



**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 16, 2023

TIME: 4:48 PM

WSR 23-17-104

Agency: Department of Fish and Wildlife (Order 23-167)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 18, 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 hatchery Chinook retention seasons in a portion of Catch Record Card Area 10.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-313-06000G
- 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 open hatchery Chinook seasons in portions of Catch Record Card Area 10.

Catch estimates for the Catch Record Card Area 10 summer Chinook fishery indicate that through August 13, 2023, 63% of the harvest quota (2,235 of 3,566) and 80% of sublegal encounters (6,219 of 7,748) have been reached. WDFW has determined there is sufficient quota to reopen for three additional days of Chinook retention during the 2023 summer season.

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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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 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: August 16, 2023	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective August 18 through October 31, 2023, salmon rules for Catch Record Card Area 10 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, except; Elliott Bay, Shilshole Bay, Sinclair Inlet and Port Orchard, and Year-round piers (Seacrest Pier, Waterman Pier, Bremerton Boardwalk, and Illahee State Park Pier):

- (a) Effective August 18 through August 20, 2023: Salmon daily limit 2 including no more than 1 hatchery Chinook and no more than 1 coho. Release wild Chinook and chum.
- (b) Effective August 21 through September 30, 2023: Salmon daily limit 2 including no more than 1 coho. Release Chinook, chum.
- (c) Effective October 1 through October 31, 2023: Salmon daily limit 2 including no more than 1 coho. Release Chinook.

(2) Elliott Bay (Waters of Elliott Bay east of a line from West Point to Alki Point and including Harbor Island (Duwamish Waterways)) except Seacrest Pier:

- (a) Effective August 18 through September 30, 2023: Salmon daily limit 2 including no more than 1 coho. Release Chinook, chum.
- (b) Effective October 1 through October 31, 2023: Salmon daily limit 2 including no more than 1 coho. Release Chinook.

(3) Shilshole Bay (Waters of Shilshole Bay southeast of a line from Meadow Point to West Point):

- (a) Effective September 1 through September 30: Salmon daily limit 2 including no more than 1 coho. Release Chinook and chum.
- (b) Effective October 1 through October 31: Salmon daily limit 2 including no more than 1 coho. Release Chinook.

(4) Sinclair Inlet (Waters of Sinclair Inlet and Port Orchard south of the Manette Bridge in Bremerton, south of a line drawn true west from Battle Point, and west of a line drawn true south from Point White):

- (a) Effective August 18 through September 30, 2023: Salmon daily limit 3 including no more than 1 coho. Release wild Chinook and chum.
- (b) Effective October 1 through October 31, 2023: Salmon daily limit 2 including no more than 1 coho. Release Chinook.

REPEALER

The following section of Washington Administrative Code is repealed, effective August 18, 2023:

WAC 220-313-06000G Puget Sound salmon—saltwater seasons and daily limits.
(23-160)