



# RULE-MAKING ORDER EMERGENCY RULE ONLY

## CR-103E (August 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: September 18, 2017

TIME: 3:32 PM

WSR 17-19-083

**Agency:** Washington Department of Fish and Wildlife (17-257)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**Purpose:** Amends Puget Sound commercial salmon reef net fishery

**Citation of rules affected by this order:**

New:  
Repealed: WAC 220-47-40100A  
Amended: WAC 220-47-401  
Suspended:

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

**Other authority:**

**EMERGENCY RULE**

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.  
 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:** Under the Pacific Salmon Treaty the Fraser River Panel retained regulatory authority for Puget Sound Management and Catch Reporting Area 7 through September 23, 2017. Reef net fisheries cannot be authorized until September 24. There is a co-manager agreement to open reef net fisheries following relinquishment of control by the Fraser River Panel. There is insufficient time to adopt permanent rules.

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

**The number of sections adopted at the request of a nongovernmental entity:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	1	Amended	___	Repealed	1
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

**Date adopted:** September 18, 2017

**Name:** J W Unsworth

**Title:** Director

**Signature:**



NEW SECTION

**WAC 220-47-40100A Puget Sound salmon—Reef net open periods.**

Notwithstanding the provisions of WAC 220-47-401, effective immediately until 5:00 a.m. September 24, 2017, it is unlawful to fish for salmon in Puget Sound Salmon Management and Catch Reporting Area 7 with Reef net gear.

REPEALER

The following section of the Washington Administrative Code is repealed effective 5:00 a.m. September 24, 2017:

WAC 220-47-40100A Puget Sound salmon—Reef net open periods.