



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 16, 2024

TIME: 4:04 PM

WSR 24-21-086

Agency: Department of Fish and Wildlife (Order 24-238)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 17, 2024

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

- Yes No If Yes, explain:

Purpose: This emergency rule will open commercial gillnet seasons in Willapa Bay commercial salmon areas 2T and 2M.

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Repealed: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 2T on October 17, 2024, and 2M on October 18, 2024. There appears to be a larger than expected run of chum returning to Willapa Bay based on recent landings. Currently, the commercial fishery has harvested 9,286 chum, or 29.1% of the predicted seasons total. The catch of NOR coho is 3,015 to date, or 33.7% of predicted season total and based on the coho in-season update model, the natural origin coho escapement is expected to be larger than preseason expectations.

The commercial fishery in these additional areas will target the abundant chum available in the harbor.

Managers will continue to assess the fishery each opener and make any changes if warranted. 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 the 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 16, 2024

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-354-25000K Willapa Bay salmon fall fishery.

Notwithstanding the provisions of WAC 220-354-250, the following seasons for Willapa Bay commercial salmon areas 2T on October 17 and 2M on October 18, 2024, 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 adipose clipped 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 |
|------|-----------------------------|------------------|-------------------|
| 2T | 7:00 a.m. through 7:00 p.m. | October 17, 2024 | 6.5" |
| 2M | 7:00 a.m. through 7:00 p.m. | October 18, 2024 | 6.5" |