



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 16, 2021

TIME: 12:11 PM

WSR 21-15-073

Agency: Department of Fish and Wildlife (Order 21-121)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 19, 2021

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: The purpose of this emergency rule is to close Chinook retention in Marine Area 5.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-313-060
- Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 and 77.12.047

Other authority:

EMERGENCY RULE

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.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: The current estimate of total legal-sized Chinook encounters through July 15 is 5,894 (78%) of the total 7,565 legal-sized encounters agreed up in this year's List of Agreed Fisheries (LOAF). Because of the high number of encounters this early in the season, Chinook retention will be suspended. Encounter estimates will be updated again after Chinook retention ends, and staff will reevaluate and determine the best course of action for the remainder of the season. There is insufficient time to adopt permanent rules.

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New 1 Amended ____ Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

The number of sections adopted using:

Negotiated rule making: New ____ Amended ____ Repealed ____
Pilot rule making: New ____ Amended ____ Repealed ____
Other alternative rule making: New ____ Amended ____ Repealed ____

Date Adopted: July 16, 2021
Name: Kelly Susewind
Title: Director

Signature:


NEW SECTION

WAC 220-313-06000F Puget Sound salmon—saltwater seasons and daily limits.

Effective July 19 through August 15, 2021, the following provisions of WAC 220-313-060 regarding salmon seasons for Marine Area 5 shall be as described herein. All other provisions of WAC 220-313-060 not addressed herein, or unless otherwise amended by emergency rule, remain in effect: Salmon:

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