



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 19, 2022

TIME: 4:19 PM

WSR 22-19-073

Agency: Department of Fish and Wildlife (Order 22-211)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 21, 2022

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 close retention of wild coho in Puget Sound Salmon Management and Catch Reporting Area 7 commercial reefnet fishery.

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 Repealed: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 close retention of unmarked coho in the Area 7 reefnet fishery. Reefnet gear has met the allowable unmarked coho thresholds for the 2022 season. Closure of unmarked coho retention is needed to ensure fishery impacts remain with conservation and management objectives for wild coho. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____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 19, 2022	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-354-18000U Reef Net open periods.

Notwithstanding the provisions of WAC 220-354-180, effective September 21, through November 5, 2022, it is unlawful to take, fish for, or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas except as provided in this section, provided that unless otherwise amended, all permanent rules remain in effect:

Open to reef net gear according to the times, dates and conditions contained herein:

Open Areas	Open Periods	Unlawful to retain
7	5 AM – 9 PM Daily, 9/21 through 9/30	Sockeye, chum, unmarked Chinook, unmarked coho
7	5 AM – 9 PM Daily, 10/1 through 11/5	Sockeye, all Chinook, unmarked coho

- (a) It is unlawful to retain marked Chinook with reefnet gear if the fisher does not have in his or her immediate possession a department-issued Puget Sound Reef Net Logbook with all retained Chinook accounted for in the logbook. Marked Chinook are those with a clipped adipose fin and a healed scar at the site of the clipped fin.
- (b) Completed logs must be submitted and received with six working days to: Puget Sound Commercial Salmon Manager, Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091.