

**WSR 23-17-113
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-169—Filed August 17, 2023, 2:42 p.m., effective August 18, 2023]

Effective Date of Rule: August 18, 2023.

Purpose: The purpose of this emergency rule [is to] open Chinook retention seven days per week in Catch Record Card Area 2.

Citation of Rules Affected by this Order: Repealing WAC 220-313-07500S; and amending WAC 220-313-075.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

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 seven 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 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 the Washington department of fish and wildlife to adopt consistent regulations through the permanent rule-making process.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: August 17, 2023.

Kelly Susewind
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.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

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)