



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: July 28, 2020

TIME: 2:56 PM

WSR 20-16-060

Agency: Department of Fish and Wildlife (Order 20-136)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) July 31, 2020

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

- Yes No If Yes, explain:

Purpose: The purpose of this rule is to close recreational Chinook harvest in Marine Area 5, beginning July 31, 2020.

Citation of rules affected by this order:

New:
Repealed: WAC 220-313-06000S; WAC 220-313-06000T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 close retention of Chinook in Marine Area 5 as Chinook encounters are expected to reach the pre-season agreed to threshold of 7,032 by the end of the day July 30, 2020. Current encounter estimates, as of July 26, 2020, are at 6,662 fish (95 percent of threshold). Hatchery coho retention will remain open.

This rule also repeals emergency rules for Puget Sound recreational salmon fishing that were filed under WSR 20-14-031 as interim rules until such time as they became permanent. These rules became permanent July 26, 2020 under WSR 20-14-052.

Immediate adoption of this rule is necessary for the preservation of the public health, safety, or general welfare. Observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

There is insufficient time to file 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	___
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The number of sections adopted on the agency's own initiative:


New	1	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	___

Date Adopted: July 28, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective July 31 through August 15, 2020, the following provisions of WAC 220-313-060 regarding salmon seasons for Marine Area 5 shall be modified as described below. All other provisions of WAC 220-313-060 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Catch Record Card Area 5: Daily limit 2. Release Chinook, chum, and wild coho.

REPEALERS

The following section of the Washington Administrative Code is repealed effective July 31, 2020:

WAC 220-313-06000S Puget Sound salmon—saltwater seasons and daily limits. (20-115)

The following section of the Washington Administrative Code is repealed effective August 16, 2020:

WAC 220-313-06000T Puget Sound salmon—saltwater seasons and daily limits. (20-136)