

**WSR 23-18-021
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-179—Filed August 25, 2023, 2:02 p.m., effective August 26, 2023]

Effective Date of Rule: August 26, 2023.

Purpose: The purpose of this emergency rule is to allow retention of wild coho in coastal fisheries (Catch Record Card Areas 1 - 3, and 4 west of the Bonilla-Tatoosh line, and to close salmon fishing east of the Bonilla-Tatoosh line in Area 4).

Citation of Rules Affected by this Order: Repealing WAC 220-313-07500T; 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: This emergency rule is necessary to allow retention of wild coho in recreational ocean salmon fisheries and to close salmon fishing in Catch Record Card Area 4 east of Bonilla-Tatoosh line.

Percentages of adipose marked coho have been lower than expected in ocean salmon fisheries this season. Quotas have been adjusted downward in a manner to ensure that impacts to wild coho are not increased from preseason expected rates and will remain within conservation limits by allowing their retention.

Closure of Area 4 east of the Bonilla-Tatoosh line is needed to provide geographic separation, enhance compliance, and facilitate enforcement of fisheries with different retention rules in Area 4 west of the Bonilla-Tatoosh line and Area 5.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 25, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-313-07500U Pacific Ocean salmon—Closed areas. Effective August 26, 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 26, through September 30, 2023:
 - (a) Daily limit of 2 salmon; no more than one may be a Chinook.
 - (b) Chinook minimum length 22 inches.
 - (c) Coho minimum length 16 inches.
- (2) **Catch Record Card Area 2:** Open August 26, through September 30, 2023:
 - (a) Daily limit of 2 salmon; no more than one may be a Chinook.
 - (b) Chinook minimum length 22 inches.
 - (c) Coho minimum length 16 inches.
 - (d) August 26, 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 26, through September 30, 2023:
 - (i) Daily limit of 2 salmon.
 - (ii) Release 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:** Open August 26, through September 30, 2023:
 - (a) Daily limit of 2 salmon.
 - (b) Release chum.
 - (c) Chinook minimum length 24 inches.
 - (d) Coho minimum length 16 inches.
 - (e) Closed in waters east of the Bonilla-Tatoosh line.

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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 26, 2023:

WAC 220-313-07500T Pacific Ocean salmon—Seasons—Closed areas. (23-169)