

**WSR 21-17-021
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 21-142—Filed August 5, 2021, 5:12 p.m., effective August 5, 2021, 5:12 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to open commercial gill net fisheries in Puget Sound Salmon Management and Catch Reporting Area 9A, Port Gamble Bay.

Citation of Rules Affected by this Order: Amending WAC 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 necessary to modify commercial skiff gill net start week for the 2021 season in Puget Sound Salmon Management and Catch Reporting Area 9A, Port Gamble Bay, to conform with seasons agreed to with comanagers during the 2021 North of Falcon season setting process and set forth in the list of agreed fisheries. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 5, 2021.

Kelly Susewind
Director

[NEW SECTION]

WAC 220-354-16000K Puget Sound salmon—Gill net—Open periods.

Effective immediately through August 14, 2021, the following provisions of WAC 220-354-160 regarding commercial Gill Net open periods in Puget Sound Salmon Management and Catch Reporting Area 9A, Port Gamble Bay shall be as follows. All other provisions of WAC 220-351-210 not contained herein remain in effect unless otherwise altered by emergency rule:

(a) Puget Sound Salmon Management and Catch Reporting Area 9A, Port Gamble Bay:

AREA	TIME	DATES
Area 9A; Skiff gillnet only.	7 AM - 7 PM	8/8/2021 - 8/14/2021

(b) It is unlawful to retain chum salmon taken in Area 9A prior to October 1, and it is unlawful to retain Chinook salmon at any time. Any salmon required to be released must be removed from the net by cutting the meshes ensnaring the fish.

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