



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Washington Department of Fish and Wildlife

**Preproposal Statement of Inquiry was filed as WSR 14-02-113 on 12/31/2013; or**

**Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or**

**Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).**

**Original Notice**

**Supplemental Notice to WSR \_\_\_\_\_**

**Continuance of WSR \_\_\_\_\_**

**Title of rule and other identifying information:** (Describe Subject)

WAC 220-47-307, Closed areas – Puget Sound salmon;

WAC 220-47-311, Purse seine – Open periods;

WAC 220-47-401, Reef net – Open periods;

WAC 220-47-411, Gillnet – Open periods; and

WAC 220-47-428, Beach seine – Open periods.

**Hearing location(s):**

Natural Resources Building, room 635

1111 Washington St. SE

Olympia, WA 98504

Date: Friday, April 4, 2014 Time: 10 a.m. to 11 a.m.

**Submit written comments to:**

Name: Joanna Eide – Rules Coordinator

Address: 600 Capitol Way North

Olympia, WA 98501-1091

E-mail: [Joanna.eide@dfw.wa.gov](mailto:Joanna.eide@dfw.wa.gov)

Fax: (360) 902-2155 by (date) April 3, 2014

**Assistance for persons with disabilities:** Contact

Tami Lininger by April 3, 2014

(360) 902-2207 or TTY at 1-800-833-6388

**Date of intended adoption:** On or after Monday, April 21, 2014

(Note: This is **NOT** the **effective** date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

These rules will incorporate the recommendations of the North of Falcon sub-group of the Pacific Fisheries Management Council to take harvestable fish in commercial salmon fisheries in Puget Sound while protecting species of fish listed as endangered.

**Reasons supporting proposal:** To protect species of fish listed as endangered while supporting commercial salmon fishing in Puget Sound.

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

**Statute being implemented:** RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

**Is rule necessary because of a:**

Federal Law?

Yes  No

Federal Court Decision?

Yes  No

State Court Decision?

Yes  No

If yes, CITATION:

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: February 19, 2014**

**TIME: 10:02 AM**

**WSR 14-05-102**

**DATE**

February 19, 2014

**NAME** (type or print)

Joanna Eide

**SIGNATURE**

**TITLE**

Rules Coordinator

(COMPLETE REVERSE SIDE)

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None.

**Name of proponent:** (person or organization) Washington Department of Fish and Wildlife

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Kendall Henry	1111 Washington Street SE, Olympia, WA 98504	(360) 902-2717
Implementation..... Jim Scott	1111 Washington Street SE, Olympia, WA 98504	(360) 902-2651
Enforcement..... Steve Crown	1111 Washington Street SE, Olympia, WA 98504	(360) 902-2373

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name: Joanna Eide  
Address: 600 Capital Way North  
Olympia, WA 98501-1091  
Phone: (360) 902-2930  
Fax: (360)902-2155  
E-mail: [Joanna.eide@dfw.wa.gov](mailto:Joanna.eide@dfw.wa.gov)

No. Explain why no statement was prepared.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:  
Address:

phone ( ) \_\_\_\_\_  
fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

No: Please explain: These proposals do not affect hydraulics.

# **Small Business Economic Impact Statement**

## **Commercial salmon fishing, Puget Sound, 2014**

### **1. Description of the reporting, record keeping, and other compliance requirements of the proposed rule:**

These rules will incorporate the recommendations of the North of Falcon sub-group of the Pacific Fisheries Management Council to take harvestable salmon in Puget Sound while protecting species of fish, marine mammals, and sea birds listed as endangered. The rules include legal gear requirements, area restrictions, and open periods for commercial salmon fisheries occurring in Puget Sound.

### **2. Kinds of professional services that a small business is likely to need in order to comply with such requirements:**

These rule changes clarify dates for anticipated open periods and areas for full-fleet and limited-participation salmon fisheries, and legal gear requirements for those fisheries. There are no anticipated professional services required to comply.

### **3. Costs of compliance for businesses, including costs of equipment, supplies, labor, and increased administrative costs:**

The proposed rules adjust opening and closing dates. The proposed rules do not require any additional equipment, supplies, labor, or administrative costs. Therefore, there is no additional cost to comply with the proposed rules.

