

WSR 24-19-039
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-181—Filed September 11, 2024, 10:07 a.m., effective September 12, 2024]

Effective Date of Rule: September 12, 2024.

Purpose: The purpose of this emergency rule is to open commercial reef net seasons in Puget Sound Salmon Management and Catch Reporting Area 7.

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: The United States Fraser River Panel relinquished regulatory control of nontreaty commercial sockeye salmon fisheries in United States waters, including Puget Sound Marine Area 7, effective September 12, 2024, returning those fisheries to regulation by state rule. The additional release requirements are needed to minimize encounters and mortalities to sockeye, Chinook, and chum salmon in Marine Area 7. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 11, 2024.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-18000F Reef net open periods. Notwithstanding the provisions of WAC 220-354-180, effective September 12 through November 14, 2024, 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, provided that unless otherwise amended, all permanent rules remain in effect:

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

Area(s)	Date(s)	Open/Closed	Daily open period
7	9/12-11/9	Open	5:00 a.m. - 9 p.m.

(a) It is unlawful at all times to retain sockeye and unmarked Chinook taken with reef net gear.

(b) It is unlawful to retain chum taken with reef gear before October 1.

(c) It is unlawful to retain any Chinook, marked or unmarked, after September 30.

(d) It is unlawful to retain marked Chinook or unmarked coho unless the reef net operator is in immediate possession of a Puget Sound Reef Net Logbook. All retained marked Chinook and unmarked coho must be recorded in the logbook.

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

(f) Completed logs must be submitted and received within six working days to: Puget Sound Commercial Salmon Manager, Department of Fish & Wildlife, P.O. Box 43200, Olympia, WA 98504.

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