



**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: September 10, 2021

TIME: 3:22 PM

WSR 21-19-043

Agency: Department of Fish and Wildlife (Order 21-188)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) 5:00 a.m. September 11, 2021

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 Salmon Management and Catch Reporting Area 7.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-354-180
- 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 provide for Pacific Salmon Commission’s Fraser River Panel authorized commercial fisheries in Puget Sound Salmon Management and Catch Reporting Areas 7. The Fraser River Panel authorized these fisheries during their meeting on September 10, 2021. There is harvest share available for pink salmon at current run-size levels. 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| Federal statute: | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards: | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | ___ | Repealed | ___ |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 ____

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: September 10, 2021

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-354-18000N Puget Sound salmon—Reef net open periods.

Effective 5 AM September 11, 2021 through 9 PM September 12, 2021, the following provisions of WAC 220-354-180 regarding reef net open periods in Puget Sound Salmon Management and Catch Reporting Area 7 shall be as follows. All other provisions of WAC 220-354-180 not contained herein remain in effect unless others altered by emergency rule:

Reef nets - Open to reef nets according to the times, dates, and conditions as prescribed and listed below:

| Area | Open Periods |
|------|--|
| 7 | 5AM – 9 PM, Saturday, September 11, 2021 |
| 7 | 5AM – 9 PM, Sunday, September 12, 2021 |

It is unlawful to retain any salmon other than pink and coho salmon taken with reef net gear.