



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 20, 2021

TIME: 4:07 PM

WSR 21-18-019

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

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) 7 PM August 24, 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 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- Repealed:
- Amended: WAC 220-354-160
- 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:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___

WAC 220-354-16000K Puget Sound salmon—Gill Net—Open periods.

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:

AREA	TIME	DATES	Open/Closed	Minimum mesh size
Area 7C	7PM – 8AM	8/24/2021 – 8/25/2021	Closed	
Area 7C	7 PM – 8AM	8/25/2021 – 8/26/2021	Open	7”