



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 08, 2023

TIME: 5:20 PM

WSR 23-17-030

Agency: Department of Fish and Wildlife (Order 23-155)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 9, 2023

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 open salmon seasons in Catch Record Card Area and to open the area surrounding the Dash Point Pier to food fish and shellfish harvest.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-313-06000Y
- Amended: WAC 220-313-060; WAC 220-311-020
- 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 open salmon seasons in Catch Record Card Area 11 and to open food fish and shellfish harvest in the area surrounding Dash Point Pier.

The Catch Record Card Area 11 summer fishery was closed on July 15th due to high sublegal encounters of Chinook salmon. WDFW fishery managers have been working to assess the remaining impacts agreed to in this year's List of Agreed Fisheries (LOAF) to reopen for coho and pink opportunities with minimal Chinook impacts. Opening for shore-based fishing in August allows for opportunity to harvest coho and pink salmon, with negligible effect on Chinook, thus meeting conservation goals for this fishery. Non-retention Chinook impacts in September, were built into the Area 11 fishery during preseason planning, allowing the area to reopen fishing salmon from a vessel in September.

The City of Tacoma has closed the Dash Point Pier due to structural concerns. Due to the pier being closed it is no longer necessary to close the surrounding waters as a measure to prevent gear conflicts between pier and boat or shore fishers. Opening the surrounding area will provide publicly accessible opportunity that would otherwise be lost.

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


New	2	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: August 8, 2023	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective August 9 through September 30, 2023, the following provisions of WAC 220-313-060 regarding salmon seasons for Catch Record Card Area 11, except year-round piers, 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:

Catch Record Card Area 11, except year-round piers (Des Moines Pier, Les Davis Pier, Point Defiance Boathouse Dock):

- (a) Effective August 9 through August 31:
 - (i) Salmon daily limit 2. Release Chinook and chum.
 - (ii) Angling for salmon from a floating device, other than a dock or pier that is attached to shore, is prohibited.

- (b) Effective September 1 through September 30: Salmon daily limit 2. Release Chinook and chum.

NEW SECTION

WAC 220-311-02000C Puget Sound public fishing piers—Restricted fishing areas.

Effective August 9, 2023, until further notice, the following provisions of WAC 220-311-020 regarding fishing for food fish and shellfish within 100 yards of the Dash Point public fishing pier shall be as described below. All other provisions of WAC 220-211-020 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

It is permissible fish for and possess food fish and shellfish taken within 100 yards of the Dash Point public fishing pier. Food fish anglers and shellfish harvesters are subject to rules applicable to Catch Record Card Area 11.

REPEALER

The following section of Washington Administrative Code is repealed, effective August 9, 2023:

WAC 220-313-06000Y Puget Sound salmon—saltwater seasons and daily limits. (23-126)