WSR 26-16-004
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 26-130—Filed July 22, 2026, 4:56 p.m., effective July 26, 2026]

Effective Date of Rule: July 26, 2026.

Purpose: This emergency rule opens recreational salmon retention in portions of Catch Record Card Area 7.

Citation of Rules Affected by this Order: Amending WAC 220-313-060.

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: This emergency rule is needed to open Chinook retention in Catch Record Card Area 7. Catch estimates for the summer Chinook fishery in this area, combined with daily catch rates, indicate that sufficient quota remains to allow for this opening. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: July 22, 2026.

Kelly Susewind
Director

NEW SECTION

WAC 220-313-06000Q Puget Sound salmon—Saltwater seasons and daily limits. Effective July 26 through July 27, 2026, salmon rules for Catch Record Card Area 7 shall be modified as described in this section. All other provisions of WAC 220-313-060 not addressed in this section, or unless otherwise amended by emergency rule, remain in effect:

Catch Record Card Area 7, except Bellingham Bay and areas closed to salmon fishing year-round by permanent rule:

Daily limit 2 salmon including no more than 1 hatchery Chinook, may be retained. Release chum, sockeye, wild Chinook, and wild coho.

WSR 26-16-009
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 26-131—Filed July 23, 2026, 9:40 a.m., effective July 24, 2026]

Effective Date of Rule: July 24, 2026.

Purpose: The purpose of this rule making is to provide for treaty Indian fishing opportunity in the Columbia River while protecting salmon listed as threatened or endangered under the Endangered Species Act (ESA). This rule making implements federal court orders governing Washington's relationship with treaty Indian tribes and federal law governing Washington's relationship with Oregon.

Citation of Rules Affected by this Order: Repealing WAC 220-359-02000M; and amending WAC 220-359-020.

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

Other Authority: *United States v. Oregon*, Civil No. 68-513-KI (D. Or.), Order Adopting 2018-2027 *United States v. Oregon* Management Agreement (February 26, 2018) (Doc. No. 2607-1). *Northwest Gillnetters Ass'n v. Sandison*, 95 Wn.2d 638, 628 P.2d 800 (1981); Washington fish and wildlife commission policies concerning Columbia River fisheries; 40 Stat. 515 (Columbia River Compact).

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: This rule sets Zone 6 fall season treaty commercial fisheries and maintains previously adopted treaty fisheries which allows for treaty commercial sales to nontreaty buyers in 2026. This rule is consistent with actions of the Columbia River Compact on June 10, July 1, and July 22, 2026. Conforms state rules with tribal rules. The general public welfare is protected with the immediate opening of nontreaty buyers purchasing fish from treaty fisheries. This harvest opportunity allows for tribal use and public access to the resource, as well as the maintenance of sustainable fish populations. There is insufficient time to adopt permanent regulations.

The Yakama, Warm Springs, Umatilla, and Nez Perce Indian tribes have treaty fishing rights in the Columbia River and inherent sovereign authority to regulate their fisheries. Washington and Oregon also have some authority to regulate fishing by treaty Indians in the Columbia River, authority that the states exercise jointly under the congressionally ratified Columbia River Compact. *Sohappy v. Smith*, 302 F. Supp. 899 (D. Or. 1969). The tribes and the states adopt parallel regulations for treaty Indian fisheries under the supervision of the federal courts. A court order sets the current parameters. *United States v. Oregon*, Civil No. 68-513-KI (D. Or.), Order Adopting 2018-2027 *United States v. Oregon* Management Agreement (February 26, 2018) (Doc. No. 2607-1). Some salmon and steelhead stocks in the Columbia River are listed as threatened or endangered under ESA. On February 23, 2018, the National Marine Fisheries Service issued a biological opinion under 16 U.S.C. § 1536 that allows for some incidental take of these species in the fisheries as described in the 2018-2027 *U.S. v. Oregon* Management Agreement.

Columbia River fisheries are monitored very closely to ensure consistency with court orders and ESA guidelines. Because conditions change rapidly, the fisheries are managed almost exclusively by emergency rule. As required by court order, the Washington (WDFW) and Oregon (ODFW) departments of fish and wildlife convene public hearings and invite tribal participation when considering proposals for new emergency rules affecting treaty fishing rights. *Sohappy*, 302 F. Supp. at 912. WDFW and ODFW then adopt regulations reflecting agreements reached.

Number of Sections Adopted in Order to Comply with Federal Statute: New 1, Amended 0, Repealed 1; Federal Rules or Standards: New 1, Amended 0, Repealed 1; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 1.

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: July 23, 2026.

Kelly Susewind
Director

NEW SECTION

WAC 220-359-02000N Columbia River salmon seasons above Bonneville Dam. Notwithstanding the provisions of WAC 220-359-010, WAC 220-359-020, WAC 220-359-030, and WAC 220-359-090, effective July 24 through December 31, 2026, it is unlawful for a person to take or possess salmon, steelhead, sturgeon, shad, carp, catfish, walleye, bass, or yellow perch taken for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas (SMRCA) 1E, 1F, 1G, and 1H. However, those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for salmon, steelhead, sturgeon, carp, catfish, walleye, bass, yellow perch, or northern pikeminnow under the provisions in this section:

(1) Open Areas: SMCRA 1F, 1G, 1H (Zone 6)

(a) Season: Immediately through 6:00 PM December 31, 2026.

(b) Gear: Hoop nets/bag nets, dip nets, and rod and reel with hook and line.

(c) Allowable sale: Salmon (any species) and steelhead may be sold or kept for subsistence. Shad, yellow perch, bass, walleye, catfish and carp may also be sold or retained for subsistence. Sturgeon may not be sold, but sturgeon from 38 to 54 inches fork length in the Bonneville Pool and sturgeon from 43 to 54 inches fork length in The Dalles and John Day Pools and may be kept for subsistence purposes.

(d) Standard river mouth and dam sanctuary closures remain in place for this gear.

(2) Open Areas: Wind River, Drano Lake, and Klickitat River.

(a) Season: Immediately through 6:00 PM December 31, 2026, and only during those days and hours when the areas are open under lawfully enacted Yakama Nation tribal subsistence fishery regulations for enrolled Yakama Nation members.

(b) Gear: Hoop Nets/Bag Nets, Dip Nets, and Rod and reel with hook and Line. Gillnets may only be used in Drano Lake.

(c) Allowable sales: Salmon (any species), steelhead, shad, carp, catfish, walleye, bass, and yellow perch. Sturgeon from 38 to 54 inches fork length in the Bonneville Pool may be kept for subsistence.