### **4. Will compliance with the rule cause businesses to lose sales or revenue?**

The proposed rules do not affect the harvestable numbers of salmon available to non-treaty fleets. Therefore, the proposed rules should not cause any businesses to lose sales or revenue.

### **5. Cost of compliance for small businesses compared with the cost of compliance for the ten percent of businesses that are the largest businesses required to comply with the proposed rules using one or more of the following as a basis for comparing costs:**

- 1. Cost per employee;**
- 2. Cost per hour of labor; or**
- 3. Cost per one hundred dollars of sales**

None - The proposed rules do not require any additional equipment, supplies, labor, or administrative costs.

### **6. Steps taken by the agency to reduce the costs of the rule on small businesses, or reasonable justification for not doing so:**

Most businesses affected by these rules are small businesses. As indicated above, all of the gear restrictions proposed by the rules are identical to gear restrictions the Washington Department of Fish and Wildlife (WDFW) has required in past salmon fishery seasons. Therefore, the gear restrictions will not impose new costs on small businesses.

**7. A description of how the agency will involve small businesses in the development of the rule.**

As in previous years, WDFW interacts with and receives input from affected businesses through the North of Falcon process, which is a series of public meetings occurring from February through April each year. These meetings allow small businesses to participate in formulating these rules.

**8. A list of industries that will be required to comply with the rule:**

All licensed fishers attempting to harvest salmon in the all-citizen commercial salmon fisheries occurring in Puget Sound will be required to comply with these rules.

**9. An estimate of the number of jobs that will be created or lost as a result of compliance with the proposed rule.**

As explained above, these rules impose similar requirements to those for used in the previous years' commercial salmon fisheries. Compliance with the rules will not result in the creation or loss of jobs.

**WAC 220-47-307 Closed areas—Puget Sound salmon.** It is unlawful at any time, unless otherwise provided, to take, fish for, or possess salmon taken for commercial purposes with any type of gear from the following portions of Puget Sound Salmon Management and Catch Reporting Areas, except that closures listed in this section do not apply to reef net fishing areas listed in RCW 77.50.050:

Areas 4B, 5, 6, 6B, and 6C - The Strait of Juan de Fuca Preserve as defined in WAC 220-47-266.

Area 6D - That portion within 1/4-mile of each mouth of the Dungeness River.

Area 7 - (1) The San Juan Island Preserve as defined in WAC 220-47-262.

(2) Those waters within 1,500 feet of shore on Orcas Island from Deer Point northeasterly to Lawrence Point, thence west to a point intercepting a line projected from the northernmost point of Jones Island, thence 90° true to Orcas Island.

(3) Those waters within 1,500 feet of the shore of Cypress Island from Cypress Head to the northernmost point of Cypress Island.

(4) Those waters easterly of a line projected from Iceberg Point to Iceberg Island, to the easternmost point of Charles Island, then true north from the northernmost point of Charles Island to the shore of Lopez Island.

(5) Those waters northerly of a line projected from the southernmost point of land at Aleck Bay to the westernmost point of Colville Island, thence from the easternmost point of Colville Island to Point Colville.

(6) Those waters easterly of a line projected from Biz Point on Fidalgo Island to the Williamson Rocks Light, thence to the Dennis Shoal Light, thence to the light on the westernmost point of Burrows Island, thence to the southwestern-most point of Fidalgo Head, and including those waters within 1,500 feet of the western shore of Allan Island, those waters within 1,500 feet of the western shore of Burrows Island, and those waters within 1,500 feet of the shore of Fidalgo Island from the southwestern-most point of Fidalgo Head northerly to Shannon Point.

(7) Additional Fraser sockeye and pink seasonal closure: Those waters within 1,500 feet of the shore of Fidalgo Island from the Initiative 77 marker northerly to Biz Point.

(8) Those waters within 1,500 feet of the eastern shore of Lopez Island from Point Colville northerly to Lopez Pass, and those waters within 1,500 feet of the eastern shore of Decatur Island from the southernmost point of land northerly to Fauntleroy Point, and including those waters within 1,500 feet of the shore of James Island.

Area 7A - The Drayton Harbor Preserve as defined in WAC 220-47-252.

