



**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 05, 2021
TIME: 6:04 PM

WSR 21-23-017

Agency: Department of Fish and Wildlife (Order 21-252)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 7, 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 modify commercial gillnet fishery openings targeting chum salmon in Puget Sound Salmon Management and Catch Reporting Areas 12 and 12C.

Citation of rules affected by this order:

- New:
- Repealed:
- 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: This rule is necessary to add and modify commercial fishery openings targeting chum salmon in Puget Sound Salmon Management and Catch Reporting Areas 12 and 12C north of a line drawn true east from the southernmost point of Lilliwaup State Park to the opposite shoreline of Hood Canal. Sufficient non-treaty allocation remains (~85,000) and returns to Hood Canal hatchery facilities indicate that broodstock goals will be met and this additional fishery opportunity can be offered without compromising hatchery goals. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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: November 5, 2021	Signature: 
Name: Amy Windrope for Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective November 7 through November 12, 2021, the following provisions of WAC 220-354-160 regarding commercial gillnet open periods for Puget Sound Salmon Management and Catch Reporting Areas 12B and 12C north of a line drawn true east from the southernmost point of Lilliwaup State Park to the opposite shoreline of Hood Canal. 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(s)
12B, 12C north of a line drawn true east from the southernmost point of Lilliwaup State Park to the opposite shoreline of Hood Canal	Open	6 am-6 pm	11/8 and 11/10