



**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: August 30, 2023

TIME: 1:10 PM

WSR 23-18-043

**Agency:** Department of Fish and Wildlife (Order 23-184)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) August 31, 2023

**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 open the commercial salmon fishery in Willapa Bay Salmon Management and Catch Reporting Area 2N on August 31, 2023.

**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- Repealed: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 open the commercial fishery in Willapa Bay Salmon Management and Catch Reporting Areas 2N on August 31, 2023. The catch and effort for the Willapa Bay commercial fishery has been lower than preseason predictions. The estimated preseason impacts for natural origin Chinook for statistical weeks 34 and 35 are 69 fish. To-date, the fishery has accrued 14 natural origin Chinook impacts, or 20.3%, of the preseason prediction for these same weeks. Managers will continue to assess the fishery each opener and make any changes if warranted. All other rules remain in effect.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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	____

<b>Date Adopted:</b> August 30, 2023	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

NEW SECTION

**WAC 220-354-25000G Willapa Bay salmon fall fishery.**

Notwithstanding the provisions of WAC 220-354-250, the following seasons for Willapa Bay commercial salmon area 2N on August 31, 2023, shall be modified as described herein. All other provisions of WAC 220-354-250, not contained herein remain in effect unless otherwise altered by emergency rule:

Gillnet gear may be used to fish for coho salmon, chum salmon, and hatchery Chinook salmon marked with a clipped adipose fin with a healed scar, during dates and times, and in areas listed in the table below:

Area	Time	Date	Maximum Mesh Size
2N	6:00 a.m. through 6:00 p.m.	August 31, 2023	4.25"