(3) Open Areas: SMCRA 1E (area defined in tribal/state MOUs/MOAs)

(a) Season: Immediately through 11:59 PM October 31, 2026. Only during days and times opened under tribal rules.

(b) Gear: Hook and line and/or platform gear identified in tribal rules.

(c) Allowable sale: Salmon (any species), steelhead, shad, yellow perch, bass, walleye, catfish and carp may be sold or retained for subsistence. Sturgeon may not be retained in fisheries downstream of Bonneville Dam. Sales of fish are not authorized on COE property downstream of Bonneville Dam. Fish must be transported elsewhere for sale.

(4) Open Areas: SMCRA 1H (John Day Pool):

Railroad Island slough (45.72504, -120.69580) - only the slough side waters up from the railroad tracks.

Paterson Slough (45.70664, -120.46430) - only the slough side to the north of Hwy 14;

Sundale slough (45.72008, -120.31364) - only the slough side waters up from the railroad tracks;

Jones Canyon slough (45.71576, -121.24522) - only the slough south of the railroad tracks;

Willow Creek slough (45.79306, -120.01470) - only waters south of the eastbound lanes of I-84;

Alderdale slough (45.83741, -119.92876) - only waters north of Hwy 14;

Paterson Slough (45.92950, -119.55259) - waters inside the mouth of the slough, across from Irrigon & Umatilla fish hatcheries;

(a) Season: 6:00 AM July 24 through 6:00 PM August 15, 2026.

(b) Gear: Gillnets only.

(c) Allowable sales: Yellow perch, bass, walleye, catfish, carp, northern pikeminnow and suckers may be sold. These species may be sold after the permit fishing period concludes. All other species including salmon, steelhead and sturgeon must be released. If any northern pike are handled, they must be killed and provided to tribal or state fishery programs

(d) These areas do not include any standard closed areas applicable to gillnet gear.

(5) Fish caught during the open period may be sold after the period concludes.

(6) 24-hour quick reporting is required for Washington wholesale dealers for all areas as provided in WAC 220-352-315, except that all landings from treaty fisheries described above must be reported within 24-hours of completing the fish ticket (not 24-hours after the period concludes).

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

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 the Washington Administration Code is repealed, effective July 24, 2026:

WAC 220-359-02000M Columbia River salmon seasons above Bonneville Dam. (26-121)

WSR 26-16-011
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 26-132—Filed July 23, 2026, 4:57 p.m., effective August 3, 2026]

Effective Date of Rule: August 3, 2026.

Purpose: This emergency rule opens harvest in Districts 1, 2-1, 2-2, and 5 with a weekly limit of 1,500 split-drained pounds per license and a 15-week season limit total of 10,000 split-drained pounds per license.

Citation of rules affected by this order: Amending WAC 220-340-730.

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: This emergency rule opens harvest in Districts 1, 2-2, 2-1, and 5 with a weekly limit of 1,500 split-drained pounds per license and a 15-week season limit total of 10,000 split-drained pounds per license. Harvestable surpluses of sea cucumbers exist in the districts specified. There is insufficient time to adopt permanent rules.

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 0.

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: July 23, 2026.

Kelly Susewind
Director

NEW SECTION

WAC 220-340-73000B Sea cucumbers Effective August 3, 2026, until further notice, the following provisions of WAC 220-340-730 regarding Puget Sound commercial sea cucumber harvest seasons and landing limits shall be as described herein. All other provisions of WAC 220-340-730 not addressed herein, and unless otherwise amended, remain in effect:

(1) Sea cucumber harvest using shellfish diver gear is allowed in Sea Cucumber Districts 1, 2-1, and 2-2, Monday through Sunday of each week.

(2) Sea cucumber harvest using shellfish diver gear is allowed in Sea Cucumber District 5 except for all waters in Gig Harbor and adjacent waters within a one nautical mile radius of the Gig Harbor entrance, Monday through Sunday of each week.

(3) It is unlawful for any harvester to fish for, take, or possess for commercial purposes more than 1,500 split-drained pounds of sea cucumber per license for each weekly fishery opening period.

(4) The maximum cumulative landing of sea cucumbers from August 3 through November 15, 2025, is 10,000 split-drained pounds per valid designated sea cucumber harvest license.

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.

WSR 26-16-019
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 26-133—Filed July 24, 2026, 11:26 a.m., effective August 3, 2026]

Effective Date of Rule: August 3, 2026.

Purpose: This emergency rule will allow nontreaty commercial fishing opportunities in the Columbia River while protecting fish listed as threatened or endangered under the Endangered Species Act (ESA). This rule implements federal court orders governing Washington's relationship with treaty Indian tribes, federal law governing Washington's relationship with Oregon, and Washington fish and wildlife commission policy guidance for Columbia River fisheries.

Citation of Rules Affected by this Order: Amending WAC 220-358-030.

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

Other Authority: *United States v. Oregon*, Civil No. 68-513-KI (D. Or.), Order Adopting 2018-2027 *United States v. Oregon* Management Agreement (February 26, 2018) (Doc. No. 2607-1). *Northwest Gillnetters Ass'n v. Sandison*, 95 Wn.2d 638, 628 P.2d 800 (1981); Washington fish and wildlife commission policies concerning Columbia River fisheries; 40 Stat. 515 (Columbia River Compact).

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: This rule sets nontreaty commercial fisheries for fall 2026 in the mainstem and select areas. The 2026 nontreaty fall fisheries plan was developed in conjunction with the annual North of Falcon season setting process. Impacts to nonlocal stocks are expected to be minimal in off channel select areas. This rule implements an emerging commercial fishery with limited participants using purse and beach seine gear and pound net gear in the mainstem Columbia River. These fisheries are consistent with the *U.S. v. Oregon* Management Agreement and the associated biological opinion. Conforms Washington state rules with Oregon state rules. Regulation is consistent with compact action of July 22, 2026. This harvest opportunity allows for public access to the resource, as well as the maintenance of sustainable fish populations. There is insufficient time to promulgate permanent rules.

Washington and Oregon jointly regulate Columbia River fisheries under the congressionally ratified Columbia River Compact. Four Indian tribes have treaty fishing rights in the Columbia River. The treaties preempt state regulations that fail to allow the tribes an opportunity to take a fair share of the available fish, and the states must manage other fisheries accordingly. *Sohappy v. Smith*, 302 F. Supp. 899 (D. Or. 1969). A court order sets the current parameters. *United States v. Oregon*, Civil No. 68-513-KI (D. Or.), Order Adopting 2018-2027 *United States v. Oregon* Management Agreement (February 26, 2018) (Doc. No. 2607-1). Some salmon and steelhead stocks in the Columbia River are listed as threatened or endangered under ESA. On February 23, 2018, the National Marine Fisheries Service issued a biological opinion under 16 U.S.C. § 1536 that allows for some incidental take of these

species in the fisheries as described in the 2018-2027 *U.S. v. Oregon* Management Agreement.

