

WSR 22-19-073
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-211—Filed September 19, 2022, 4:19 p.m., effective September 21, 2022]

Effective Date of Rule: September 21, 2022.

Purpose: The purpose of this emergency rule is to close retention of wild coho in Puget Sound Salmon Management and Catch Reporting Area 7 commercial reef net fishery.

Citation of Rules Affected by this Order: Amending WAC 220-354-180.

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 close retention of unmarked coho in Area 7 reef net fishery. Reef net gear has met the allowable unmarked coho thresholds for the 2022 season. Closure of unmarked coho retention is needed to ensure fishery impacts remain within conservation and management objectives for wild coho. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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

Kelly Susewind
Director

NEW SECTION

WAC 220-354-18000U Reef net open periods. Notwithstanding the provisions of WAC 220-354-180, effective September 21, through November 5, 2022, it is unlawful to take, fish for, or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas except as provided in this section, provided that unless otherwise amended, all permanent rules remain in effect:

Open to reef net gear according to the times, dates and conditions contained herein:

Open Areas	Open Periods	Unlawful to retain
7	5 AM - 9 PM Daily, 9/21 through 9/30	Sockeye, chum, unmarked Chinook, unmarked coho
7	5 AM - 9 PM Daily, 10/1 through 11/5	Sockeye, all Chinook, unmarked coho

(a) It is unlawful to retain marked Chinook with reef net gear if the fisher does not have in his or her immediate possession a department-issued Puget Sound Reef Net Logbook with all retained Chinook accounted for in the logbook. Marked Chinook are those with a clipped adipose fin and a healed scar at the site of the clipped fin.

(b) Completed logs must be submitted and received with six working days to: Puget Sound Commercial Salmon Manager, Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091.

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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.