



# 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 17, 2021

TIME: 3:50 PM

WSR 21-19-101

**Agency:** Department of Fish and Wildlife (Order 21-203)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) September 19, 2021

**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 emergency rule is to adjust release requirements for Puget Sound Salmon Management and Catch Reporting Area 7.

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

New:  
 Repealed:  
 Amended: 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:** The United States Fraser River Panel relinquished regulatory control of non-treaty commercial sockeye and pink salmon fisheries in US waters including Puget Sound Marine Area 7 effective midnight, Saturday September 18, returning those fisheries to regulation by state rule. The additional release requirements are needed to minimize encounters and mortalities to sockeye, pink and Chinook salmon in Marine Area 7. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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	____

<b>Date Adopted:</b> September 17, 2021
<b>Name:</b> Kelly Susewind
<b>Title:</b> Director

**Signature:**



NEW SECTION

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

Effective September 19 through November 6, 2021, the following provisions of WAC 220-354-180 regarding reef net open periods and retention allowance 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 otherwise modified by emergency rule:

- (1) It is unlawful to take, fish for, or possess salmon taken with reef net gear for commercial purposes in Puget Sound, except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the periods provided for in each respective area:

<b>Area</b>	<b>Open/Closed</b>	<b>Time</b>	<b>Date</b>
7	Open	5 AM – 9 PM Daily	9/19 -11/6

- (2) It is unlawful to retain any salmon other than coho salmon taken with reef net gear from September 19 through September 30, 2021.
- (3) It is unlawful to retain any salmon other than coho and chum salmon taken with reef net gear from October 1 through November 6, 2021.
- (4) All other saltwater and freshwater areas – Closed.