



**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: October 29, 2020

TIME: 11:00 AM

WSR 20-22-049

Agency: Department of Fish and Wildlife (Order 20-239)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 30, 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 salmon fishing in channels created by exposed tidelands at the mouths of Chico Creek and Gorst Creek.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-313-06000X
- 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: Fishing in the tidal channels downstream of the mouths of Gorst and Chico creeks can lead to disorderly fishery activity such as illegal snagging, particularly during times of adult salmon returns to the streams. Fishing opportunity for returning adult salmon remains open in the marine waters adjacent to the creek mouths and tidal channels. Closure of these tidal channel areas is consistent with the Department's mandate to promote orderly fisheries (RCW 77.04.012). 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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: October 29, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective October 30, 2020 through November 15, 2020, the following provisions of WAC 220-313-060 regarding salmon seasons for Marine Area 10 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 10:

Free-flowing freshwaters are closed downstream of the mouths of Chico Creek (Kitsap County) and Gorst Creek (Kitsap County).

REPEALERS

The following section of the Washington Administrative Code is repealed effective November 16, 2020:

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