



# 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 13, 2024

TIME: 1:37 PM

WSR 24-19-059

**Agency:** Department of Fish and Wildlife (Order 24-187)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) September 14, 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 close retention of unmarked coho taken by reef net gear until October 1, 2024.

**Citation of rules affected by this order:**

- New:
- Repealed: WAC 220-354-18000F
- 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 reefnet fishery will have caught the pre-season modeled number of coho salmon for September by September 13, necessitating release of unmarked coho through the end of September. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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New 1 Amended \_\_\_\_ Repealed 1

**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> September 13, 2024	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-354-18000G Reef Net open periods.**

Notwithstanding the provisions of WAC 220-354-180, effective September 14 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:

<b>Area(s)</b>	<b>Date(s)</b>	<b>Open/Closed</b>	<b>Daily open period</b>
7	9/14-11/9	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 and unmarked coho 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 and 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.

## REPEALER

The following section of Washington Administrative Code is repealed, effective September 14, 2024:

WAC 220-354-18000F Reef Net open periods. (24-181)