



**RULE-MAKING ORDER
EMERGENCY RULE ONLY**

**CR-103E (December 2017)
(Implements RCW 34.05.350
and 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 12, 2018

TIME: 1:36 PM

WSR 18-21-084

Agency: Department of Fish and Wildlife (Order 18-290)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 13, 2018

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

- Yes No If Yes, explain:

Purpose: Amend commercial purse seine and gill net rules for Puget Sound.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-354-12000F; WAC 220-354-16000G; WAC 220-354-12000G; WAC 220-354-16000H
 Amended: WAC 220-354-120; WAC 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 open gill net and purse seine commercial chum fisheries in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A. The US received notice from Canada that their chum run size threshold to allow US commercial salmon fisheries in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A per the Pacific Salmon Treaty has been met. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New Amended Repealed

The number of sections adopted on the agency's own initiative:

New 2 Amended Repealed 4

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

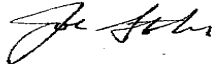
New Amended Repealed

The number of sections adopted using:

Negotiated rule making:	New <input type="text"/>	Amended <input type="text"/>	Repealed <input type="text"/>
Pilot rule making:	New <input type="text"/>	Amended <input type="text"/>	Repealed <input type="text"/>
Other alternative rule making:	New <input type="text"/>	Amended <input type="text"/>	Repealed <input type="text"/>

Date Adopted: October 12, 2018
Name: Joe Stohr for Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-354-12000G Puget Sound salmon—Purse seine—Open periods.

Notwithstanding the provisions of WAC 220-354-120, effective immediately until further notice, 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	Time	Open Periods
7 and 7A	7 a.m.- 6 p.m.	10/13, 10/16, 10/17 Closed 10/15, 10/18

NEW SECTION

WAC 220-354-16000H Puget Sound salmon—Gillnet—Open periods.

Notwithstanding the provisions of WAC 220-354-160, effective immediately until further notice, 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	Time	Open Periods
7 and 7A	7 a.m.- midnight	10/13, 10/16, 10/17 Closed 10/15, 10/18

REPEALERS

The following sections of the Washington Administrative Code are repealed effective October 13, 2018:

WAC 220-354-12000F Puget Sound salmon—Purse seine—Open periods. (18-283)

WAC 220-354-16000G Puget Sound salmon—Gillnet—Open periods. (18-283)

The following sections of the Washington Administrative Code are repealed effective October 19, 2018:

WAC 220-354-12000G Puget Sound salmon—Purse seine—Open periods.

WAC 220-354-16000H Puget Sound salmon—Gillnet—Open periods.

