



**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: October 06, 2022

TIME: 2:54 PM

WSR 22-21-029

Agency: Department of Fish and Wildlife (Order 22-232)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 7, 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 allow purse seine test fishery operations to be conducted by purse seine vessels F/V Chasina and F/V Harbor Gem in Puget Sound waters.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-354-120
- 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 allow the purse seine vessels, F/V Chasina and the F/V Harbor Gem to conduct test fisheries in the waters of Puget Sound Salmon Management and Catch Reporting Areas 9 and 11. These test fisheries are necessary to collect GSI data and to inform the In-season Update Models; and have been agreed to by comanagers. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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: October 6, 2022	Signature: 
Name: Nate Pamplin for Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective October 7 through November 30, 2022, the purse seine vessels F/V Chasina and the F/V Harbor Gem may carry out purse seine test fishery operations within Puget Sound Salmon Management and Catch Reporting Areas 9, and 11:

- (1) Allowed fishing period is from November 7 through November 30, 2022.
- (2) Area 11: Only chum salmon may be retained. All other salmon species must be released. WDFW staff must be onboard vessel while fishing.
- (3) Area 9, non-retention fishery: all fish must be released. WDFW staff must be onboard vessel while fishing.
- (4) Area 9 Apple Cove Test Fishery: Administered by Northwest Indian Fisheries Commission staff. All salmon species may be retained.