

WSR 21-10-049
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-60—Filed April 28, 2021, 4:38 p.m., effective May 1, 2021]

Effective Date of Rule: May 1, 2021.

Purpose: The purpose of this emergency rule is to close recreational salmon fishing in Marine Area 13.

Citation of Rules Affected by this Order: Amending WAC 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: Preexisting Endangered Species Act (ESA) coverage for the effects of Puget Sound salmon fisheries expires on April 30, 2021. Federal ESA consultations on 2021-2022 Puget Sound salmon fisheries are ongoing, but are unlikely to be completed by May 1. Marine Area 13 salmon fisheries are known to intercept listed Chinook in the May period. Accordingly, Marine Area 13 will temporarily close for salmon fishing starting May 1, 2021. Salmon fisheries in Marine Area 13 will reopen when ESA authorization is received for the proposed 2021-2022 Puget Sound salmon fishing package.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: April 28, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-313-06000A Puget Sound salmon—Saltwater seasons and daily limits. Effective May 1, 2021, until further notice, the following provisions of WAC 220-313-060 regarding salmon seasons for Marine Area 13, including Fox Island Public Fishing Pier shall be modified 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: Closed.

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