Some Columbia River Basin salmon and steelhead stocks are listed as threatened or endangered under ESA. The Washington and Oregon fish and wildlife commissions have developed policies to guide the implementation of such biological opinions in the states' regulation of nontreaty fisheries.

Columbia River nontreaty fisheries are monitored very closely to ensure compliance with federal court orders, ESA, and commission guidelines. Because conditions change rapidly, the fisheries are managed almost exclusively by emergency rule. Representatives from the Washington (WDFW) and Oregon (ODFW) departments of fish and wildlife convene public hearings and take public testimony when considering proposals for new emergency rules. WDFW and ODFW then adopt regulations reflecting agreements reached.

Number of Sections Adopted in Order to Comply with Federal Statute: New 1, Amended 0, Repealed 1; Federal Rules or Standards: New 1, Amended 0, Repealed 1; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 1.

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: July 24, 2026.

Kelly Susewind
Director

NEW SECTION

WAC 220-358-0300V Columbia River seasons below Bonneville. Notwithstanding the provisions of WAC 220-358-030, WAC 220-358-040, and WAC 220-335-050, effective August 3 through November 12, 2026, it is unlawful for a person to take or possess salmon, sturgeon, and shad for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, 1E and Select Areas, except during the times and conditions listed below:

(1) Mainstem Gillnet:

Open Dates	Open Days	Open Time	Open Duration
August 5 - August 6	Wednesday (night)	9:00 pm - 6:00 am	9 hrs
August 9 - August 10	Sunday (night)	9:00 pm - 6:00 am	9 hrs
August 11 - August 12	Tuesday (night)	9:00 pm - 6:00 am	9 hrs
August 13 - August 14	Thursday (night)	9:00 pm - 6:00 am	9 hrs
August 16 - August 17	Sunday (night)	9:00 pm - 6:00 am	9 hrs
August 18 - August 19	Tuesday (night)	9:00 pm - 6:00 am	9 hrs
August 20 - August 21	Thursday (night)	9:00 pm - 6:00 am	9 hrs
August 24 - August 25	Monday (night)	9:00 pm - 6:00 am	9 hrs

Open Dates	Open Days	Open Time	Open Duration
August 26 - August 27	Wednesday (night)	9:00 pm - 6:00 am	9 hrs
August 30 - August 31	Sunday (night)	9:00 pm - 6:00 am	9 hrs

(a) **Area:** Catch Reporting Areas 1E and 1D (Zones 4-5). The deadline at the lower end of Area 1E (Zone 4) is defined as a straight line projected from the Warrior Rock Lighthouse on the Oregon shore easterly through the green navigation Buoy #1 and continuing to the Washington shore. Sanctuaries: Washougal and Sandy River.

(b) **Gear:** Drift gillnets only. 9-inch minimum mesh size restriction. Multiple net rule NOT in effect, which means nets not authorized for this fishery may not be onboard. Lighted buoys required.

(c) **Allowable Sales:** Salmon (except Chum) and shad.

(2) Emerging Commercial Fishery - Mainstem Seine:

Open Dates	Open Days	Open Time	Active Fishing Duration
August 3 - August 7	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
August 10 - August 14	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
August 17 - August 21	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
August 24 - August 28	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
August 31 - September 4	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
September 8 - September 11	Tuesday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
September 14 - September 18	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
September 21 - September 25	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
September 28 - October 2	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
October 5 - October 9	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
October 12 - October 16	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs

(a) **Area:** Catch Reporting Areas 1A, 1B, and 1C (Zones 1-3). The deadline at the upper end of Area 1C (Zone 3) is defined as a straight line projected from the Warrior Rock Lighthouse on the Oregon shore easterly through the green navigation Buoy #1 and continuing to the Washington shore. Sanctuaries: Elokomin-B, Cowlitz, Kalama-B, Lewis-B and Select Area commercial fishing sites.

(b) **Gear:** Beach seines or purse seines only. Only one seine net per primary vessel. Mesh size restricted to a 3.5-inch maximum (inside of knot to outside of knot using hand tension stretched measure). Net material to consist of 3-strand nylon; twine size ≥ #12. Seines may include a bunt of 1.0-2.0 inch knotless mesh. Net length not to exceed 200 fathoms (NOT including associated lead nets). Net depth not to exceed 200 meshes (approximately 50 feet). Seine and lead lines may not be connected. Lead nets must be retrieved daily. No restrictions on corkline, leadline or use of stringers and slackers. A chafing strip panel consisting of non-monofilament webbing (such as nylon seine web or polyethylene trawl web) is allowed on bottom of net; maximum panel depth is 5-feet. Chafing mesh not to exceed 3.5-inch stretched measure for beach and 5-inch stretched measure for purse. There are no restrictions associated with hangings used to connect the net to the chafing panel or the net or chafing panel to the leadline or corkline. Red corks are required at 25-fathom intervals and red corks must be in contrast to the corks used in the remainder of the net. Lead net (optional for both gear types). Only one lead net is allowed per fishing operation. Lead nets may not exceed 100 fathoms in length. Lead nets may be constructed of 3-strand nylon webbing, twine size ≥ #12, ≤3.5-

inch mesh size (inside of knot to outside of knot using hand tension stretched measure) OR nylon or cotton webbing with mesh size ≥14-inches. Lead nets may not be vertically slackened. Seine net and lead net may not be connected. Lead nets must be retrieved daily.

(c) **Allowable Possession and Sales:** Subject to IFQs as defined on individual permits. Except as noted below, allowable sales limited to adipose fin-clipped Chinook, adipose fin-clipped Coho, sockeye, and pink salmon and shad. All legal adult Chinook and legal adult Coho caught must be kept and sold. Adult salmon defined in WAC 220-300-010. Retained Chinook and Coho must have a healed scar at the location of the adipose-clipped fin.

(d) **Handling of Catch:** Hand sorting or use of a knotless dip net is required when sorting fish. All fish must be sorted and/or released prior to removing entire seine from water. Dry sorting not permitted.

(e) **Sort time not to exceed 75 minutes.**

(i) Beach seine - defined as the elapsed time from when the outer towed end of the net first contacts the shore or block until the net is emptied of fish.

(ii) Purse Seine - defined as the elapsed time from when all rings are pursed and out of the water until the net is emptied of fish.

(f) **Observer Program:** Agency observers must be present during all fishing operations.

