



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 13, 2020

TIME: 12:13 PM

WSR 20-17-078

Agency: Department of Fish and Wildlife (Order 20-159)

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: The purpose of this emergency rule is a matter of housekeeping. WSR 20-17-008 unintentionally opened salmon fishing in the waters Catch Record Card Area 9 south of a line from Foulweather Bluff to Olele Point. This rule is needed to close those waters.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-313-06000U; WAC 220-313-06000W
 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 a matter of housekeeping. The previous filing of this emergency rule WSR 20-17-008, unintentionally opened a portion of Catch Record Card Area 9 that was intended to be closed to salmon fishing per the North of Falcon List of Agreed to Fisheries, through August 15, 2020. It is needed to clarify the portion of Area 9 that is intended to be open as those waters of Area 9 north of a line from Foulweather Bluff to Olele Point and that waters of Marine Area 9 south of said line are to remain closed by permanent rule.

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 2

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 13, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective immediately 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:** Waters of Area 9 north of a line from Foulwether Bluff to Olele Point: Effective immediately 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 immediately 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 August 14 through 12:00 p.m. (noon) 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 immediately through September 30, 2020: Salmon; Chinook minimum size 22 inches. Other salmon species no minimum size. Daily limit 2. Release wild Chinook.

REPEALERS

The following section of the Washington Administrative Code is repealed effective immediately:

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

The following section of the Washington Administrative Code is repealed effective October 1, 2020:

WAC 220-313-06000W Puget Sound salmon—saltwater seasons and daily limits. (20-159)