



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 17, 2023

TIME: 2:42 PM

WSR 23-17-113

Agency: Department of Fish and Wildlife (Order 23-169)

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 open Chinook retention 7 days per week in Catch Record Card Area 2.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-313-07500S
- 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. Effort and catch rates have decreased from the peak levels seen in July, and sufficient subarea Chinook guideline remains to return to allowing Chinook salmon retention 7 days per week in the area without endangering the length of the salmon season. 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: August 17, 2023	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective August 18, 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 August 18, 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 August 18, 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.
- (e) August 18, 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 August 18, 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.
- (b) 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 August 18, 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.

REPEALER

The following section of Washington Administrative Code is repealed, effective August 18, 2023:

WAC 220-313-07500S Pacific Ocean Salmon-Seasons-Closed Areas. (23-145)