



**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: November 01, 2024

TIME: 4:10 PM

WSR 24-22-099

Agency: Department of Fish and Wildlife (Order 24-254)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 4, 2024

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 purse seine 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- Repealed: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
- 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 to modify the pre-season planned schedule of the commercial Purse Seine openings targeting chum salmon in Puget Sound Salmon Management and Catch Reporting Areas 10, 11, 12 and 12B. 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 Areas 10 and 11. The purse seine fishery in Areas 10 and 11 is being delayed by one day from the pre-season plan to accommodate landing and processing capacity for the fleet. The purse seine opening scheduled for November 4 in Catch Areas 12 and 12B is being cancelled to allow additional time to assess catch to date and remaining non-treaty share of chum salmon.

**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 1 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: November 1, 2024	Signature: 
Name: Amy Windrope for Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective November 4 through November 5, 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 220-354-160 not contained herein remain in effect unless otherwise altered by emergency rule:

Areas	Open/Closed	Time	Date(s)
10, 11	Closed	NA	11/4
10, 11	Open	7AM – 5 PM	11/5
12, 12B	Closed	NA	11/4

- (a) For week 45 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 Zealot
 - (ii) FV Maren E
 - (iii) FV Anita
 - (iv) FV Western Surf
 - (v) FV Finley Vern
 - (vi) FV New Oregon
 - (vii) FV Alaskan Rose
- (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.