

**WSR 24-22-073
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 24-250—Filed October 29, 2024, 5:04 p.m., effective October 29, 2024, 5:04 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: This rule modifies the preseason commercial gillnet 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: Amending WAC 220-354-120 and 220-354-160.

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 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.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: October 29, 2024.

Kelly Susewind
Director

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	7 AM - 6 PM	10/31
12, 12B	Open	7 AM - 6 PM	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	7 AM - 8 PM	Opening 10/29 and 11/1