Area 7B - (1) That portion south and east of a line from William Point on Samish Island to Saddlebag Island to the southeastern tip of Guemes Island, and that portion northerly of the railroad trestle in Chuckanut Bay.

(2) That portion of Bellingham Bay and Portage Bay adjacent to Lummi Indian Reservation is closed north and west of a line from the intersection of Marine Drive and Hoff Road (48°46'59"N, 122°34'25"W) projected 180° true for 2.75 nautical miles (nm) to a point at

48°45'11"N, 122°34'25"W, then 250° true for 1.4 nm to a point at 48°44'50"N, 122°35'42"W, then 270° true for 1.4 nm to 48°44'50"N, 122°37'08"W, then 230° true for 1.3 nm to 48°44'24"N, 122°37'52"W, then 200° true for 1 nm to 48°43'45"N, 122°38'12"W, then 90° true for 1 nm to a point just northeast of Portage Island (48°43'45"N, 122°37'14"W), then 160° true for 1.4 nm to a point just east of Portage Island (48°42'52"N, 122°36'37"W).

~~((3) Additional coho seasonal closure: September 1 through September 21, closed to gillnets in the waters of Area 7B west of a line from Point Francis (48°41'46"N, 122°36'32"W) to the red and green buoy southeast of Point Francis (48°40'27"N, 122°35'24"W), then to the northernmost tip of Eliza Island (48°39'38"N, 122°35'14"W), then along the eastern shore of the island to its southernmost tip (48°38'40"N, 122°34'57"W) and then north of a line from the southernmost tip of Eliza Island to Carter Point (48°38'24"N, 122°36'31"W). Nontreaty purse seiners fishing September 1-21 in this area must release coho.))~~

Area 7C - That portion southeasterly of a line projected from the mouth of Oyster Creek 237° true to a fishing boundary marker on Samish Island.

Area 8 - (1) That portion of Skagit Bay easterly of a line projected from Brown Point on Camano Island to a white monument on the easterly point of Ika Island, thence across the Skagit River to the terminus of the jetty with McGlinn Island.

(2) Those waters within 1,500 feet of the western shore of Camano Island south of a line projected true west from Rocky Point.

Area 8A - (1) Those waters easterly of a line projected from Mission Point to Buoy C1, excluding the waters of Area 8D, thence through the green light at the entrance jetty of the Snohomish River and across the mouth of the Snohomish River to landfall on the eastern shore, and those waters northerly of a line from Camano Head to the northern boundary of Area 8D, except when open for pink fisheries.

(2) Additional coho seasonal closure prior to October 3: Those waters southerly of a line projected from the Clinton ferry dock to the Mukilteo ferry dock.

~~((3) Adjusted pink seasonal closure: Those waters easterly of a line projected from the southernmost point of Area 8D, the point of which begins from a line projected 225° from the pilings at Old Bower's Resort to a point 2,000 feet offshore, thence through the green light at the entrance jetty of the Snohomish River and across the mouth of the Snohomish River to landfall on the eastern shore, and those waters northerly of a line from Camano Head to the northern boundary of Area 8D, and waters southerly of a line projected from the Clinton ferry dock to the Mukilteo ferry dock.))~~

Area 8D - Those waters easterly of a line projected from Mission Point to Hermosa Point.

Area 9 - Those waters lying inside and westerly of a line projected from the Point No Point light to Sierra Echo buoy, thence to Forbes Landing wharf east of Hansville.

Area 10 - (1) Those waters easterly of a line projected from Meadow Point to West Point.

(2) Those waters of Port Madison westerly of a line projected from Point Jefferson to the northernmost portion of Point Monroe.

(3) Additional pink seasonal closure: The area east inside of the line originating from West Point and extending west to the closest midchannel buoy, thence true through Point Wells until reaching latitude 47°44'50"N, thence extending directly east to the shoreline.

(4) Additional purse seine pink seasonal closure: The area within 500 feet of the eastern shore in Area 10 is closed to purse seines north of latitude 47°44'500"N.

(5) Additional coho (~~and chum~~) seasonal closure: Those waters of Elliott Bay east of a line from Alki Point to the light at Fourmile Rock, and those waters northerly of a line projected from Point Wells to "SF" Buoy, then west to President's Point.

