in WAC 220-313-020(7).
 - (b) Open September 4 through September 30, 2018:
 - (i) Daily limit of 2 salmon.
 - (ii) Release chum and Chinook.
 - (c) Closed to salmon fishing in Samish Bay area described in WAC 220-313-020(7).
 - (d) Waters of Bellingham Bay described in WAC 220-313-020(1): Open through September 30, 2018: Daily limit of 4 salmon; no more than 2 may be Chinook salmon.
- (4) Marine Area 8-1
 - (a) Open through September 30, 2018: Daily limit 2 salmon. Release Chinook.
- (5) Marine Area 8-2
 - (a) Open through September 23, 2018: Daily limit of 2 salmon. Release Chinook.
- (6) Marine Area 9
 - (a) Open through September 30, 2018: Daily limit of 2 salmon. Release Chinook, chum and wild coho.
 - (b) Edmonds Fishing Pier: Open year-round. Daily limit of 2 salmon; No more than one may be a Chinook salmon. Release chum from through September 30, 2018.
- (7) Marine Area 10
 - (a) Open through August 31, 2018: Daily limit of 2 salmon. Release chum and Chinook.
 - (b) Open September 1, 2018, until further notice: Daily limit of 2 salmon. Release Chinook. Release chum September 1 through September 15, 2018.

- (c) Waters of Elliott Bay east of a line from West Point to Alki Point: Closed through August 31, except: In years ending in odd numbers: Those waters north of a line from Jack Block Park through the north tip of Harbor Island to shore northeast of the North Waterway (47°35.47'N, 122°20.58'W), open through August 31, 2018 from Friday through Sunday of each week only. Daily limit of 2. Release Chinook, chum and wild coho.
 - (d) Waters of Sinclair Inlet and Port Orchard south of the Manette Bridge in Bremerton, south of a line true west from Battle Point, and west of a line drawn true south from Point White: Open through September 30, 2018. Daily limit of 3 salmon. Release wild Chinook and wild coho. Release chum through September 15, 2018.
- (8) Marine Area 11
- (a) Open through September 30, 2018: Daily limit 2 salmon. Release Chinook.
 - (b) Dash Point Dock, Les Davis Pier, Des Moines Pier, Redondo Pier, and Point Defiance Boathouse Dock, open year-round: Daily limit of 2 salmon; no more than one may be a Chinook salmon.
- (9) Marine Area 12
- (a) Open through September 30, 2018, in waters south of Ayock Point except waters listed in this subsection: Daily limit of 4 salmon. Release chum and wild Chinook.
 - (b) Waters within a 2,000-foot arc seaward of yellow buoys at the mouth of Finch Creek at Hoodspout Salmon Hatchery: Daily limit of 4 salmon. Release chum and wild Chinook. It is unlawful to fish for or possess salmon taken from these waters from one hour after sunset to one hour before sunrise. 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.
 - (c) Waters north of a true east line from the mouth of Turner Creek to the Toandos Peninsula and south of a line true east of Broad Spit, open through August 31, 2018: Daily limit 4, no min. size. Release all salmon other than coho.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 26, 2018:

WAC 220-313-06000T Puget Sound salmon—Saltwater seasons and daily limits. (18-203)