(3) Emerging Commercial Fishery - Mainstem Pound Net:

Open Dates	Open Days	Open Time	Active Fishing Duration
August 3 - August 7	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
August 10 - August 14	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
August 17 - August 21	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
August 24 - August 28	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
August 31 - September 4	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
September 8 - September 11	Tuesday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
September 14 - September 18	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
September 21 - September 25	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
September 28 - October 2	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
October 5 - October 9	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs
October 12 - October 16	Monday - Friday	7:00 am - 7:00 pm	8 consecutive hrs

(a) **Area:** Catch Reporting Areas 1A and 1B (Zones 1-2).

(b) **Gear:** Pound Net: Lead and jigger netting may be no larger than 3 1/8-inch stretch mesh. The heart, spiller, tunnel, and live well (sorting chamber) netting may be no larger than 2 1/2-inch stretch mesh. Pound net may have an optional apron of webbing no larger than 2 1/2 inch stretch mesh extending out flat along the river bottom from the bottom of all netting components. The apron may not exceed 3 feet in depth on the lead and jigger, and the apron may not exceed 6 feet in depth on the heart. Aprons must be anchored or weighed down in a manner sufficient to hold the apron to the river bottom. Optional marine mammal gates may be used to prevent marine mammals from entering the heart during active fishing. When not actively fishing for less than 24 hours, the following configuration must be put in place to allow fish free passage and to prevent unintended corralling of fish in heart compartment: The opening of the heart along the lead must remain open. All spillers (pots) and live wells must be moved

(i.e., lifted, removed, etc.,) in a manner that creates an opening providing egress from the heart.

A midpoint panel of the lead or the panel nearest to the shore must be lifted or removed to provide free passage around the lead. If the shore panel is chosen to be lifted/removed, the minimum water depth at the nearest shore piling with netting shall be no less than 10 feet at any given point in the tide. When not actively fishing for more than 24 hours but less than 72 hours, the following configuration must be put in place to allow fish free passage and to prevent unintended corralling of fish in heart compartment: The opening of the heart along the lead must remain open. All spillers (pots) and live wells must be moved (i.e., lifted, removed, etc.,) in a manner that creates an opening providing egress from the heart.

A midpoint panel of the lead and the panel nearest to the shore must be lifted or removed to provide free passage around the lead. The minimum water depth at the nearest shore piling with netting shall be no less than 10 feet at any given point in tide. Spot checks must be conducted daily by the permit holder during which a logbook must be filled out. A WDFW or ODFW observer may be present during these daily spot checks. While not actively fishing for more than 72 hours but less than 120 hours, all netting must be raised above the high-water line. If the gear will not be fished for more than 120 hours, in addition to raising netting above the high-water line, all netting must be removed from the piling within five days.

(c) **Allowable Possession and Sales:** Subject to IFQs as defined on individual permits. Allowable sales are limited to adipose fin-clipped Chinook, adipose fin-clipped coho, sockeye, and pink salmon and shad. Retained Chinook and coho must have a healed scar at the location of the clipped fin. All legal adult Chinook and coho caught must be kept and sold. Adult Chinook are ≥ 24 inches and adult coho are ≥ 20 inches total length.

(d) **Handling of Catch:** Hand sorting or use of a knotless dip net is required when sorting fish. Dry sorting not permitted.

(e) **Observer Program:** Agency observers must be present during all fishing operations.

(4) Tongue Point/South Channel Select Area:

Open Dates	Open Days	Open Time	Open Duration
August 24 - August 28	Monday, Thursday (night)	7:00 pm - 7:00 am	12 hrs
August 31 - October 30	Monday, Tuesday, Wednesday, Thursday (night)	4:00 pm - 10:00 am	18 hrs

(a) **Area:**

(i) The Tongue Point Select Area is defined as waters of the Columbia River bounded by a line from a regulatory marker on the eastern shore of Tongue Point (midway between the red USCG light "2" at the tip of Tongue Point and the northern-most pier (#8) at the Tongue Point Job Corps facility) to the flashing green USCG light "3" on the rock jetty at the northwest tip of Mott Island, a line from a regulatory marker at the southeast end of Mott Island northeasterly to a regulatory marker on the northwest shore of Lois Island, and a line from a regulatory marker located on the Oregon shore approximately 300 yards northwest of the railroad bridge crossing the John Day River projecting easterly to a regulatory marker on the southwest shore of Lois Island:

(A) If the marker on the eastern shore of Tongue Point is not in place, the downstream boundary is defined by a line projecting from a

point (46°12'31.1"N latitude 123°45'34.0"W longitude) on the eastern shore of Tongue Point to the flashing green USCG light "3" on the rock jetty at the northwest tip of Mott Island.

(B) If the marker on the Oregon shore is not in place, the upstream boundary is defined by a line projecting from a point (46°10'57.7"N latitude 123°44'35.3"W longitude) on the Oregon shore approximately 300 yards northwest of the railroad bridge crossing the John Day River projecting easterly to a regulatory marker on Lois Island.

(ii) The South Channel Area is defined as waters of the Columbia River bounded by a line from a regulatory marker on the Oregon shore at John Day Point projecting northeasterly to a regulatory marker on the southwest shore of Lois Island, and a line from a regulatory marker on Settler Point projecting northwesterly to the flashing red USCG light "10" then projecting westerly to the eastern tip of Burnside Island.

(b) **Gear:** Gillnets with a 6-inch maximum mesh size restriction. Maximum net length of 250 fathoms. In the Tongue Point Select Area, the lead line weight may not exceed two pounds per any one fathom; however, unstored gillnets legal for use in South Channel may be onboard.

In the South Channel Select Area, there is no lead line weight limit and attachment of additional weight and anchors directly to the lead line is permitted. Nets not specifically authorized for use may be onboard a vessel if properly stored. A properly stored net is defined as a net on a drum that is fully covered by a tarp (canvas or plastic) and bound with a minimum of ten revolutions of rope with a diameter of 3/8 (0.375) inches or greater. Nets fished any time between official sunset and official sunrise must have lighted buoys on both ends of the net. If the net is attached to the boat, then one lighted buoy on the end of the net opposite the boat is required.

(c) **Allowable Sales:** Salmon (except Chum) and shad.

