

**WSR 21-19-035
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 21-185—Filed September 9, 2021, 5:02 p.m., effective September 9, 2021, 5:02 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this rule is to close the commercial fishery in Willapa Bay Salmon Management and Catch Reporting Area 2N on September 12, Areas 2N and 2M on September 14, and Areas 2N, 2T, and 2U on September 18, 2021.

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 close the commercial fishery in Willapa Bay Salmon Management and Catch Reporting Area 2N on September 12, 2021, Areas 2N and 2M on September 14, 2021, and Areas 2N, 2T, and 2U on September 18, 2021. The impacts of natural origin fall Chinook have been higher than preseason predictions. Based on preseason predictions and uncertainty around run sizes of Chinook in-season, a modification of the commercial fishery is necessary to help ensure that conservation objectives for Chinook are met. All other rules remain in effect.

For statistical week 36, the total impacts predicted preseason for natural origin Chinook was 24 fish. The estimated impacts for natural origin Chinook in-season for statistical week 36 was 39 fish. This is 163 percent of the preseason prediction.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 9, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-354-25000A Willapa Bay salmon fall fishery. Notwithstanding the provisions of WAC 220-354-250, the following rules apply. All other provisions of WAC 220-354-250, not contained herein remain in effect unless otherwise altered by emergency rule:

Areas	Date	Closed periods
2N	September 12, 2021	Closed
2N, 2M	September 14, 2021	Closed
2N, 2T, 2U	September 18, 2021	Closed

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