



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: August 20, 2020

TIME: 2:06 PM

WSR 20-18-007

Agency: Department of Fish and Wildlife (Order 20-162)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 30, 2020

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

- Yes No If Yes, explain:

Purpose: The purpose of this rule is to adjust commercial gillnet and purse seine fisheries in Salmon Management and Catch Reporting Area 7C, from August 30 through September 4, 2020.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-354-12000D; WAC 220-354-16000E; WAC 220-354-12000V
 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 adjust commercial gillnet and purse seine salmon fisheries in Puget Sound Salmon Management and Catch Reporting Area 7C beginning August 30, 2020. The reason for the closure is to avoid gear conflicts with a tribal crab opening. This action is undertaken through co-manager agreement.

Immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare. Observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest. 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Federal statute:	New	_____	Amended	_____	Repealed	_____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 3

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: August 20, 2020
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Effective 7 p.m. August 30 through 7 a.m. September 4, 2020 the following provisions of WAC 220-354-160 regarding commercial gillnet open periods and mesh size for Salmon Management and Catch Reporting Areas 7B and 7C shall be as described below. All other provisions of WAC 220-354-160 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Area	Open/Closed	Time	Date	Mesh Size
7B, 7C:	Open	7PM - 8AM	Nightly 8/30, 8/31	7”
7C:	Closed	8AM 9/1 - 7AM 9/4		
7B	Open	7AM 9/1 - 7AM 9/4		5”

NEW SECTION

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

Effective 6 a.m. through 8 p.m. September 2, 2020 the following provisions of WAC 220-354-120 regarding commercial purse seine open periods for Salmon Management and Catch Reporting Area 7C shall be as described below. All other provisions of WAC 220-354-120 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Area	Open/Closed	Time	Date
7C:	Closed	6AM – 8PM	9/2

REPEALERS

The following section of the Washington Administrative Code is repealed effective immediately:

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

The following section of the Washington Administrative Code is repealed effective September 5, 2020:

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

The following section of the Washington Administrative Code is repealed effective September 3, 2020:

WAC 220-354-12000V Puget Sound salmon—Purse Seine—Open periods.