

**WSR 21-18-056
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 21-166—Filed August 26, 2021, 8:27 a.m., effective August 27, 2021]

Effective Date of Rule: August 27, 2021.

Purpose: The purpose of this emergency rule is to open gillnet and purse seine fisheries in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A on August 27, 2021.

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

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 provide for Pacific Salmon Commission's Fraser River Panel authorized commercial fisheries in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A. The Fraser River Panel authorized the fishery during their meeting on August 24, 2021. There is harvest share for pink salmon at current run-size levels. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: August 26, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-16000M Puget Sound salmon—Gill net—Open periods.

Effective August 27, 2021, the following provisions of WAC 220-354-160 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 220-351-210 not contained herein remain in effect unless otherwise altered by emergency rule:

AREA	TIME	DATES	Open/Closed	Minimum mesh size
Area 7 and 7A, excluding apex (see subsection (b))	8 AM – 11:59 PM	8/27/2021	Open	5"

(a) It is unlawful to retain sockeye.

(b) Closed northwest of a line projected 233 degrees true from ruins of the Iwersen Dock (48°58'30.6"N, 123°5'6.5"W) on Point Roberts to the Active Pass Light (List of Lights CA No. 275 FLW10s57ft17M, 48°52'23"N, 123°17'26"W) on Georgina Point, Mayne Island, British Columbia, Canada.

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NEW SECTION

WAC 220-354-12000B Puget Sound salmon—Purse seine—Open periods.

Effective August 27, 2021, 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 220-354-120 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Area	Open/Closed	Time	Date
7 and 7A, excluding apex (see subsection (b))	Open	5 AM – 9 PM	8/27/2021

(a) It is unlawful to retain sockeye.

(b) Closed northwest of a line projected 233 degrees true from ruins of the Iwersen Dock (48°58'30.6"N, 123°5'6.5"W) on Point Roberts to the Active Pass Light (List of Lights CA No. 275 FLW10s57ft17M, 48°52'23"N, 123°17'26"W) on Georgina Point, Mayne Island, British Columbia, Canada.

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