

WSR 22-21-029
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-232—Filed October 6, 2022, 2:54 p.m., effective October 7, 2022]

Effective Date of Rule: October 7, 2022.

Purpose: The purpose of this emergency rule is to allow purse seine test fishery operations to be conducted by purse seine vessels F/V Chasina and F/V Harbor Gem in Puget Sound waters.

Citation of Rules Affected by this Order: Amending WAC 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 allow the purse seine vessels, F/V Chasina and the F/V Harbor Gem, to conduct test fisheries in the waters of Puget Sound Salmon Management and Catch Reporting Areas 9 and 11. These test fisheries are necessary to collect GSI data and to inform the in-season update models; they have been agreed to by comanagers. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: October 6, 2022.

Nate Pamplin
for Kelly Susewind
Director

NEW SECTION

WAC 220-354-12000J Puget Sound salmon—Purse seine—Open periods. Effective October 7 through November 30, 2022, the purse seine vessels F/V Chasina and the F/V Harbor Gem may carry out purse seine test fishery operations within Puget Sound Salmon Management and Catch Reporting Areas 9, and 11:

(1) Allowed fishing period is from November 7 through November 30, 2022.

(2) Area 11: Only chum salmon may be retained. All other salmon species must be released. WDFW staff must be onboard vessel while fishing.

(3) Area 9, non-retention fishery: all fish must be released. WDFW staff must be onboard vessel while fishing.

(4) Area 9 Apple Cove Test Fishery: Administered by Northwest Indian Fisheries Commission staff. All salmon species may be retained.

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