(5) Blind Slough/Knappa Slough Select Area:

Open Dates	Open Days	Open Time	Open Duration
August 24 - August 28	Monday, Thursday (night)	7:00 pm - 7:00 am	12 hrs
August 31 - October 30	Monday, Tuesday, Wednesday, Thursday (night)	6:00 pm - 10:00 am	16 hrs

(a) **Area:** The Blind Slough Select Area is defined as waters of Blind Slough and Gnat Creek from a north-south line represented by regulatory markers at the mouth of Blind Slough upstream to a regulatory marker in Gnat Creek located approximately 0.5 miles southeasterly (upstream) of the Barendse Road Bridge. The Knappa Slough Select Area is defined as waters of Knappa Slough, Calendar Slough, and Big Creek Slough bounded to the north (upstream) by a line projecting from a regulatory marker on the eastern shore of Karlson Island to the northernmost regulatory marker at the mouth of Blind Slough and bounded to the west (downstream) by a line projecting southerly from a regulatory marker on the southwestern tip of Karlson Island through regulatory markers on the western tips of Minaker Island to a marker on the Oregon shore. The waters of Knappa Slough within a 100-foot radius of the railroad bridge crossing Big Creek are closed.

(b) **Gear:** Gillnets with a 6-inch maximum mesh size restriction. Maximum net length is 100 fathoms. There is no lead line weight limit and attachment of additional weight and anchors directly to the lead line is permitted. Nets not specifically authorized for use may be on-

board a vessel if properly stored. A properly stored net is defined as a net on a drum that is fully covered by a tarp (canvas or plastic) and bound with a minimum of ten revolutions of rope with a diameter of 3/8 (0.375) inches or greater. Nets fished any time between official sunset and official sunrise must have lighted buoys on both ends of the net. If the net is attached to the boat, then one lighted buoy on the end of the net opposite the boat is required.

(c) **Allowable Sales:** Salmon (except Chum) and shad.

(6) Deep River Select Area:

Open Dates	Open Days	Open Time	Open Duration
August 24 - August 28	Monday, Thursday (night)	6:00 pm - 9:00 am	15 hrs
August 31 - October 30	Monday, Tuesday, Wednesday, Thursday (night)	6:00 pm - 9:00 am	15 hrs
November 2 - November 12	Monday, Wednesday (night)	6:00 pm - 8:00 am	14 hrs

(a) **Area:** The Deep River fishing area includes all waters from West Deep River Road Bridge at the town of Deep River downstream to the mouth defined by a line from USCG navigation marker #16 southwest to a marker on the Washington shore.

(b) **Gear:** Gillnets with a maximum mesh size restriction of 6-inches. Maximum net length is 100 fathoms. No weight restriction on leadline. Use of additional weights or anchors attached directly to the leadline is allowed. No nets can be tied off to stationary structures. Nets may not fully cross the navigation channel. It is unlawful to operate in any river, stream or channel any gillnet gear longer than three-fourths the width of the river, stream, or channel. "River, stream, or channel width" is defined as bank-to-bank, where the water meets the banks, regardless of the time of tide or the water level. This emergency provision shall supersede the permanent regulation and all other regulations that conflict with it. Nets not specifically authorized for use may be onboard the vessel if properly stored. A properly stored net is defined as a net on a drum that is fully covered by a tarp (canvas or plastic) and bound with a minimum of ten revolutions of rope with a diameter of 3/8 (0.375) inches or greater. Nets fished any time between official sunset and official sunrise must have lighted buoys on both ends of the net. If the net is attached to the boat, then one lighted buoy on the end of the net opposite the boat is required.

(c) **Allowable Sales:** Salmon (except Chum) and shad.

(7) 24-hour quick reporting is in effect for Washington buyers WAC 220-352-315. Permanent transportation rules in effect. Oregon buyers are required to submit fish receiving tickets electronically pursuant to OAR 635-006-0210.

Reviser's note: The section above appears as filed by the agency pursuant to RCW 34.08.040; however, the reference to WAC 220-358-0300V is probably intended to be WAC 220-358-03000V.

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

WSR 26-16-021
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 26-134—Filed July 27, 2026, 1:23 p.m., effective July 27, 2026, 1:23 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: This emergency rule opens all shrimp species in Marine Area 6, except in the Discovery Bay shrimp district on August 2, and then nonspot shrimp species August 3 through October 15. This rule maintains other previously announced recreational Puget Sound shrimp seasons.

Citation of Rules Affected by this Order: Repealing WAC 220-330-07000M; and amending WAC 220-330-070.

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: Harvest and effort data from previous openings indicate the spot shrimp quotas for all areas except Marine Areas 4 (east of the Bonilla-Tatoosh line), 5, and 6 (excluding the Discovery Bay shrimp district) have been attained. This rule adds one additional day for harvest of all shrimp, including spot shrimp on August 2 in Marine Area 6, except the Discovery Bay shrimp district. It also opens this same area to the harvest of nonspot shrimp from August 3 through October 15. This rule maintains the previously announced recreational nonspot shrimp openings in Puget Sound. This rule is needed to ensure an orderly fishery, manage the fishery within court-ordered sharing requirements, and meet conservation objectives. There is insufficient time to adopt permanent rules.

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: July 27, 2026.

Kelly Susewind
Director

NEW SECTION

WAC 220-330-07000N Shrimp—Areas and seasons. Notwithstanding the provisions of WAC 220-330-070, effective immediately, through October 15, 2026, it is unlawful to fish for or possess shrimp taken for personal use in all waters of Marine Areas 4 (east of the Bonilla-Tatoosh line), 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, 13 and the Discovery Bay Shrimp District, except as provided for in this section:

(1) Marine Areas 4 (east of the Bonilla-Tatoosh line) and 5: Open daily for all shrimp species from 1 hour before official sunrise to 1 hour after official sunset.

(2) Marine Area 6 (excluding the Discovery Bay Shrimp District):

(a) Open for all shrimp species on August 2 from 1 hour before official sunrise to 1 hour after official sunset.

(b) Open for shrimp species other than spot shrimp beginning August 3. It is unlawful to set or pull shrimp gear in waters greater than 175 feet deep. All spot shrimp caught must be immediately returned to the water unharmed.

(3) Discovery Bay Shrimp District: Closed.

(4) Marine Area 7 South: Closed.

(5) Marine Area 7 West: Closed.

(6) Marine Area 7 East: Open daily for shrimp species other than spot shrimp. It is unlawful to set or pull shrimp gear in waters greater than 200 feet deep. All spot shrimp caught must be immediately returned to the water unharmed.

(7) Marine Areas 8-1 and 8-2: Open daily for shrimp species other than spot shrimp. It is unlawful to set or pull shrimp gear in waters greater than 175 feet deep. All spot shrimp caught must be immediately returned to the water unharmed.

(8) Marine Area 9: Open daily for shrimp species other than spot shrimp. It is unlawful to set or pull shrimp gear in waters greater than 150 feet deep. All spot shrimp caught must be immediately returned to the water unharmed.

(9) Marine Area 10 (inside Elliott Bay): That portion of Marine Area 10 east of a line drawn from West Point to Alki Point: Closed.

