



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: November 02, 2018

TIME: 4:30 PM

WSR 18-22-084

Agency: Washington Department of Fish and Wildlife (18-313)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 5, 2018

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 purse seine and gill net fisheries

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-354-120, WAC 220-354-160
- Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.04.045 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 close commercial salmon fishing to gillnet and purse seine gear in Puget Sound Salmon Management and Catch Reporting Area 8D due to low hatchery returns. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 2 Amended ____ Repealed ____

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New ____ Amended ____ Repealed ____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 ____

Date Adopted: November 2, 2018
Name: Nate Pamplin for Kelly Susewind
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 November 5, 2018, until further notice, it is unlawful to fish for commercial purposes with purse seine gear in Puget Sound Salmon Management and Catch reporting Area 8D.

NEW SECTION

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

Notwithstanding the provisions of WAC 220-354-160, effective November 5, 2018, until further notice, it is unlawful to fish for commercial purposes with gillnet gear in Puget Sound Salmon Management and Catch reporting Area 8D.