

WSR 21-22-024  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 21-239—Filed October 22, 2021, 4:35 p.m., effective October 25, 2021]

Effective Date of Rule: October 25, 2021.

Purpose: The purpose of this emergency rule is to modify and add harvest opportunity for commercial purse seine and gillnet fisheries in Puget Sound Salmon Management and Catch Reporting Areas 10, 11, 12, and 12B.

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 add and/or modify commercial purse seine and gillnet fishery openings targeting chum salmon in Puget Sound Salmon Management and Catch Reporting Areas 10, 11, 12, and 12B because recent in-season information indicates a larger chum return than originally forecast[ed]. Sufficient returns are available for the increased harvest opportunity. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: October 22, 2021.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-354-12000E Puget Sound salmon—Purse seine—Open periods.** Effective 7:00 AM, October 25, until 6:00 PM, October 25, 2021 the following provisions of WAC 220-354-160 regarding commercial Purse Seine open periods in Puget Sound Salmon Management and Catch Reporting Areas 10, 11, 12 and 12B shall be as follows. All other provisions of WAC 220-351-210 not contained herein remain in effect unless otherwise altered by emergency rule:

Areas	Open/Closed	Time	Date(s)
10, 11, 12, 12B	Open	7 AM - 6 PM	10/25/2021

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NEW SECTION

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

Effective October 26 through October 28, 2021, the following provisions of WAC 220-354-160 regarding commercial gillnet open periods for Puget Sound Salmon Management and Catch Reporting Areas 10, 11, 12 and 12B shall be as described below. All other provisions of WAC 220-354-120 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Area	Open/Closed	Time	Date(s)
10, 11	Open	5 AM - 9 AM Daily	10/26/2021; 10/28/2021
12, 12B	Open	7 AM - 8 PM Daily	10/26/2021; 10/28/2021

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