

**WSR 24-21-109
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 24-241—Filed October 18, 2024, 4:38 p.m., effective October 24, 2024]

Effective Date of Rule: October 24, 2024.

Purpose: This emergency rule adjusts the Puget Sound purse seine test fishing schedule for week 43.

Citation of Rules Affected by this Order: Repealing WAC 220-354-12000J; and 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 adjust the preseason purse seine vessel test fishing schedule for the following vessels (F/V), the F/V Harbor Gem, the F/V Lisa Marie, and the F/V Tradition in week 43 from Wednesday to Thursday, to conduct test fisheries in the waters of Puget Sound Salmon Management and Catch Reporting Areas 9, 10, and 11. The schedule adjustment is necessary to accommodate changes to openings in Puget Sound commercial fisheries. These test fisheries are necessary to collect genetic stock identification data and to inform the in-season update models, and have been agreed to by comanagers. This information is necessary to sustainably manage Puget Sound chum fisheries. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 18, 2024.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-12000M Puget Sound salmon—Purse seine—Open periods. Effective October 24 through November 27, 2024, the purse seine vessels the F/V Harbor Gem, the F/V Lisa Marie and the F/V Tradition may

carry out purse seine test fishery operations within Puget Sound Salmon Management and Catch Reporting Areas 9, 10 and 11.

(1) Allowed fishing period is from October 24 through November 27, 2024.

(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 9/10 Apple Cove Test Fishery: Administered by Northwest Indian Fisheries Commission staff. All salmon species may be retained.

(4) Weekly schedule by Area and vessel:

| Week | F/V Harbor Gem Apple Cove/Kingston Area 9/10 | F/V Tradition Command Point; Area 11; West Pass | F/V Lisa Marie Point Beals; Area 11; East Pass |
|------|---|--|---|
| 43 | Thurs 10/24/2024 | Thurs 10/24/2024 | Thurs 10/24/2024 |
| 44 | Wed 10/30/2024 | Wed 10/30/2024 | Wed 10/30/2024 |
| 45 | Wed 11/06/2024 | Wed 11/06/2024 | Wed 11/06/2024 |
| 46 | Wed 11/13/2024 | Wed 11/13/2024 | Wed 11/13/2024 |
| 47 | Wed 11/20/2024 | | |

REPEALER

The following section of Washington Administrative Code is repealed:

WAC 220-354-12000J Puget Sound salmon—Purse seine—Open periods. (24-224)