

**WSR 22-21-101
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 22-242—Filed October 17, 2022, 3:06 p.m., effective October 17, 2022, 3:06 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amends Puget Sound commercial purse seine, gill net, and reef net fisheries.

Citation of Rules Affected by this Order: Amending WAC 220-354-120, 220-354-160, and 220-354-180.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.04.045 [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 commercial salmon fishing to gill net, purse seine, and reef net gear in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A. Catch levels for chum salmon in Marine Areas 7 and 7A are determined through provisions within Chapter 6 of Pacific Salmon treaty. The United States was informed on October 14 that the runsize of chum returning to the Fraser River is less than 1.05 million, triggering a reduction in the catch ceiling in United States fisheries to critical level. Fisheries need to be closed to ensure that the United States stays within harvest limits established by the treaty. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 3, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 17, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-12000L Puget Sound salmon—Purse seine—Open periods. Effective immediately, the following provisions of WAC 220-354-120 regarding commercial Gill Net open periods in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A shall be as follows. All other

provisions of WAC 220-354-120 not contained herein remain in effect unless otherwise altered by emergency rule:

Areas	Open Periods
7 and 7A	Closed

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NEW SECTION

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

Effective immediately, the following provisions of WAC 220-354-160 regarding commercial purse seine open periods for Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A 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:

Areas	Open Periods
7 and 7A	Closed

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NEW SECTION

WAC 220-354-18000V Puget Sound salmon—Reef net—Open periods.

Effective 12:01 a.m. October 18, 2022, the following provisions of WAC 220-354-180 regarding reef net open periods in Puget Sound Salmon Management and Catch Reporting Area 7 shall be as follows. All other provisions of WAC 220-354-180 not contained herein remain in effect unless others altered by emergency rule:

Areas	Open Periods
7 and 7A	Closed

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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.