



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: November 12, 2017

TIME: 3:53 PM

WSR 17-23-059

Agency: Department of Fish and Wildlife (Order 17-314)

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 commercial salmon fishing rules in Puget Sound.

Citation of rules affected by this order:

New:

Repealed: WAC 220-354-12000H, 220-354-16000H, 220-354-12000I, 220-354-16000I

Amended: WAC 220-354-120, 220-354-160

Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 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: This emergency rule is needed to delay the scheduled opening to provide the required notice to the co-managers under the Puget Sound Salmon Management Plan. Salmon Management and Catch Reporting Areas 12, 12B, and 12C are open to target the remaining non-treaty chum share available at the estimated in-season run size. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	<u>2</u>	Amended	___	Repealed	4
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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: November 12, 2017

Name: J W Unsworth

Title: Director

Signature:



NEW SECTION

WAC 220-354-12000I Puget Sound salmon—Purse seine—Open periods. Notwithstanding the provisions of WAC 220-354-120, effective immediately it is unlawful to take, fish for, or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas except during the periods provided in this section, provided that unless otherwise amended, all permanent rules remain in effect:

Areas	Open Periods
12, 12B, and 12C	Tuesday November 14 7AM – 5PM

NEW SECTION

WAC 220-354-16000I Puget Sound salmon—Gillnet—Open periods. Notwithstanding the provisions of WAC 220-354-160, effective immediately it is unlawful to take, fish for, or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas except during the periods provided in this section, provided that unless otherwise amended, all permanent rules remain in effect:

Area	Open Periods
12, 12B, and 12C	Wednesday November 15 6AM-6PM

REPEALERS

The following sections of the Washington Administrative Code are repealed:

WAC 220-354-12000H Purse Seine--Open periods.

WAC 220-354-16000H Gillnet--Open periods.

The following sections of the Washington Administrative Code are repealed effective 11:59 p.m. November 16, 2017:

WAC 220-354-12000I Purse Seine--Open periods.

WAC 220-354-16000I Gillnet--Open periods.