



# 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 13, 2017

TIME: 4:24 PM

WSR 17-23-076

**Agency:** Department of Fish and Wildlife (Order 17-318)

**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Repealed: WAC 220-354-12000I, 220-354-16000I, 220-354-12000J, 220-354-16000J

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 rescind the scheduled Purse Seine opening in filing WSR 17-23-059 for Purse seines in Puget Sound Management and Cath Reporting Area 12, 12B and 12C for November 14, 2017. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	Amended	___	Repealed	4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 13, 2017

**Name:** J W Unsworth

**Title:** Director

**Signature:**



NEW SECTION

**WAC 220-354-12000J 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	Closed

NEW SECTION

**WAC 220-354-16000J 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 6 AM-6 PM

REPEALERS

The following sections of the Washington Administrative Code are repealed:

WAC 220-354-12000I Purse Seine--Open periods. (17-314)

WAC 220-354-16000I Gillnet--Open periods. (17-314)

The following sections of the Washington Administrative Code are repealed effective 11:59 p.m. November 15, 2017:

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

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

