



**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 06, 2020

TIME: 9:28 AM

WSR 20-17-008

Agency: Department of Fish and Wildlife (Order 20-153)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 7, 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 open additional Puget Sound recreational salmon harvest opportunities in Marine Areas 9, 10, and 11 by increasing the Chinook daily limit to 2 fish in all of these areas and opening the East Elliott Bay Fishery for an additional 4 days.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-313-06000U
- 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 increase the Chinook daily limit in Catch Record Card Areas 9, 10, and 11. Sufficient recreational harvest quota remains available to allow for an increased daily limit of Chinook in these areas; respectively, as of August 2, 2020, WDFW estimates that 63 percent of harvest quota of 6,542 fish remains in Catch Area 9, 90 percent of 4,159 fish in Catch Area 10, and 81 percent of 4,196 fish in Catch Area 11. Current projections indicate these fisheries will remain within allowed ESA impacts, as well.

Immediate adoption of this rule is necessary for the preservation of public health safety, or general welfare. Observing the 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 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 6, 2020

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective August 7 through September 30, 2020, the following provisions of WAC 220-313-060 regarding salmon seasons for Marine Areas 9, 10, and 11 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:

- (1) **Catch Record Card Area 9:** Effective August 7 through August 15, 2020: Salmon; Chinook minimum size 22 inches. Other salmon species no minimum size. Daily limit 2. Release wild Chinook, chum, and wild coho.
- (2) **Catch Record Card Area 10:**
 - (a) Entire Area except East Elliot Bay Fishery: Effective August 7 through August 31, 2020: Salmon; Chinook minimum size 22 inches. Other salmon species no minimum size. Daily limit 2. Release wild Chinook and chum.
 - (b) East Elliot Bay Fishery, waters of Elliott Bay east of a line from Duwamish Head to Pier 91 up to the mouth of the Duwamish River (an east-west line through the southernmost tip of Harbor Island): Effective 12:00 p.m. (noon) August 14 through August 17, 2020: Salmon; Chinook minimum size 22 inches. Other salmon species no minimum size. Daily limit 2. Release chum.
- (3) **Catch Record Card Area 11:** Effective August 7 through September 30, 2020: Salmon; Chinook minimum size 22 inches. Other salmon species no minimum size. Daily limit 2. Release wild Chinook.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 1, 2020:

WAC 220-313-06000U Puget Sound salmon—saltwater seasons and daily limits. (20-153)