



**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 11, 2024

TIME: 10:07 AM

WSR 24-19-039

Agency: Department of Fish and Wildlife (Order 24-181)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 12, 2024

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 commercial reef net seasons in Puget sound Salmon Management and Catch Reporting Area 7.

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- Repealed: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: The United States Fraser River Panel relinquished regulatory control of non-treaty commercial sockeye salmon fisheries in US waters including Puget Sound Marine Area 7 effective September 12, 2024, returning those fisheries to regulation by state rule. The additional release requirements are needed to minimize encounters and mortalities to sockeye, Chinook, and chum salmon in Marine Area 7. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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 11, 2024
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-354-180, effective September 12 through November 9, 2024, it is unlawful to take, fish for, or possess salmon taken with reef net gear 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:

Area(s)	Date(s)	Open/Closed	Daily open period
7	9/12-11/9	Open	5:00 a.m. – 9 p.m.

- (a) It is unlawful at all times to retain sockeye and unmarked Chinook taken with reef net gear.
- (b) It is unlawful to retain chum taken with reef gear before October 1.
- (c) It is unlawful to retain any Chinook, marked or unmarked, after September 30.
- (d) It is unlawful to retain marked Chinook or unmarked coho unless the reef net operator is in immediate possession of a Puget Sound Reef Net Logbook. All retained marked Chinook and unmarked coho must be recorded in the logbook.
- (e) Marked Chinook and coho are those with a missing adipose fin with a healed scar, unmarked Chinook and coho have an intact adipose fin.
- (f) Completed logs must be submitted and received within six working days to: Puget Sound Commercial Salmon Manager, Department of Fish & Wildlife, P.O. Box 43200, Olympia, WA 98504.
- (g) All other saltwater and freshwater areas - Closed.