(10) Marine Area 10 (outside Elliott Bay): That portion of Marine Area 10 west of a line drawn from West Point to Alki Point: Closed.

(11) Marine Area 11: Open daily for shrimp species other than spot shrimp. It is unlawful to set or pull shrimp gear in waters greater than 150 feet deep. All spot shrimp caught must be immediately returned to the water unharmed.

(12) Marine Area 12: Closed.

(13) Marine Area 13: Open daily for shrimp species other than spot shrimp. It is unlawful to set or pull shrimp gear in waters greater than 200 feet deep. All spot shrimp caught must be immediately returned to the water unharmed.

REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:

WAC 220-330-07000M Shrimp—Areas and seasons. (26-119)

WSR 26-16-024
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 26-135—Filed July 28, 2026, 7:43 a.m., effective July 28, 2026, 7:43 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: This emergency rule closes Marine Fish-Shellfish Catch Area 25A and Subarea 23A-E to harvest by Puget Sound shrimp pot license holders of spot shrimp, effective immediately.

Citation of Rules Affected by this Order: Repealing WAC 220-340-52000W; and amending WAC 220-340-520.

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: This emergency rule is necessary to stay within the agreed-to spot shrimp quota in Marine Fish-Shellfish Catch Area 25A and Subarea 23A-E. Permanent rules regulating state commercial shrimp harvest in Puget Sound and the Strait of Juan de Fuca require adoption of harvest seasons contained in this emergency rule.

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: July 28, 2026.

Kelly Susewind
Director

NEW SECTION

WAC 220-340-52000X Commercial spot shrimp pot fishery—Puget Sound. Notwithstanding the provisions of WAC 220-340-520, effective immediately, until further notice, it is unlawful to fish for spot shrimp for commercial purposes using pot gear in Puget Sound except as provided for in this section:

(1) Spot shrimp pot harvest seasons and accounting periods:

(a) Spot shrimp harvest open periods:

Geographical Management Unit (WAC 220-320-140; WAC 220-320-120)	Open Period
Subregion 1A	Closed.
Subregion 1B	Closed.
Subregion 1C	Closed.
Region 2E	Closed.
Region 2W	Closed
Subarea 23A-E	Closed, effective immediately.
Subarea 23A-W	Open immediately, until further notice.
Subarea 23A-C and MFSF Catch Area 23B	Open immediately, until further notice.
Subarea 23A-S and MFSF Catch Area 23D	Open immediately, until further notice.
MFSF (Marine Fish-Shellfish) Catch Area 23C	Open immediately, until further notice.
MFSF Catch Area 25A, excluding the Discovery Bay Shrimp District	Closed, effective immediately.
Discovery Bay Shrimp District	Closed.
MFSF Catch Area 29 (Straits - Neah Bay)	Open immediately, until further notice.
Subarea 26B-1 and MFSF Catch Area 26C	Closed.
Subarea 26B-2	Closed.
Region 5	Open immediately, until further notice.
MFSF Catch Area 26D	Closed.
MFSF Catch Areas 28A, 28B, 28C, and 28D	Closed.

(b) The first spot shrimp catch accounting period:

(i) Runs from one hour before official sunrise May 1, through one hour after official sunset August 4, 2026.

(ii) It is unlawful for the combined total harvest during the first spot shrimp accounting period to have exceeded 5,200 pounds of spot shrimp per license from all Geographical Management Units combined, except for MFSF Catch Area 29. Catch from MFSF Catch Area 29 does not contribute towards a license's catch accounting period harvest limit.

(c) Spot shrimp harvested from different geographical management units (as noted in subsection (a)) on the same day must be kept physically separate and labeled with the MFSF Catch Area of harvest.

(2) It is lawful to possess deactivated non-spot shrimp pots onboard a commercial vessel that is listed on a Puget Sound shrimp pot license while fishing for spot shrimp. A deactivated pot is un-baited, has the drawstring or door fastened open, and/or is unable to be readily fished.

REPEALER

The following section of the Washington Administrative code is repealed:

WAC 220-340-52000W Commercial spot shrimp pot fishery—Puget Sound. (26-129)

WSR 26-16-039
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 26-136—Filed July 29, 2026, 2:59 p.m., effective July 29, 2026, 2:59 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: This emergency rule allows no more than one hatchery Chinook to be retained as part of the salmon daily limit in Commencement Bay of Catch Record Card Area 11.

Citation of Rules Affected by this Order: Amending WAC 220-313-060.

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: This emergency rule is necessary to align salmon rules with the rest of Marine Area 11, as agreed to during the 2026 North of Falcon season setting process. There is insufficient time to adopt permanent rules.

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 0.

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: July 29, 2026.

Kelly Susewind
Director

NEW SECTION

WAC 220-313-06000R Puget Sound salmon—Saltwater seasons and daily limits. Effective August 1, through September 30, 2026, salmon rules for Commencement Bay in Catch Record Card Area 11 shall be modified as described in this section. All other provisions of WAC 220-313-060 not addressed in this section unless amended by emergency rule remain in effect:

Waters of Commencement Bay in Marine Area 11 (Waters east of a line bearing 215° true (195°30' magnetic) from the Cliff House Restaurant on north shore (approximate position 47°17.85'N, 122°25.90'W) through Sperry Ocean Dock (approximate position 47°16.43'N, 122°27.37'W):

Salmon: Daily limit 2 including no more than 1 Chinook. Release chum and wild Chinook.

WSR 26-16-040
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 26-137—Filed July 29, 2026, 4:25 p.m., effective July 30, 2026]

Effective Date of Rule: July 30, 2026.

Purpose: This emergency rule modifies weekly landing limits for the coastal commercial salmon summer troll season.

Citation of Rules Affected by this Order: Repealing WAC 220-354-30000B; and amending WAC 220-354-300.

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: A harvestable quota of salmon is available for the troll fleet. Remaining Chinook quota is limited and the weekly landing limit for Chinook is being reduced to preserve length of season and access to coho quota. Remaining coho quota is sufficient to allow an increase to weekly landing limit for coho. This regulation is necessary to both meet conservation limits and to provide fishing opportunity and its corresponding economic benefit. These rules are adopted at the recommendation of the Pacific Fisheries Management Council, in accordance with preseason fishing plans, and have been adopted for federal waters by the National Oceanic and Atmospheric Administration. There is insufficient time to adopt permanent rules.

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: July 29, 2026.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-30000C Coastal salmon troll seasons—Commercial. Notwithstanding the provisions of WAC 220-354-300, WAC 220-353-050, and WAC 220-354-010, effective July 30 through September 30, 2026, it is unlawful to fish for salmon with troll gear or to land salmon taken

with troll gear into a Washington port except during the seasons and under conditions provided in this section:

(1) Salmon Management and Catch Reporting areas 1, 2, 3, and that portion of Area 4 west of 125°05'00"W longitude and south of 48°23'00"N latitude open: July 30 through September 30, 2026.

