



**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: October 28, 2021

TIME: 5:13 PM

WSR 21-22-064

Agency: Department of Fish and Wildlife (Order 21-242)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 1, 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 rule is to close the commercial salmon fishery in Willapa Bay Salmon Management and Catch Reporting Areas 2N, 2T, and 2U on November 1, 2021.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-354-250
- 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: This emergency rule is needed to close the commercial fishery in Willapa Bay Salmon Management and Catch Reporting Area 2N, 2T, and 2U on November 1, 2021. The catch of Willapa Bay chum has been higher than preseason predictions. The total catch predicted preseason for Willapa Bay chum was 2,721. The 2021 catch for Willapa Bay chum through statistical week 43 is 11,469. Based on the reported catch relative to the preseason prediction, a modification of the commercial fishery is necessary to help ensure the natural spawning escapement objective for chum is met. All other rules remain in effect.

Immediate adoption of this rule is necessary for the preservation of the public health, safety, or general welfare. Observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest. 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: October 28, 2021

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-354-25000C 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:

<u>Areas</u>	<u>Date</u>	<u>Closed periods</u>
2N, 2T, 2U	November 1, 2021	Closed