



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: August 23, 2023

TIME: 4:06 PM

WSR 23-18-008

Agency: Department of Fish and Wildlife (Order 23-177)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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 commercial purse seine and gillnet fisheries targeting pink salmon in Puget Sound Salmon Management and Catch Area 10.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-354-12000U; WAC 220-354-16000E
 Amended: WAC 220-354-120; 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 emergency rule is needed to close limited participation purse seine and gillnet fisheries targeting pink salmon in Puget Sound Management and Catch Reporting Areas 10. Closure of these fisheries is necessary to avoid going over allowed Chinook impacts. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 2 Amended ____ Repealed 2

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: August 23, 2023

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective immediately, through September 6, 2023, the following provisions of WAC 220-354-120 regarding commercial purse seine open periods in Puget Sound Salmon Management and Catch Reporting Area 10 shall be as follows. All other provisions of WAC 220-354-120 not contained herein remain in effect unless otherwise altered by emergency rule:

Area(s)	Date(s)	Open/Closed	Daily open period
10	8/23, 8/24, 8/29, 8/30, 9/5, 9/6	Closed	

NEW SECTION

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

Effective immediately, through September 6, 2023, the following provisions of WAC 220-354-160 regarding commercial gillnet open periods for Puget Sound Salmon Management and Catch Reporting Area 10 shall be as described below. All other provisions of WAC 220-354-160 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Area(s)	Date(s)	Open/Closed	Daily open period	Minimum mesh size
10	8/23, 8/24, 8/29, 8/30, 9/5, 9/6	Closed		

REPEALERS

The following sections of Washington Administrative Code are repealed, effective immediately:

WAC 220-354-12000U Puget Sound salmon—Purse seine—Open periods. (23-174)

WAC 220-354-16000E Puget Sound salmon—Gillnet—Open periods. (23-174)