



**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 15, 2021

TIME: 4:26 PM

WSR 21-15-066

Agency: Department of Fish and Wildlife (Order 21-119)

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 to modify recreational fishing seasons and rules for Puget Sound Marine Areas and coastal and Puget Sound freshwater areas to conform with those agreed to with co-managers during the 2021/2022 North of Falcon proceedings.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-313-06000C
 Amended: WAC 220-313-060; WAC 220-312-020; WAC 220-312-040
 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 necessary to modify salmon seasons in Marine Areas 10, 12 and 13, as well as gamefish and salmon seasons in the coastal and Puget Sound freshwater areas listed in this emergency rule, to conform with seasons and rules agreed to with co-managers during the 2021 North of Falcon season setting process. 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| Federal statute: | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards: | New | ___ | Amended | ___ | Repealed | ___ |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 3 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: July 15, 2021

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective immediately through July 31, 2021, the following provisions of WAC 220-313-060 regarding salmon seasons for the areas and during the times listed below in Marine Areas 10, 12, and 13 shall be modified as described herein. 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:**
 - (a) East Elliot Bay: Waters of Elliott Bay between a line from Duwamish Head to Pier 91 up to the mouth of the Duwamish River including Harbor Island (Duwamish Waterways):
Salmon: Immediately through July 31: Closed.
 - (b) 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:
 - (i) Daily limit 3.
 - (ii) Release chum and wild Chinook.
 - (c) Free-flowing freshwaters downstream of the mouth at Gorst Creek, Blackjack Creek, Chico Creek, Curley Creek, and Grovers Creek, effective immediately through July 31: Closed.
- (3) **Catch Record Card Area 12:** Waters north of Ayock Point except waters north of a true east line from the mouth of Turner Creek to the Toandos Peninsula: Salmon: Open immediately through July 31:
 - (a) Daily limit 4.
 - (b) Release chum and Chinook.
- (4) **Catch Record Card Area 13, including the Fox Island Fishing Pier:** Salmon: Open immediately through July 31, 2021:
 - (a) Daily limit 2, except no more than 1 Chinook may be retained when angling from the Fox Island Fishing Pier.
 - (b) Chinook minimum length 20 inches.
 - (c) Release chum and wild Chinook, except wild Chinook may be retained when angling from the Fox Island Fishing Pier.

NEW SECTION

WAC 220-312-02000M Freshwater exceptions to statewide rules—Coast.

Effective immediately through July 31, 2021, provisions of WAC 220-312-020 regarding gamefish and salmon seasons for Bear Creek (Bogachiel tributary), Bear Creek (Sol Duc tributary), Beaver Creek (Sol Duc tributary), Thunder Creek, Bogachiel, Clawah (including North and South forks), Dickey (including East and West forks), Quillayute, Sitkum and Sol Duc

rivers shall be modified as described below. All other provisions of WAC 220-312-020 not addressed herein, or unless otherwise amended by emergency rule remain in effect:

- (1) **Bear Creek (Clallam Co.) (Bogachiel River tributary):** It is unlawful to use anything other than one single-point barbless hook.
- (2) **Bear Creek (Clallam Co.) (Sol Duc River tributary):** It is unlawful to use anything other than one single-point barbless hook.
- (3) **Beaver Creek (Clallam Co.) (Sol Duc River tributary):** It is unlawful to use anything other than one single-point barbless hook.
- (4) **Bogachiel River (Clallam Co.):**
 - (a) It is unlawful to use anything other than one single-point barbless hook.
 - (b) From the mouth to the Highway 101 Bridge: Salmon:
 - (i) Daily limit 4; up to 2 adults may be retained.
 - (ii) Release wild adult Chinook and wild adult coho.
- (5) **Calawah River (Clallam Co.):**
 - (a) It is unlawful to use anything other than one single-point barbless hook.
 - (b) From the mouth to the Highway 101 Bridge: Salmon:
 - (i) Daily limit 4; up to 2 adults may be retained.
 - (ii) Release wild adult Chinook and wild adult coho.
- (6) **Calawah River, North Fork (Clallam Co.):** It is unlawful to use anything other than one single-point barbless hook.
- (7) **Calawah River, South Fork (Clallam Co.):** It is unlawful to use anything other than one single-point barbless hook.
- (8) **Dickey River, including East and West forks (Clallam Co.):**
 - (a) It is unlawful to use anything other than one single-point barbless hook.
 - (b) From the Olympic National Park boundary upstream to the confluence of East and West forks: Salmon:
 - (i) Daily limit 4; up to 2 adults may be retained.
 - (ii) Release wild adult Chinook and wild adult coho.
- (9) **Quillayute River (Clallam County), outside of Olympic National Park:**
 - (a) It is unlawful to use anything other than one single-point barbless hook.
 - (b) Salmon:
 - (i) Daily limit 4; up to 2 adults may be retained.
 - (ii) Release wild adult Chinook and wild adult coho.

- (10) **Sitkum River (Clallam Co.):** It is unlawful to use anything other than one single-point barbless hook.
- (11) **Sol Duc River (Clallam Co.):**
 - (a) It is unlawful to use anything other than one single-point barbless hook.
 - (b) From the mouth to the concrete pump station at the Sol Duc Hatchery: Salmon:
 - (i) Daily limit 4; up to 2 adults may be retained.
 - (ii) Release wild adult Chinook and wild adult coho.
- (11) **Thunder Creek (Clallam Co.) (Tributary to East Fork Dickey River):** It is unlawful to use anything other than one single-point barbless hook.

NEW SECTION

WAC 220-312-04000H Freshwater exceptions to statewide rules—Puget Sound.

Effective immediately through July 31, 2021, provisions of WAC 220-312-040 regarding gamefish and salmon seasons for Clarks Creek, Chambers Creek, Green (Duwamish) River, Minter Creek and Voight Creek shall be modified as described below. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended by emergency rule remain in effect:

- (1) **Chambers Creek (Pierce Co.), from the mouth to the markers 400 feet below the Boise-Cascade Dam:** Salmon:
 - (a) Daily limit 6; up to 4 may be adults.
 - (b) Release chum, wild Chinook and wild coho.
- (2) **Clarks Creek (Pierce Co.):** Closed waters.
- (3) **Green (Duwamish) River (King Co.):** From 150 feet upstream and 150 downstream from a point directly across the river from the mouth of Keta Creek (Crisp) including both banks of the river: Closed waters.
- (4) **Minter Creek (Kitsap Co.):** Gamefish: Closed.
- (5) **Voight Creek (Pierce Co.), from the mouth to the Highway 162 Bridge:** Closed waters.

REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:
 WAC 220-313-06000C Puget Sound salmon—saltwater seasons and daily limits. (21-98)