



**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 23, 2021

TIME: 4:55 PM

WSR 21-18-033

Agency: Department of Fish and Wildlife (Order 21-162)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 25, 2021

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 close Chinook retention in Marine Area 11.

Citation of rules affected by this order:

- New:
- Repealed:
- 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 necessary to close Chinook retention in Marine Area 11, except currently open year-round piers. The current estimate of Chinook harvest is 3,181 of the total harvest quota of 3,084 (103%) agreed to in this year's List of Agreed Fisheries (LOAF). Because the harvest quota has been reached, WDFW is suspending Chinook retention. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____

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 23, 2021
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Effective August 25 through September 30, 2021, the following provisions of WAC 220-313-060 regarding Chinook salmon retention in Marine Area 11, except for Des Moines Pier, Les Davis Pier, Point Defiance Boathouse Dock, and Redondo Pier, shall be 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 11: Salmon: Release all Chinook.