

WSR 21-23-019
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-249—Filed November 5, 2021, 6:27 p.m., effective November 8, 2021]

Effective Date of Rule: November 8, 2021.

Purpose: The purpose of this rule is to close the commercial salmon fishery in Willapa Bay Salmon Management and Catch Reporting Areas 2N, 2M, 2T, and 2U on November 8, 2021, and Areas 2N, 2M, and 2U on November 15, 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, 2M, 2T, and 2U on November 8 and Areas 2N, 2M, and 2U on November 15, 2021. The catch of Willapa Bay natural origin coho has been higher than preseason predictions. The total catch predicted preseason for Willapa Bay natural origin coho was 2,966. The 2021 preliminary catch for Willapa Bay natural origin coho to-date is 6,350. Based on the reported catch relative to the preseason prediction and the low natural origin coho forecast for 2021, a modification of the commercial fishery is necessary to help ensure the natural origin coho spawning escapement objective is met. All other rules remain in effect.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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

Kelly Susewind
Director

NEW SECTION

WAC 220-354-25000D 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, 2M, 2T, 2U	November 8, 2021	Closed
2N, 2M, 2U	November 15, 2021	Closed

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