



**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 24, 2018

TIME: 3:49 PM

WSR 18-22-002

**Agency:** Department of Fish and Wildlife (Order 18-304)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) October 26, 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 salmon fishing rules for Puget Sound Catch Reporting Area 6D.

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

New:  
 Repealed: WAC 220-354-16000I; WAC 220-354-16000J  
 Amended: 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:** Current flow in the Dungeness River is well below the mean flow for late October causing returning coho to hold in the marine waters near the mouth of the river, making them particularly susceptible to fishing pressure and resulting in low hatchery returns at this time. This emergency rule is needed to close commercial gill net fisheries in Catch Reporting Area 6D to ensure that hatchery escapement goals for coho are 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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 1 Amended \_\_\_\_ Repealed 2

**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	____	Amended	____	Repealed	____
Pilot rule making:	New	____	Amended	____	Repealed	____
Other alternative rule making:	New	____	Amended	____	Repealed	____

<b>Date Adopted:</b> October 24, 2018	<b>Signature:</b> 
<b>Name:</b> Joe Stohr for Kelly Susewind	
<b>Title:</b> Director	

NEW SECTION

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

Notwithstanding the provisions of WAC 220-354-160, effective October 26 through November 10, 2018, 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 set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

<b>Areas</b>	<b>Open Periods</b>
7 and 7A	Closed
6D	Closed

REPEALERS

The following section of the Washington Administrative Code is repealed effective October 26, 2018:

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

The following section of the Washington Administrative Code is repealed effective November 11, 2018:

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

