

WSR 21-23-016
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-251—Filed November 5, 2021, 5:52 p.m., effective November 6, 2021]

Effective Date of Rule: November 6, 2021.

Purpose: The purpose of this emergency rule is to open salmon seasons in a portion of Kennedy Creek and allow chum retention as part of the salmon daily limit in Marine Area 13.

Citation of Rules Affected by this Order: Amending WAC 220-312-040 and 220-313-060.

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 necessary to open salmon seasons in a portion [of] Kennedy Creek and to allow retention of chum salmon as part of the salmon daily limit in Catch Record Card Area 13 (Marine Area 13). Chum returns have exceeded pre-season projections and are large enough to allow recreational chum retention while still meeting escapement goals. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: November 5, 2021.

Amy Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-313-06000P Puget Sound salmon—Saltwater seasons and daily limits. Effective November 6, until further notice, the following provisions of WAC 220-313-060 regarding salmon seasons in Catch Record Card Area 13 shall be as described below. All other provisions of WAC 220-313-060 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Catch Record Card Area 13: Salmon:

- (a) Chinook minimum size 22 inches. Other salmon species no minimum size.
- (b) Daily limit 2.
- (c) Release wild Chinook and wild coho.

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NEW SECTION

WAC 220-312-04000W Freshwater exceptions to statewide rules—Puget Sound. Effective November 6 through November 30, 2021, recreational salmon fishing seasons for Kennedy Creek, shall be modified as follows, during dates listed below. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended, remain in effect:

Kennedy Creek (Mason County): From the mouth (500 yards east of the northbound Hwy. 101 Bridge) to northbound 101 Bridge: Salmon:

- (a) Daily limit 2.
- (b) Release wild Chinook and wild coho

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