

**WSR 23-17-137
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-173—Filed August 21, 2023, 3:10 p.m., effective August 24, 2023]

Effective Date of Rule: August 24, 2023.

Purpose: The purpose of this emergency rule is close week 34 commercial beach seine fisheries for Puget Sound Salmon Management and Catch Reporting Area 12C.

Citation of Rules Affected by this Order: Amending WAC 220-354-210.

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 close Puget Sound Salmon Management and Catch Reporting Area 12C for week 34. Commercial take has exceeded preseason expectations. This time is needed to allow for equity in catch share with comanagers and in-season management review. This pause in commercial fishing will also allow hatcheries to collect needed broodstock.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: August 21, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-21000J Puget Sound salmon—Beach seine—Open periods.

Effective the day of August 24, 2023, the following provisions of WAC 220-354-210 regarding commercial Beach Seine open periods for Puget Sound Salmon Management and Catch Reporting Area 12C shall be as described below. All other provisions of WAC 220-354-210 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Area	Open/Closed	Open Time	Date(s)
12C	Closed		8/24