

WSR 23-20-067
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-217—Filed September 29, 2023, 7:55 a.m., effective October 1, 2023]

Effective Date of Rule: October 1, 2023.

Purpose: The purpose of this emergency rule is to require the re-lease of unmarked coho beginning October 1, 2023, in the commercial reef net fishery.

Citation of Rules Affected by this Order: Amending WAC 220-354-180.

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 necessary to require unmarked coho release. Unmarked coho release after October 1 was a provision agreed to during the 2023 North of Falcon season setting process and is included in the list of agreed fisheries. This rule is needed to align WAC [with] those preseason agreements made with 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 28, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-18000E Reef net open periods. Notwithstanding the provisions of WAC 220-354-180, effective October 1 through November 11, 2023, it is unlawful to take, fish for, or possess salmon taken with reef net gear for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas except as provided in this section:

Open to reef net gear according to the times, dates and conditions contained herein:

Area(s)	Date(s)	Open/Closed	Daily open period
7	10/1 - 11/11	Open	5:00 a.m. - 9 p.m.

(a) It is unlawful to retain Chinook and unmarked coho.

(b) Marked coho are those with a missing adipose fin with a healed scar, unmarked coho have an intact adipose fin.

(c) All other saltwater and freshwater areas - Closed.

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