

WSR 21-22-072  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 21-243—Filed October 29, 2021, 4:39 p.m., effective October 30, 2021]

Effective Date of Rule: October 30, 2021.

Purpose: Amends Puget Sound commercial salmon fisheries for Puget Sound Salmon Management and Catch Reporting Areas 6D, 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, 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 6D, 10, and 11 because recent in-season information indicates a larger coho (Area 6D) and chum returns (Areas 10 and 11) than originally forecast. Sufficient returns are available for the increased harvest opportunity. Available in-season data indicates that the return of chum to Areas 12 and 12B are below preseason forecasts and no additional chum fishing is proposed for the week of November 1 through November 5, 2021. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 29, 2021.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-354-12000F Puget Sound salmon—Purse seine—Open periods.** Effective 7:00 AM, November 1, until 6:00 PM, November 1, 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 provi-

sions 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	Open	7 AM - 6 PM	11/1/2021
12, 12B	Closed	-	11/1 - 11/5

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NEW SECTION

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

Effective October 30 through November 5, 2021, the following provisions of WAC 220-354-160 regarding commercial gillnet open periods for Puget Sound Salmon Management and Catch Reporting Areas 6D, 10, 11, 12 and 12B and 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)
6D	Open	7 AM - 7 PM Daily	11/1 - 11/5
10, 11	Open	4 PM - 7 AM Daily	10/31/2021
10, 11	Open	4 PM - 8AM Daily	11/3/2021
12, 12B	Closed	-	11/1 - 11/5

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