

WSR 22-17-102
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-173—Filed August 19, 2022, 11:58 a.m., effective August 20, 2022]

Effective Date of Rule: August 20, 2022.

Purpose: The purpose of this emergency rule is to open commercial gillnet and purse seine seasons in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A.

Citation of Rules Affected by this Order: Amending WAC 220-354-120 and 220-354-130.

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 provide for Pacific Salmon Commission authorized commercial fisheries in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: August 19, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-12000G Puget Sound salmon—Purse seine—Open periods. Notwithstanding the provisions of WAC 220-354-120, effective the day of August 20, 2022, it is unlawful to take, fish for, or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

Purse Seines - Open to purse seine gear according to the times, dates, and conditions as prescribed and listed below:

Areas	Open Periods
7 and 7A	Open 5 a.m. - 9 p.m., August 20, 2022

(a) It is unlawful to retain Chinook, coho, chum, and rockfish.

(b) Purse seine are required to brail and fishers must also use a recovery box in compliance with WAC 220-354-100 (7) (a) through (f).

(c) All salmon and rockfish must be immediately sorted, and those required to be released must be placed in an operating recovery box or released into the water before the next brail may be brought on the deck. However, small numbers of fish may be brought on board the vessel by pulling the net in without mechanical or hydraulic assistance.

(d) It is unlawful to fish for salmon with purse seine gear in Areas 7 and 7A unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and is in possession of a department issued certification card.

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NEW SECTION

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

Notwithstanding the provisions of WAC 220-354-160, effective immediately until further notice, it is unlawful to take, fish for, or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

Gill Nets - Open to gill net gear with 5 inch minimum and 5 1/2 inch maximum mesh size according to the times, dates, and conditions as prescribed and listed here:

Areas	Open Periods
7 and 7A	Open 8 a.m. - 11:59 p.m., August 20, 2022

(a) It is unlawful to retain rockfish.

(b) It is unlawful to fish for salmon with gill net gear in Areas 7 and 7A unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and is in possession of a department issued certification card.

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