

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

[Order 23-257—Filed November 15, 2023, 4:04 p.m., effective November 15, 2023, 4:04 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to open chum salmon retention in portions of Marine Area 13 and Kennedy Creek.

Citation of Rules Affected by this Order: Repealing WAC 220-313-06000N; and amending WAC 220-312-040 and 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 open chum retention in portions of Marine Area 13 and Kennedy Creek.

In-season estimates of chum returns to Puget Sound indicate that there are sufficient returning numbers to allow for limited recreational harvest in the areas listed and presents low risk of negatively impacting natural stocks returning to South Sound.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: November 15, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-313-06000P Puget Sound salmon—Saltwater seasons and daily limits. Effective immediately, through December 7, 2023, salmon rules for Catch Record Card Area 13 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:

(a) Catch Record Card Area 13 waters northerly and westerly of a line projected from the Johnson Point (47°10'40.8"N, 122°48'53.3"W) to Devil's Head (47°10'01.2"N, 122°46'01.5"W):

Salmon: Daily limit 2. Release wild coho and wild Chinook.

(b) Catch Record Card Area 13 waters of Carr Inlet northerly of a line projected from Penrose Point (47°15'53.6"N, 122°44'11.5"W) to Green Point (47°16'55.2"N, 122°41'41.8"W):

Salmon: Daily limit 2. Release wild coho and wild Chinook.

NEW SECTION

WAC 220-312-04000V Freshwater exceptions to statewide rules—Puget Sound. Effective immediately, through December 7, 2023, recreational salmon fishing seasons for Kennedy Creek shall be modified as follows, during dates listed below. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

Kennedy Creek from mouth (an arc 500 yards east of the midpoint of the northbound Hwy. 101 Bridge) to the northbound Hwy. 101 Bridge:

- (a) Salmon daily limit 2. Release wild Chinook and wild coho.
- (b) Night closure and Selective gear rules in effect.

REPEALER

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

WAC 220-313-06000N Puget Sound salmon—Saltwater seasons and daily limits. (23-250)