



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 29, 2024

TIME: 5:04 PM

WSR 24-22-073

Agency: Department of Fish and Wildlife (Order 24-250)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
- No
- If Yes, explain:

Purpose: This rule modifies the pre-season commercial Gill net fishery openings targeting chum salmon in Puget Sound Salmon Management and Catch Reporting Areas 10, 11, 12 and 12B

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-354-120; WAC 220-354-160
- Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 and 77.12.047

Other authority:

EMERGENCY RULE

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.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: This rule is necessary because the latest in-season runsize estimate for South Sound chum salmon based on test fishing is large enough to allow limited purse seine commercial opportunity in Catch Reporting Areas 10 and 11, full fleet gillnet commercial opportunity in Catch Reporting Areas 10 and 11, and full fleet opportunity for both purse seines and gillnets in Catch Reporting Areas 12 and 12B. Additionally, adjustments to avoid gear conflicts and additional time between openings is necessary to accommodate landing and processing capacity for the fleet. There is insufficient time to adopt permanent rules..

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New 2 Amended ____ Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

The number of sections adopted using:

Negotiated rule making:	New	____	Amended	____	Repealed	____
Pilot rule making:	New	____	Amended	____	Repealed	____
Other alternative rule making:	New	____	Amended	____	Repealed	____

Date Adopted: October 29, 2024
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-354-12000Q Puget Sound Salmon—Purse Seine—Open periods.

Effective 7:00 a.m. until 6:00 p.m., October 31, 2024, the following provisions of WAC 220-354-160 regarding commercial Purse Seine open periods in Puget Sound Salmon Management and Catch Reporting Areas 10, 11, 12, and 12B shall be as follows. All other provisions of WAC 220-351-210 not contained herein remain in effect unless otherwise altered by emergency rule:

Areas	Open/Closed	Time	Date(s)
10, 11	Open	7AM – 6 PM	10/31
12, 12B	Open	7AM – 6PM	10/31

- (a) For week 44 the following participants that have been selected and notified by the Department, or their designated alternate operator, are permitted to participate in the Puget Sound Salmon Management and Catch Reporting Areas 10 and 11 Purse Seine fisheries:
 - (i) FV Finley Vern
 - (ii) FV New Oregon
 - (iii) FV Lisa Marie
 - (iv) FV Gjoa
 - (v) FV Champion
 - (vi) FV Tradition
 - (vii) FV Halcyon
 - (viii) FV Sea Fury
 - (ix) FV Silver Wave
 - (x) FV Freeland
 - (xi) FV Harbor Gem
 - (xii) FV St. Dominick
 - (xiii) FV Equator
 - (xiv) FV Jean D
 - (xv) FV Sofia Lynn
 - (xvi) FV Sydney Jane
 - (xvii) FV Julie Ann
 - (xviii) FV Voyager
 - (xix) FV Lady Brenda
 - (xx) FV Paragon
- (b) It is unlawful to land more than 3,000 chum per license during open periods listed herein.
- (c) It is unlawful to possess salmon caught in other Marine Areas while participating in this fishery.
- (d) All salmon caught in Marine Area 10 and 11 must be offloaded prior to fishing in additional open areas.
- (e) Agreement to participate in this fishery will require that a department observer be allowed on board the vessel while fishing if requested by department staff.

NEW SECTION

WAC 220-354-16000V Puget Sound Salmon—Gillnet—Open periods.

Effective immediately, through November 1, 2024, the following provisions of WAC 220-354-160 regarding commercial Gillnet open periods for Puget Sound Salmon Management and Catch Reporting Areas 10, 11, 12 and 12B 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(s)
10, 11	Open	5 PM – 9 AM	Opening 10/29
12, 12B	Open	7AM – 8PM	Opening 10/29 and 11/1