

WSR 22-23-018  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 22-264—Filed November 4, 2022, 12:17 p.m., effective November 7, 2022]

Effective Date of Rule: November 7, 2022.

Purpose: The purpose of this emergency rule is to adjust commercial purse seine and gillnet openings in Puget Sound Salmon Management and Catch Reporting Areas 12, 12B, and 12C.

Citation of Rules Affected by this Order: 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 rule is necessary to change commercial purse seine and gillnet fishery openings targeting chum salmon in Puget Sound Salmon Management and Catch Reporting Areas 12 and 12B. The latest in-season runsize estimate for Hood Canal chum salmon based on fishery information suggests the chum return is large enough to allow for additional planned opening dates. Changing fishing days will inform fishery managers earlier in the week on an updated runsize and potentially offer additional fishing days later in the week. A closure in Area 12C is necessary to minimize geographic overlap with tribal fisheries while harvestable fish remain available in Areas 12 and 12B. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: November 4, 2022.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-354-12000R Puget Sound salmon—Purse seine—Open periods.** Effective November 7 through November 8, 2022, the following provisions of WAC 220-354-160 regarding commercial Purse Seine open periods in Puget Sound Salmon Management and Catch Reporting Areas 12, 12B,

and 12C shall be as follows. All other provisions of WAC 220-354-160 not contained herein remain in effect unless otherwise altered by emergency rule:

| Areas        | Open/Closed | Time        | Date(s)    |
|--------------|-------------|-------------|------------|
| 12, 12B      | Open        | 7 AM - 5 PM | 11/07/2022 |
| 12C          | Closed      | -           | 11/07/2022 |
| 12, 12B, 12C | Closed      | -           | 11/08/2022 |

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NEW SECTION

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

Effective November 7 through November 9, 2022, the following provisions of WAC 220-354-160 regarding commercial gillnet open periods for Puget Sound Salmon Management and Catch Reporting Areas 12, 12B, and 12C 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        | Open/Closed | Time        | Date(s)                 |
|-------------|-------------|-------------|-------------------------|
| 12, 12B 12C | Closed      | -           | 11/07/2022              |
| 12, 12B     | Open        | 6 AM - 6 PM | 11/08/2022 - 11/09/2022 |
| 12C         | Closed      | -           | 11/08/2022 - 11/09/2022 |

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**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.