(2) Grays Harbor Control Zone, defined by a line drawn from the Westport Lighthouse (46°53′18″N. lat., 124°07′01″W. long.); thence to Buoy #2 (46°52′42″N. lat., 124°12′42″W. long.); thence to Buoy #3 (46°55′00″N. lat., 124°14′48″W. long.); thence to the Grays Harbor north jetty (46°55′36″N. lat., 124°10′51″W. long.), open: July 30 through September 30, 2026.

(3) Landing and possession limit of 40 Chinook and 75 marked coho per vessel per landing week, defined as Thursday through Wednesday

(4) The Cape Flattery and Columbia River Control Zones are closed. The Salmon Troll Yelloweye Rockfish Conservation Area is closed.

(5) All retained coho must be marked with a healed adipose fin clip.

(6) No chum retention north of Cape Alava, WA in August and September.

(7) Minimum size for Chinook salmon is 27 inches in length (20 1/2 inches frozen dressed). Minimum size for coho salmon is 16 inches in length (12 inches frozen dressed). No minimum size for pink, sockeye or chum salmon.

(8) It is unlawful to fish in Salmon Management and Catch Reporting Areas 1, 2, 3 or 4 with fish on board taken south of Cape Falcon, Oregon and all fish taken from Salmon Management and Catch Reporting Areas 1, 2, 3, and 4 must be landed before fishing south of Cape Falcon, Oregon.

(9) It is unlawful for wholesale dealers and trollers retailing their fish to fail to report their landing by 10:00 a.m. the day following landing. Ticket information can be telephoned in by calling 1-866-791-1279, faxing the information to (360) 902-2949, or e-mailing to trollfishtickets@dfw.wa.gov. Report the dealer name, the dealer license number, the purchasing location, the date of purchase, the fish ticket numbers, the gear used, the catch area, the species, the total number for each species, and the total weight for each species, including halibut.

(10) During any single trip, only one side of the Leadbetter Point line (46°38'10"N. lat.) may be fished.

(11) Vessels fishing or in possession of salmon while fishing south of Leadbetter Point must land and deliver all species of fish within the area south of Leadbetter Point, except Washington permitted vessels may also land all species of fish north of Leadbetter Point.

(a) For delivery to Washington ports north of Leadbetter Point, vessels must notify WDFW at 360-249-1215 or by email at Danielle.Williams@dfw.wa.gov prior to crossing the Leadbetter Point line with area fished, total Chinook, coho, and halibut catch aboard, and destination with approximate time of delivery.

(b) Vessels in possession of salmon south of Leadbetter Point who are returning to port north of Leadbetter Point must offload all fish from the vessel prior to beginning a new fishing trip.

(c) Vessels may not land fish east of Tongue Point, Oregon or east of the Sekiu River.

(12) Vessels fishing or in possession of salmon north of Leadbetter Point must land and deliver all species of fish in a Washington

port and must possess a Washington troll and/or salmon delivery license.

(a) For delivery to Washington ports south of Leadbetter Point, vessels must notify WDFW at 360-249-1215 or by email at Danielle.Williams@dfw.wa.gov prior to crossing the Leadbetter Point line with area fished, total Chinook, coho and halibut catch aboard, and destination with approximate time of delivery.

(b) Vessels in possession of salmon south of the Queets River may not cross the Queets River line (47°31'42"N. lat.) without first notifying WDFW at 360-249-1215 or by email at Danielle.Williams@dfw.wa.gov with area fished, total Chinook, coho, and halibut catch aboard and destination.

(c) Vessels in possession of salmon north of the Queets River may not cross the Queets River line without first notifying WDFW at 360-249-1215 or by email at Danielle.Williams@dfw.wa.gov with area fished, total Chinook and halibut catch aboard and destination.

(d) Vessels may not land fish east of Tongue Point, Oregon or east of the Sekiu River.

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 July 30, 2026:

WAC 220-354-30000B	Coastal salmon troll seasons—— Commercial. (26-120)

WSR 26-16-054
EMERGENCY RULES
EASTERN WASHINGTON UNIVERSITY
[Filed July 31, 2026, 9:00 a.m., effective July 31, 2026, 9:00 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Emergency changes are being adopted to comply with Title IX regulations.

Citation of Rules Affected by this Order: Amending WAC 172-125-010.

Statutory Authority for Adoption: RCW 28B.35.120(12).

Other Authority: 34 C.F.R. Part 106.

Under RCW 34.05.350 the agency for good cause finds 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: Title IX regulations, 34 C.F.R. § 106.30(a), refer to the Federal Bureau of Investigation's (FBI) uniform crime reporting system for regulatory definitions. The FBI updated its definitions in June 2025, and on July 6, 2026, the Department of Education advised that universities must update their definitions of sexual assault and fondling to match the updated FBI definitions.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, 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 0, Amended 0, Repealed 0.

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: July 31, 2026.

Annika Scharosch
Chief of Staff and Compliance

RDS-7335.1

AMENDATORY SECTION (Amending WSR 26-11-046, filed 5/18/26, effective 6/18/26)

WAC 172-125-010 Commitment to nondiscrimination and standards of conduct for students. Eastern Washington University (EWU) is committed to equity and justice, and respect for the rights and dignity of all people. EWU is committed to providing a learning, living, and working environment free from discrimination and harassment. To fulfill these commitments, this code prohibits students and student organizations from engaging in discrimination, discriminatory harassment, interpersonal violence, sexual assault, sexual misconduct, or retaliation. This code sets forth the expectations for EWU student and student organization behavior and the process for addressing potential

violations of the following standards of conduct. More specifically, students and student organizations are prohibited from engaging in:

(1) **Discriminatory conduct.** Discriminatory conduct includes discriminatory treatment and discriminatory harassment. For purposes of both of these violations, the term "protected status" includes race, color, creed, religion, national origin, shared ancestry, citizenship or immigration status, sex, pregnancy, sexual orientation, gender identity/expression, genetic information, age, marital status, families with children, protected veteran or military status, HIV or hepatitis C, status as a mother breastfeeding her child, or the presence of any sensory, mental, or physical disability, or the use of a trained guide dog or service animal by a person with a disability.

(a) **Discriminatory treatment.** Adverse action taken against another individual because of the person's protected status or perception of a person's protected status, excluding protected free speech. Discriminatory treatment includes, but is not limited to, causing physical damage to another person's property because of their protected status or perception of a person's protected status or excluding a person from joining or participating in a student organization because of their protected status or the perception thereof. Individuals and student organizations may be treated differently on the basis of sex only to the extent permitted by Title IX and the Washington Law Against Discrimination.

