**RULE-MAKING ORDER**
**EMERGENCY RULE ONLY**

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

**Agency:** Department of Fish and Wildlife  
(Order 21-158)

**Effective date of rule:**
- ☒ Later (specify) 7 PM August 24, 2021

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**
- ☒ No

**Purpose:** The purpose of this emergency rule is to modify commercial gill net open periods in Puget Sound Salmon Management and Catch Reporting Area 7C.

**Citation of rules affected by this order:**
- New:
- Repealed: WAC 220-354-160
- Amended:
- 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 adjust commercial gillnet salmon fisheries in Puget Sound Salmon Management and Catch Reporting Area 7C beginning 7 PM August 24 through 8 AM August 26, 2021. The reason for the closure is to avoid gear conflicts with a tribal crab opening. This action is undertaken through co-manager agreement.

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. 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:

<table>
<thead>
<tr>
<th>Source of Authority</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal statute</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal rules or standards</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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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  ____

<table>
<thead>
<tr>
<th>Date Adopted: August 20, 2021</th>
<th>Signature:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Kelly Susewind</td>
<td></td>
</tr>
<tr>
<td>Title: Director</td>
<td></td>
</tr>
</tbody>
</table>
Effective 7PM August 24 through 8 AM August 26, 2021, the following provisions of WAC 220-354-160 regarding commercial Gill Net open periods in Puget Sound Salmon Management and Catch Reporting Area 7C shall be as follows. All other provisions of WAC 220-351-210 not contained herein remain in effect unless otherwise altered by emergency rule:

<table>
<thead>
<tr>
<th>AREA</th>
<th>TIME</th>
<th>DATES</th>
<th>Open/Closed</th>
<th>Minimum mesh size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area 7C</td>
<td>7PM – 8AM</td>
<td>8/24/2021 – 8/25/2021</td>
<td>Closed</td>
<td></td>
</tr>
<tr>
<td>Area 7C</td>
<td>7 PM – 8AM</td>
<td>8/25/2021 – 8/26/2021</td>
<td>Open</td>
<td>7”</td>
</tr>
</tbody>
</table>