

WAC 220-351-060 Ranking and acceptance of salmon purse seine license offers. (1) All salmon purse seine licenses will be ranked based upon participation in the Puget Sound summer and fall salmon fisheries.

(2) Purse seine rankings will be based upon a point system (0-15) for landings in the months of July and August (summer fisheries) and/or the months of September, October, and November (fall fisheries) between 1994 and 1998. One point will be assigned for a verified landing during the fall fisheries and two points will be assigned for a verified landing during the summer fisheries or a maximum of fifteen points possible.

(3) Points will be assigned only if the current license owner and program applicant also landed salmon on that same license some time during the 1994-1998 qualifying period except upon the death of the licensee, the license shall be treated as analogous to personal property for purposes of calculating and assigning points in the program. A license transferred to an immediate family member during or after the period 1994-1998, and who has continued with that license shall be able to count the points for that license and shall be qualified to participate in the program.

(4) Example: A current license owner makes a landing on the license in August and October of each year from 1994 to 1998. The owner is assigned the maximum fifteen points possible. If landings were only made in August 1994 and October 1998, then the owner would be assigned three points.

(5) Landings will be documented on official Washington state fish-receiving tickets or computer-generated landing lists certified by the department to be true and correct copies of Washington fish receiving tickets.

(6) In the event that two or more applicants have the same number of points, a random draw shall be conducted to rank the applicants among themselves before placing them into the overall rank order.

(7) The ranking will continue until all applicants have been rank-ordered. The order of ranking will apply to all phases of the program.

(8) **Persons selected** based upon the rank order and the available funds will be notified by the department that a license offer has been accepted by registered mail to the address provided on the offer form. The enclosed acknowledgment sent with the acceptance letter must be signed and returned to the department within twenty days of the department's mailing date. Any acknowledgment received after the twenty-day period is void and the acceptance will be withdrawn. Final rankings of all licenses will be available upon request to applicants when all appeals have been settled.

(9) **Persons not selected** in Phase 1 will be sent an acceptance by mail to the address provided on the offer form that their ranking will continue to apply for Phase 2 and Phase 3 when they should occur.

(10) Persons who apply after 5:00 p.m. on May 11, 2001, will be ranked at the bottom of the ranked list in the order that the applications were received. They are not eligible to participate in Phase 1. Applications received on a single day will be ranked by random draw.

(11) Persons who wish to appeal their ranking must appeal within twenty days of the mailing date of the registered letter of acceptance. Any appeal received after the twenty-day period is void and the ranking will stand. Appeals will be referred to an adjudicative proceeding for resolution.

(12) The department will tender the amount of the offer upon receipt of a valid acknowledgment and upon resolution of all appeals that affect the ranking of licenses to be purchased.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-351-060, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 01-10-031 (Order 01-66), § 220-95-027, filed 4/24/01, effective 5/25/01. Statutory Authority: RCW 75.08.080. WSR 98-20-052 (Order 98-206), § 220-95-027, filed 10/1/98, effective 11/1/98; WSR 95-07-012 (Order 95-20), § 220-95-027, filed 3/3/95, effective 4/3/95.]