Area 10E - Those waters of Liberty Bay north of a line projected due east from the southernmost Keyport dock, those waters of Dyes Inlet north of the Manette Bridge, and those waters of Sinclair Inlet southwest of a line projected true east from the Bremerton ferry terminal.

Area 11 - (1) Those waters northerly of a line projected true west from the light at the mouth of Gig Harbor, and those waters south of a line from Browns Point to the northernmost point of land on Point Defiance.

(2) Additional coho seasonal closure: Those waters south of a line projected from the light at the mouth of Gig Harbor to the Tahlequah ferry dock, then south to the Point Defiance ferry dock, and those waters south of a line projected from the Point Defiance ferry dock to Dash Point.

Area 12 - Those waters inside and easterly of a line projected from Lone Rock to the navigation light off Big Beef Creek, thence southerly to the tip of the outermost northern headland of Little Beef Creek.

Area 12A - Those waters north of a line projected due east from Broad Spit.

Area 12B - Those waters within 1/4-mile of the mouths of the Doswallips, Duckabush, and Hamma Hamma rivers and Anderson Creek.

Areas 12, 12A, and 12B - (1) Those waters within 1,000 feet of the mouth of the Quilcene River.

(2) Additional Chinook seasonal closure: Those waters north and east of a line projected from Tekiu Point to Triton Head.

Areas 12, 12B and 12C - Those waters within 1,000 feet of the eastern shore.

Area 12C - (1) Those waters within 2,000 feet of the western shore between the dock at Glen Ayr R.V. Park and the Hoodsport marina dock.

(2) Those waters south of a line projected from the Cushman Pow-erhouse to the public boat ramp at Union.

(3) Those waters within 1/4-mile of the mouth of the Dewatto Riv-er.

Areas 12 and 12D - Additional coho and chum seasonal closure: Those waters of Area 12 south and west of a line projected 94 degrees true from Hazel Point to the light on the opposite shore, bounded on the west by the Area 12/12B boundary line, and those waters of Area 12D.

Area 13A - Those waters of Burley Lagoon north of State Route 302; those waters within 1,000 feet of the outer oyster stakes off Minter Creek Bay, including all waters of Minter Creek Bay; those waters westerly of a line drawn due north from Thompson Spit at the mouth of Glen Cove; and those waters within 1/4-mile of Green Point.

AMENDATORY SECTION (Amending WSR 13-15-148, filed 7/23/13, effective 8/23/13)

**WAC 220-47-311 Purse seine—Open periods.** It is unlawful to take, fish for, or possess salmon taken with purse seine gear for commercial purposes from Puget Sound, except in the following designated Puget Sound Salmon Management and Catch Reporting Areas and during the periods provided for in each respective Management and Catch Reporting Area:

AREA	TIME	DATE
7, 7A:	7AM - 6PM	- 10/10, 10/11, 10/12, 10/13, 10/14, 10/15, 10/16, 10/17, 10/18, 10/19, 10/20, 10/21, 10/22, 10/23, 10/24, 10/25, 10/26, 10/27, 10/28, 10/29, 10/30, 10/31, 11/1( <del>(11/2)</del> )
	7AM - 5PM	- 11/2, 11/3, 11/4, 11/5, 11/6, 11/7, 11/8( <del>(11/9)</del> )

Note: In Areas 7 and 7A, it is unlawful to fail to brail when fishing with purse seine gear. Any time brailing is required, purse seine fishers must also use a recovery box in compliance with WAC 220-47-301 (7)(a) through (f).

