



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 26, 2023

TIME: 4:00 PM

WSR 23-16-062

Agency: Department of Fish and Wildlife (Order 23-145)

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 rule is to close Chinook retention in Catch Record Card Area 2 on Fridays and Saturdays. This rule also prohibits possession of Chinook onboard a vessel on Fridays and Saturdays in Area 2.

Citation of rules affected by this order:

New:
Repealed: WAC 220-313-07500R
Amended: WAC 220-313-075
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 purpose of this rule is to modify ocean recreational salmon seasons in Marine Area 2. Marine Area 2 has used more than half of its Chinook catch guideline for the entire season. Closing two days per week to Chinook retention will extend the length of the season and allow fishing to continue as large abundances of coho salmon migrate into the area.

This rule maintains previously established recreational seasons in Areas 1, 3 and 4.

These rules for in-state waters are consistent with federal salmon fishing regulations adopted by the National Marine Fisheries Service in response to actions taken by the Pacific Fishery Management Council (PFMC) to set salmon fishery harvest specifications and management measures; this action is intended to achieve regulatory consistency in federal and state waters for the ocean recreational salmon fishery, which operates in both areas.

There is insufficient time for WDFW to adopt consistent regulations through the permanent rulemaking process.

**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	___
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The number of sections adopted on the agency's own initiative:

New	1	Amended	___	Repealed	1
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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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 26, 2023

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-313-07500S Pacific Ocean Salmon-Seasons-Closed Areas.

Effective July 28, through October 7, 2023, the provisions of WAC 220-313-075 regarding recreational salmon seasons for Marine Areas 1 through 4 shall be as described below. All other provisions of WAC 220-313-075 not addressed herein remain in effect unless otherwise amended:

(1) **Catch Record Card Area 1:** Open July 28, through September 30, 2023:

- (a) Daily limit of 2 salmon; no more than one may be a Chinook.
- (b) Release wild coho.
- (c) Chinook minimum length 22 inches.
- (d) Coho minimum length 16 inches.

(2) **Catch Record Card Area 2:** Open July 28, through September 30, 2023:

- (a) Open Sundays through Thursdays;
 - (1) Daily limit of 2 salmon; no more than one may be a Chinook.
 - (2) Release wild coho.
 - (3) Chinook minimum length 22 inches.
 - (4) Coho minimum length 16 inches.
- (b) Open Fridays and Saturdays;
 - (1) Daily limit of 2 salmon.
 - (2) Release Chinook and wild coho.
 - (3) Coho minimum length 16 inches.
 - (4) Possession of Chinook onboard a vessel, including in transit, is unlawful.
- (c) July 28, 2023, through September 30, 2023, the Grays Harbor Control Zone is open (see WAC 220-306-040) and subject to rules and daily limits in subsections (2)(a) and (2)(b) of this rule.

(3) **Catch Record Card Area 3:**

- (a) Open July 28, through July 31, 2023:
 - (i) Daily limit of 2 salmon.
 - (ii) Release wild coho.
 - (iii) Chinook minimum length 24 inches.
 - (iv) Coho minimum length 16 inches.
- (b) Open August 1, through September 30, 2023:
 - (i) Daily limit of 2 salmon.
 - (ii) Release wild coho and chum.
 - (iii) Chinook minimum length 24 inches.
 - (iv) Coho minimum length 16 inches.
- (c) Open October 3, through October 7, 2023, only in the area north of 47°50'00" N. lat. and south of 48°00'00" N. lat.:
 - (i) Daily limit 1 Chinook salmon only.
 - (ii) Release all salmon except Chinook.
 - (iii) Chinook minimum length 24 inches.

(4) Catch Record Card Area 4:

- (a) Open July 28, through July 31, 2023:
 - (i) Daily limit of 2 salmon.
 - (ii) Release wild coho.
 - (iii) Chinook minimum length 24 inches.
 - (iv) Coho minimum length 16 inches.
 - (v) Waters east of a true north-south line through Sail Rock are closed.

- (b) Open August 1, through September 30, 2023:
 - (i) Daily limit of 2 salmon.
 - (ii) Release wild coho and chum.
 - (iii) Release Chinook in waters east of the Bonilla-Tatoosh line.
 - (iv) Chinook minimum length 24 inches.
 - (v) Coho minimum length 16 inches.

R E P E A L E R

The following section of Washington Administrative Code is repealed, effective July 28, 2023:
WAC 220-313-07500R Pacific Ocean Salmon-Seasons-Closed Areas. (23-116)