

**WSR 23-23-074
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-254—Filed November 13, 2023, 8:19 a.m., effective November 13, 2023]

Effective Date of Rule: November 13, 2023.

Purpose: The purpose of this emergency rule is to close commercial gillnet and purse seine fisheries in Management Areas 12 and 12B.
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 emergency rule is needed to close scheduled openings for commercial purse seine and gillnet fisheries in Puget Sound Management and Catch Reporting Areas 12 and 12B. Recent data and observations indicate chum are returning below forecasted expectation to Hood Canal. These actions are necessary to ensure hatchery and escapement goals are met. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: November 9, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-12000H Puget Sound salmon—Purse seine—Open periods.
Effective November 16 through November 23, 2023, the following provisions of WAC 220-354-120 regarding commercial purse seine open periods in Puget Sound Salmon Management and Catch Reporting areas 12 and 12B shall be as follows. All other provisions of WAC 220-354-120 not contained herein remain in effect unless otherwise altered by emergency rule:

Area(s)	Date(s)	Open/Closed	Daily open period
12, 12B	11/16, 11/23	Closed	NA

NEW SECTION

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

Effective November 13 through November 21, 2023, the following provisions of WAC 220-354-160 regarding commercial gillnet open periods for Puget Sound Salmon Management and Catch Reporting areas 12 and 12B 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(s)	Date(s)	Open/Closed	Daily open period	Minimum mesh size
12, 12B	11/13, 11/16, 11/21	Closed	NA	NA