7B, 7C:	6AM - 9PM	- ( <del>(8/14)</del> ) <u>8/13</u>
7B, 7C:	6AM - 8PM	- ( <del>(8/21, 8/28, 9/4)</del> ) <u>8/20,</u> <u>8/27, 9/3</u>
7B:	7AM - 8PM	- ( <del>(9/9, 9/11, 9/13)</del> ) <u>9/8,</u> <u>9/10, 9/12</u>
	7AM - 7PM	- ( <del>(9/16, 9/18, 9/20)</del> ) <u>9/15, 9/17, 9/19</u>
	7AM ( <del>(9/22)</del> ) <u>9/21</u>	- 6PM ( <del>(10/26)</del> ) <u>10/25</u>
	7AM ( <del>(10/28)</del> ) <u>10/27</u>	- 4PM ( <del>(11/4)</del> ) <u>10/31</u>
	7AM ( <del>(11/4)</del> ) <u>11/3</u>	- 4PM ( <del>(11/8)</del> ) <u>11/7</u>
	7AM ( <del>(11/11)</del> ) <u>11/10</u>	- 4PM ( <del>(11/15)</del> ) <u>11/14</u>
	7AM ( <del>(11/18)</del> ) <u>11/17</u>	- 4PM ( <del>(11/22)</del> ) <u>11/21</u>
	7AM ( <del>(11/25)</del> ) <u>11/24</u>	- 4PM ( <del>(11/29)</del> ) <u>11/28</u>

Note: That portion of Area 7B east of a line from Post Point to the flashing red light at the west entrance to Squalicum Harbor is open to purse seines beginning at 12:01 a.m. on the last Monday in October and until 4:00 p.m. on the first Friday in December.

( <del>(8:</del>	<del>6AM-</del> <del>7PM</del>	- 8/21, 8/22, 8/26, 8/27, 9/4))
8A:	( <del>(7AM-</del> <del>7PM</del> )	- 8/19, 8/20, 8/28, 8/29, 9/3))
	7AM - 7PM	- Limited participation - Two boats ( <del>(9/23,</del> <del>9/30))</del> ) <u>9/15, 9/22</u>
8D:	7AM - 7PM	- ( <del>(9/23, 9/30)</del> ) <u>9/22,</u> <u>9/29, 10/6</u>
	7AM - 6PM	- ( <del>(10/14, 10/21)</del> ) <u>10/13,</u> <u>10/20, 10/28, 10/30</u>

AREA	TIME	DATE
	7AM - 5PM	<del>((11/4, 11/11, 11/13, 11/18))</del> 11/3, 11/11, 11/13, 11/17, 11/25
10:	<del>((7AM-7PM</del>	Limited participation - 5 boats 8/15, 8/21, 8/22, 8/27))
10, 11:	7AM - 6PM	<del>((10/22))</del> 10/20, 10/28, 10/30
	7AM - 5PM	<del>((11/5))</del> 11/3, 11/11, 11/13, <del>((11/19, 11/26))</del> 11/17, 11/25
12, 12B:	7AM - 6PM	<del>((10/22))</del> 10/20, 10/28, 10/30
	7AM - 5PM	<del>((11/5))</del> 11/3, 11/11, 11/13, <del>((11/19))</del> 11/17
12C:	7AM - 5PM	11/11, 11/13, <del>((11/19, 11/26))</del> 11/17, 11/25

Note: In Area 10 during any open period occurring in August or September, it is unlawful to fail to brail or use a brailing bunt when fishing with purse seine gear. Any time brailing is required, purse seine fishers must also use a recovery box in compliance with WAC 220-47-301 (7)(a) through (f). ~~((During limited participation fisheries it is unlawful for vessels to take or fish for salmon without department observers on board.))~~

It is unlawful to retain the following salmon species taken with purse seine gear within the following areas during the following periods:

- Chinook salmon - At all times in Areas 7, 7A, 8, 8A, 8D, 10, 11, 12, 12B, and 12C, and after October 20 in Area 7B.
- Coho salmon - At all times in Areas 7 ~~((7))~~ and 7A ~~((7, 10, and 11))~~ and prior to September 1 in Area 7B.
- Chum salmon - Prior to October 1 in Areas 7 and 7A, and at all times in 8A.
- All other saltwater and freshwater areas - Closed.

