



**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 09, 2022

TIME: 1:03 PM

WSR 22-23-059

**Agency:** Department of Fish and Wildlife (Order 22-267)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) November 10, 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 open an additional purse seine period, targeting chum salmon in Puget Sound Salmon Management and Catch Reporting Areas 12 and 12B.

**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- Repealed: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 rule is necessary to add a commercial purse seine fishery opening targeting chum salmon in Puget Sound Salmon Management and Catch Reporting Areas 12 and 12B. The latest in-season runsize estimate for Hood Canal chum salmon based on commercial fishery information suggests the chum return is large enough to allow for additional opening dates. A closure in Area 12C is necessary to minimize geographic overlap with tribal fisheries while harvestable fish remain available in Areas 12 and 12B. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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> November 9, 2022
<b>Name:</b> Kelly Susewind
<b>Title:</b> Director

**Signature:**



NEW SECTION

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

Effective November 10, 2022, only, the following provisions of WAC 220-354-120 regarding commercial Purse Seine open periods in Puget Sound Salmon Management and Catch Reporting Areas 12, 12B, and 12C shall be as follows. All other provisions of WAC 220-354-120 not contained herein remain in effect unless otherwise altered by emergency rule:

<b>Areas</b>	<b>Open/Closed</b>	<b>Time</b>	<b>Date(s)</b>
12, 12B	Open	7 AM – 5 PM	11/10/2022
12C	Closed	-	11/10/2022