

WSR 23-18-008
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-177—Filed August 23, 2023, 4:06 p.m., effective August 23, 2023, 4:06 p.m.]

Effective Date of Rule: Immediately upon filing.

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: Repealing WAC 220-354-12000U and 220-354-16000E; and amending WAC 220-354-120 and 220-354-160.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

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.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: August 23, 2023.

Kelly Susewind
Director

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:

Table with 4 columns: Area(s), Date(s), Open/Closed, Daily open period. Row 1: 10, 8/23, 8/24, 8/29, 8/30, 9/5, 9/6, Closed, [empty]

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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		

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REPEALER

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)