(b) **Discriminatory harassment.** Physical or verbal conduct that:

(i) Denigrates or shows hostility toward an individual because of their protected status (as defined above) or perceived protected status;

(ii) Is subjectively and objectively offensive; and

(iii) Is sufficiently severe or pervasive as to unreasonably interfere with an individual's academic or work performance, or ability to participate in or benefit from the university's programs and activities.

(2) **Interpersonal violence.** Interpersonal violence encompasses domestic violence, dating violence, and stalking. These terms are defined as:

(a) **Domestic violence:** Any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual relationship, are current or former family members, or adult persons who presently reside together. This includes, but is not limited to, physical abuse, threats of bodily harm or safety, or coercive control. Coercive control is: (i) A pattern of behavior used to cause another to suffer physical, emotional, or psychological harm; (ii) and is intended to or has the effect of unreasonably interfering with a person's free will and personal liberty. Examples of coercive control are identified in RCW 7.105.010(4).

(b) **Dating violence:** Is domestic violence as defined above except the acts are committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. In determining whether such a relationship exists, the following factors are considered:

(i) The length of time the relationship has existed;

(ii) The type of relationship; and

(iii) The frequency of interaction between the parties involved in the relationship.

(c) **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

(i) Fear for their health and/or safety or the health/safety of others; or

(ii) Suffer substantial emotional distress.

(3) **Sexual harassment.** Harassment on the basis of a person's sex, sexual orientation, or gender identity/expression that meets one of the following standards:

(a) **Hostile environment:** Unwelcome sex-based conduct that, based on the totality of the circumstances, is:

(i) Subjectively and objectively offensive; and

(ii) So severe and pervasive that it created a hostile environment by effectively denying a person equal access to the university's programs or activities.

In determining whether conduct is severe and pervasive, the university shall consider all relevant circumstances from both an objective and subjective perspective including, but not limited to: (A) The type of harassment (verbal or physical); (B) the frequency and severity of the conduct; (C) the age, sex, and relationship of the individuals involved; (D) the degree to which the conduct affected the complainant; (E) the setting and context in which the harassment occurred; (F) whether other incidents have occurred at the university; and (G) other relevant factors. These are factors for consideration; each factor does not need to be met for a hostile environment to exist.

(b) **Quid pro quo harassment:** If a student is working as a university employee or otherwise has the authority to offer benefits or service to students, sexual harassment exists if the respondent explicitly or impliedly conditioned the provision of such benefit or service on the complainant's participation in unwelcome sexual conduct.

(4) **Sexual assault.** Any sexual act directed against another person, without a person's consent, including instances where a person is not capable of giving consent. Consent means actual words or conduct indicating freely given agreement to the sexual act. Consent cannot be inferred from silence, passivity, or lack of active resistance. There is no consent where there is a threat of force or violence, any form of coercion, or physical or psychological intimidation. Sexual activity is nonconsensual when one person is incapable of consent by reason of mental incapacity, drug/alcohol use, illness, unconsciousness, age, or physical condition. Incapacitation due to drugs or alcohol refers to an individual who is in a state of intoxication such that the individual is incapable of making rational, reasonable decisions because the person lacks the capacity to give knowing consent.

Sexual assault includes:

(a) **Rape or sexual assault with an object:** The penetration, no matter how slight, of the vagina or anus of a person, with any body part or object, or oral penetration ((~~by a sex organ of another person~~)) of a sex organ of the complainant, or by the respondent's sex organ, or by a sex-related object, without ((~~a person's~~)) the complainant's consent.

(b) **Sexual contact (fondling):** The intentional touching of the ((~~private body parts of another person for the purpose of sexual gratification, without the person's consent. Private body parts include, but are not limited to, breasts, genitalia, thighs, and buttocks~~)) clothed or unclothed body parts of the complainant without the complainant's consent for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This also includes the forced touching by the complainant of the respondent's clothed or unclothed body parts without the complainant's consent for the purpose of sexual deg-

radation, sexual gratification, or sexual humiliation. This offense includes instances where the complainant is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication.

(c) **Sodomy:** Oral or anal sexual intercourse with another person, without the complainant's consent.

(d) **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by state law.

(e) **Statutory rape:** Sexual intercourse with a person who is under the age of consent as defined by state law.

(5) **Sexual misconduct.** Other forms of inappropriate sexual misconduct include indecent liberties; indecent exposure; sexual exhibitionism; prostitution or the solicitation of a prostitute; peeping or other voyeurism; sexual misconduct with a minor; sharing nude images of another without their permission; sextortion; or going beyond the boundaries of consent, such as allowing others to view consensual sex or the nonconsensual recording of sexual activity.

(6) **Retaliation.** Any intimidation, threat, coercion, or discrimination against a person for the purpose of interfering with a person's rights or privileges under this code, or because a person has reported information, made a complaint, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding, informal resolution, or hearing under this code is prohibited. Any actual or threatened retaliation is prohibited and is a separate violation of this code. If the complainant or respondent engages in retaliatory behavior, the university shall take immediate steps to protect the complainant or respondent from further harassment or retaliation.

Additional standards for student conduct are contained in the student conduct code, chapter 172-121 WAC, and the academic integrity code, chapter 172-90 WAC. Standards for employees are contained in university policy.

WSR 26-16-056
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 26-138—Filed July 31, 2026, 2:07 p.m., effective August 6, 2026]

Effective Date of Rule: August 6, 2026.

Purpose: This emergency rule opens recreational Chinook salmon retention in portions of Catch Record Card Area 7.

Citation of Rules Affected by this Order: Amending WAC 220-313-060.

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: This emergency rule is needed to open Chinook retention in Catch Record Card Area 7. Catch estimates for the summer Chinook fishery in this area, combined with daily catch rates, indicate that sufficient quota remains to allow for this opening. There is insufficient time to adopt permanent rules.

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 0.

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: July 31, 2026.

Kelly Susewind
Director

NEW SECTION

WAC 220-313-06000S Puget Sound salmon—Saltwater seasons and daily limits. Effective August 6, 2026, only, salmon rules for Catch Record Card Area 7 shall be modified as described in this section. All other provisions of WAC 220-313-060 not addressed in this section, or unless otherwise amended by emergency rule, remain in effect:

Catch Record Card Area 7, except Bellingham Bay and areas closed to salmon fishing year-round by permanent rule:

Daily limit 2 salmon including no more than 1 hatchery Chinook, may be retained. Release chum, sockeye, wild Chinook, and wild coho.