AMENDATORY SECTION (Amending WSR 13-15-148, filed 7/23/13, effective 8/23/13)

**WAC 220-47-411 Gillnet-Open periods.** It is unlawful to take, fish for, or possess salmon taken with gillnet gear for commercial purposes from Puget Sound, except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided for in each respective fishing area:

AREA	TIME	DATE(S)	MINIMUM MESH
6D: Skiff gillnet only, definition WAC 220-16-046 and lawful gear description WAC 220-47-302.	7AM - 7PM	<del>((9/21))</del> 9/22, 9/23, 9/24, 9/25, 9/26, <del>((9/27))</del> 9/29, 9/30, 10/1, 10/2, 10/3, <del>((10/4))</del> 10/6, 10/7, 10/8, 10/9, 10/10, <del>((10/11))</del> 10/13, 10/14, 10/15, 10/16, 10/17, <del>((10/18))</del> 10/20, 10/21, 10/22, 10/23, 10/24 <del>((10/25))</del>	5"

Note: In Area 6D, it is unlawful to use other than 5-inch minimum mesh in the skiff gillnet fishery. It is unlawful to retain Chinook taken in Area 6D at any time, or any chum salmon taken in Area 6D prior to October 16. In Area 6D, any Chinook or chum salmon required to be released must be removed from the net by cutting the meshes ensnaring the fish.

7, 7A:	7AM	-	Midnight; use of recovery box required	10/10, 10/11, 10/12, 10/13, 10/14, 10/15, 10/16, 10/17, 10/18 <del>((10/19))</del>	6 1/4"
	7AM	-	Midnight	10/19, 10/20, 10/21, 10/22, 10/23, 10/24, 10/25, 10/26, 10/27, 10/28, 10/29, 10/30, 10/31, 11/1, 11/2, 11/3, 11/4, 11/5, 11/6, 11/7, 11/8 <del>((11/9))</del>	6 1/4"



AREA	TIME		DATE(S)	MINIMUM MESH	
	5PM <del>((10/21))</del> <u>10/20</u>	-	9AM <del>((10/24))</del> <u>10/23</u>	5"	
	5PM <del>((10/28))</del> <u>10/27</u>	-	9AM <del>((10/31))</del> <u>10/30</u>	5"	
	<del>((5PM 11/4))</del> <u>4PM</u>	-	<del>((9AM-11/7))</del> <u>8AM</u>	5"	
	<u>4PM</u> <u>11/3</u>	=	<u>8AM 11/6</u>	<u>5"</u>	
	6AM	-	6PM	<u>11/12, 11/13, ((11/14)) 11/19,</u> <u>11/20((, 11/21, 11/27, 11/28))</u>	6 1/4"
	6AM	-	4PM	<del>((11/15, 11/22, 11/29))</del> <u>11/14, 11/21</u>	6 1/4"
	<u>7AM</u>	=	<u>6PM</u>	<u>11/26, 11/27</u>	<u>6 1/4"</u>
	<u>7AM</u>	=	<u>4PM</u>	<u>11/28</u>	<u>6 1/4"</u>
9A: Skiff gillnet only, definition WAC 220-16-046 and lawful gear description WAC 220-47-302.	7AM <del>((8/25))</del> <u>8/24</u>	-	7PM <del>((11/2))</del> <u>11/1</u>	5"	

Note: It is unlawful to retain chum salmon taken in Area 9A prior to October 1, and it is unlawful to retain Chinook salmon at any time. Any salmon required to be released must be removed from the net by cutting the meshes ensnaring the fish.

10: ~~((7PM~~ - ~~7AM~~ ~~Limited participation—5 boats 8/14,~~ ~~8/19, 8/20, 8/27~~ ~~4 1/2" minimum and 5 1/2" maximum))~~

Note: In Area 10 fishers must use minimum 4 1/2" and maximum 5 1/2" mesh during pink salmon management periods. Also, during August or September openings, coho and Chinook salmon must be released, and it is unlawful to use a net soak time of more than 90 minutes. Net soak time is defined as the time elapsed from when the first of the gillnet web enters the water, until the gillnet is fully retrieved from the water. Fishers must also use a recovery box in compliance with WAC 220-47-302 (5)(a) through (f). During all limited participation fisheries, it is unlawful for vessels to take or fish for salmon without department observers on board.

