

WSR 23-18-043
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-184—Filed August 30, 2023, 1:10 p.m., effective August 31, 2023]

Effective Date of Rule: August 31, 2023.

Purpose: The purpose of this rule is to open the commercial salmon fishery in Willapa Bay Salmon Management and Catch Reporting Area 2N on August 31, 2023.

Citation of Rules Affected by this Order: Amending WAC 220-354-250.

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 open the commercial fishery in Willapa Bay Salmon Management and Catch Reporting Area 2N on August 31, 2023. The catch and effort for the Willapa Bay commercial fishery has been lower than preseason predictions. The estimated preseason impacts for natural origin Chinook for statistical weeks 34 and 35 are 69 fish. To date, the fishery has accrued 14 natural origin Chinook impacts, or 20.3 percent, of the preseason prediction for these same weeks. Managers will continue to assess the fishery each opener and make any changes if warranted. All other rules remain in effect.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: August 30, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-25000G Willapa Bay salmon fall fishery. Notwithstanding the provisions of WAC 220-354-250, the following seasons for Willapa Bay commercial salmon area 2N on August 31, 2023, shall be modified as described herein. All other provisions of WAC 220-354-250,

not contained herein remain in effect unless otherwise altered by emergency rule:

Gillnet gear may be used to fish for coho salmon, chum salmon, and hatchery Chinook salmon marked with a clipped adipose fin with a healed scar, during dates and times, and in areas listed in the table below:

Area	Time	Date	Maximum Mesh Size
2N	6:00 a.m. through 6:00 p.m.	August 31, 2023	4.25"

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