

WSR 22-22-065
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-258—Filed October 28, 2022, 3:47 p.m., effective October 28, 2022, 3:47 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to open gillnet and purse seine fisheries in Puget Sound Salmon Management and Catch Reporting Areas 10 and 11 and close Area 12C.

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 commercial purse seine and gillnet fishery openings targeting chum salmon in Puget Sound Salmon Management and Catch Reporting Areas 10 and 11. The latest in-season runsize estimate for South Sound chum salmon based on test fishing is large enough to allow full fleet openings. A closure in Area 12C is necessary to minimize geographic overlap with tribal fisheries while harvestable fish remain available in Areas 12 and 12B. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 28, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-12000P Puget Sound salmon—Purse seine—Open periods. Effective 7:00 AM until 6:00 PM, November 1, 2022, the following provisions of WAC 220-354-120 regarding commercial Purse Seine open periods in Puget Sound Salmon Management and Catch Reporting Areas 10 and 11 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/Closed	Time	Date(s)
10, 11	Open	7 AM - 6 PM	11/01/2022
12C	Closed	7AM - 6PM	11/01/2022

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NEW SECTION

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

Effective October 31, 2022, the following provisions of WAC 220-354-160 regarding commercial gillnet open periods for Puget Sound Salmon Management and Catch Reporting Areas 10 and 11 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:

Area	Open/Closed	Time	Date(s)
10, 11	Open	5 PM - 9 AM	Opening 10/31 - 11/01/2022
10, 11	Open	5 PM - 9 AM	Opening 11/2 - 11/3/2022
12C	Closed	6 AM - 6 PM	10/31/2022 and 11/2/2022

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