10, 11:	5PM	-	9AM	NIGHTLY <del>((10/20, 10/23, 11/3,</del> <del>11/6))</del> <u>10/21, 10/26</u>	6 1/4"
	<u>5PM</u>	=	<u>8AM</u>	<u>NIGHTLY 10/29</u>	<u>6 1/4"</u>
	<del>((5PM))</del> <u>4PM</u>	-	8AM	<del>((10/29))</del> <u>11/4, 11/9, 11/12, 11/17,</u> <u>11/23</u>	6 1/4"
	<del>((4PM</del> - <del>9AM</del>			<del>NIGHTLY 11/12, 11/17, 11/24</del>	<del>6 1/4")</del>
	4PM	-	Midnight	<del>((NIGHTLY 10/31, 11/14, 11/20,</del> <del>11/27))</del> <u>10/22, 11/5, 11/19, 11/26</u>	6 1/4"
12A: Skiff gillnet only, definition WAC 220-16-046 and lawful gear description WAC 220-47-302.	7AM	-	7PM	Dates determined per agreement with tribal co-managers in-season if Summer Chum Salmon Conservation Initiative goals are met allowing for openings of gillnet gear.	5"

Note: In Area 12A, it is unlawful to use other than 5-inch minimum mesh in the skiff gillnet fishery. It is unlawful to retain Chinook or chum salmon taken in Area 12A at any time, and any salmon required to be released must be removed from the net by cutting the meshes ensnaring the fish.

12, 12B:	7AM	-	8PM	10/21, 10/23, <u>10/27</u> , 10/29 <del>((, 10/31,</del> <del>11/4, 11/6))</del>	6 1/4"
	6AM	-	6PM	<u>11/4, 11/6, 11/10, 11/12, ((11/14,))</u> <u>11/18, 11/20</u>	6 1/4"
12C:	6AM	-	6PM	<u>11/10, 11/12, ((11/14,)) 11/18, 11/20,</u> <u>11/24, ((11/25)) 11/26</u>	6 1/4"

All other saltwater and freshwater areas - Closed.

Nightly openings refer to the start date.

Within an area or areas, a mesh size restriction remains in effect from the first date indicated until a mesh size change is shown, and the new mesh size restriction remains in effect until changed.

AMENDATORY SECTION (Amending WSR 12-15-034, filed 7/12/12, effective 8/12/12)

**WAC 220-47-401 Reef net open periods.** (1) It is unlawful to take, fish for, or possess salmon taken with reef net gear for commercial purposes in Puget Sound, except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the periods provided for in each respective area:

AREA	TIME	DATE(S)
7, 7A	5AM - 9PM Daily	((9/30-11/40)) 9/21 - 11/8

(2) It is unlawful at all times to retain wild Chinook salmon taken with reef net gear, and it is unlawful prior to October 1 to retain chum or wild coho salmon taken with reef net gear.

(3) It is unlawful to retain marked Chinook after September 30.

(a) It is unlawful to retain marked Chinook with reef net gear if the fisher does not have in his or her immediate possession a department-issued Puget Sound Reef Net Logbook with all retained Chinook accounted for in the logbook. Marked Chinook are those with a clipped adipose fin and a healed scar at the site of the clipped fin.

(b) Completed logs must be submitted and received within six working days to: Puget Sound Commercial Salmon Manager, Department of Fish & Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091.

(4) All other saltwater and freshwater areas - Closed.

AMENDATORY SECTION (Amending WSR 13-15-148, filed 7/23/13, effective 8/23/13)

**WAC 220-47-428 Beach seine-Open periods.** It is unlawful to take, fish for, or possess salmon taken with beach seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided hereinafter in each respective Management and Catch Reporting Area:

All areas:

AREA	TIME	DATE(S)
12A:	7AM - 7PM	8/21, 8/22, ((8/23)) 8/25, 8/26, 8/27, 8/28, 8/29, ((8/30)) 9/1, 9/2, 9/3, 9/4, 9/5, ((9/6)) 9/8, 9/9, 9/10, 9/11, 9/12, ((9/13)) 9/15, 9/16, 9/17, 9/18, 9/19, ((9/20)) 9/22, 9/23, 9/24, 9/25, 9/26((-9/27))
12H:	7AM - 7PM	November (dates determined per agreement with tribal co-managers in-season if harvestable surplus of salmon remain).

It is unlawful to retain Chinook taken with beach seine gear in all areas, and it is unlawful to retain chum from Area 12A.