



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 21, 2022

TIME: 9:15 AM

WSR 22-16-007

Agency: Department of Fish and Wildlife (Order 22-145)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 24, 2022

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 return salmon seasons in Catch Record Card Area 5 to open seven days per week and restrict the number of days per week that salmon fishing is open in a portion of Catch Record Card Area 6.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-313-06000A
 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: The Marine Areas 5 Chinook fishery was changed to open on even numbered days only on July 5. Since that time the fishery has reached 40% of the total legal encounters limit (7,342) agreed to in this year's List of Agreed Fisheries (LOAF). Catch has slowed in MA-5 after high catch during the opening weekend, allowing for more days to be open. The MA-5 Chinook Fishery is scheduled to switch to non-retention beginning August 15.

Catch rates have been high to date in Marine Area 6, and anglers have reached 65% of the legal encounters quota (9,400) for the season. A reduction in days was recommended by Puget Sound Recreational Fishery Advisors and representatives of the MA-6 community to extend the season.

This rule also maintains salmon rules previously established for Catch Record Card Areas 7, 9, 10, 11 and 12.

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	<u>1</u>
-----	---	---------	-----	----------	----------

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 21, 2022

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective July 24 through July 31, 2022 for Catch Record Card Areas 5, 7, 9, 10, 11, and 12; and effective July 24 through August 15, 2022 for Catch Record Card Area 6, the following provisions of WAC 220-313-060 regarding salmon seasons for the Puget Sound Catch Record Card Areas 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 5:**
 - (a) Daily limit 2; up to 1 may be a Chinook.
 - (b) Release chum, wild Chinook and wild coho.

- (2) **Catch Record Card Area 6: July 24 through August 15, 2022:**
 - (a) Open Wednesdays through Saturdays only;
 - (b) Daily limit 2; up to 1 may be a Chinook.
 - (c) Release chum, wild Chinook and wild coho.
 - (d) Waters east of a true north-south line through the Number 2 Buoy immediately east of Ediz Hook: Release all Chinook.
 - (e) Waters of Port Angeles Harbor west of a line from the tip of Ediz Hook to the ITT Rayonier Dock: Closed.
 - (f) Waters of Dungeness Bay inside a line from Dungeness Spit Lighthouse to the Number 2 Red Buoy, and then to the Port Williams Boat Ramp: Closed.

- (3) **Catch Record Card Area 7:**
 - (a) July 21 through July 23:
 - (i) Daily limit 2; up to 1 may be a Chinook.
 - (ii) Release chum, wild Chinook and wild coho.
 - (b) July 24 through July 31: Closed.
 - (c) Waters of Rosario Strait and Eastern Strait of Juan de Fuca closure area described in WAC 220-313-020(7): Closed.
 - (d) Waters of Bellingham Bay described in WAC 220-313-020(1): Closed.

- (4) **Catch Record Card Area 9:**
 - (a) Immediately, through July 27: Open Thursdays through Saturdays of each week only:
 - (i) Daily limit 2; up to 1 may be a Chinook.
 - (ii) Release chum, wild Chinook and wild coho.
 - (b) July 28 through July 31:
 - (i) Daily limit 2; up to 1 may be a Chinook.
 - (ii) Release chum, wild Chinook and wild coho.
 - (c) Waters south of a line from Foulweather Bluff to Olele Point: Closed.

(5) **Catch Record Card Area 10:**

- (a) Immediately, through July 31:
 - (i) Daily limit 2; up to 1 may be a Chinook.
 - (ii) Release chum and wild Chinook.
- (b) Waters of Shilshole Bay southeast of a line from Meadow Point to West Point: Closed.
- (c) West Elliott Bay: Waters of Elliott Bay between a line from West Point to Alki Point and a line from Duwamish Head to Pier 91. Closed.
- (d) 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: Closed.
- (e) 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.
- (f) Free-flowing freshwaters downstream of the mouth at Gorst Creek, Blackjack Creek, Chico Creek, Curley Creek, and Grovers Creek: Closed.
- (g) Elliott Bay Fishing Pier at Terminal 86, Seacrest Pier, Waterman Pier, Bremerton Boardwalk, and Illahee State Park Pier, open year-round:
 - (i) Daily limit 2; up to 1 may be a Chinook.
 - (ii) Release chum.
- (h) Duwamish Waterway downstream from an east-west line projected through southernmost tip of Harbor Island to a line extending from Jack Block Park through the northernmost tip of Harbor Island extending to shore northeast of the North Waterway (47°35.47'N, 122°20.58'W):
 - (i) Night closure and Anti-snagging rule in effect
 - (ii) Only fish hooked inside the mouth may be retained.
- (i) Free-flowing freshwaters downstream of the mouth at Gorst Creek, Blackjack Creek, Chico Creek, Curley Creek, Grovers Creek: Closed.

(6) **Catch Record Card Area 11:**

- (a) Closed, except as listed in subsection (6)(b).
- (b) Dash Point Dock, Les Davis Pier, Des Moines Pier, Redondo Pier, and Point Defiance Boathouse Dock:
 - (i) Daily limit 2; up to 1 may be a Chinook.
 - (ii) Release chum.

(7) **Catch Record Card Area 12:**

- (a) Waters south of Ayock Point including waters within a 2,000-foot arc seaward of yellow buoys at the mouth of Finch Creek at Hoodspout Salmon Hatchery:
 - (i) Daily limit 4.
 - (ii) Release chum and wild Chinook.

- (iii) Within a 2,000-foot arc seaward of yellow buoys at the mouth of Finch Creek at Hoodspout Salmon Hatchery: It is unlawful to fish for or possess salmon taken from these waters from one hour after sunset to one hour before sunrise.
 - (iv) Those waters of Hood Canal inshore of the 2 yellow buoy markers to the mouth of Finch Creek, waters within the channel created by Finch Creek on exposed tideland and fishing from any Hoodspout Hatchery structure are closed except to persons with disabilities who permanently use a wheelchair and who have a designated harvester card may fish from the ADA-access site at the Hoodspout Salmon Hatchery, as long as persons follow all applicable department rules.
- (b) Waters north of Ayock Point: Closed
- (c) Free-flowing freshwater is closed to all fishing downstream of the mouth of the Dewatto, Dosewallips, Duckabush, Hamma Hamma, and Skokomish rivers.

REPEALER

The following section of Washington Administrative Code is repealed, effective July 24, 2022:
WAC 220-313-06000A Puget Sound salmon—saltwater seasons and daily limits. (22-142)