



# 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: November 25, 2019

TIME: 4:08 PM

WSR 19-24-037

Agency: Department of Fish and Wildlife (Order 19-299)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) November 28, 2019

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

- Yes
  - No
- If Yes, explain:

**Purpose:** Amend Puget Sound recreational crab rules.

**Citation of rules affected by this order:**

New:  
 Repealed: WAC 220-330-04000H; WAC 220-330-04000I  
 Amended: WAC 220-330-040  
 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 recreational crab harvest in Marine Areas 8-1 and 8-2 (Crab Region 2E). Co-managers have agreed to increase the State and Tribal harvest shares in this region and the recreational fishery can reopen through December 31, 2019. Co-managers have also agreed to 70,000 pound harvest shares for Marine Area 12 and the portion of Marine Area 9 between the Hood Canal Bridge to a line connecting Foulweather Bluff to Olele Point (Crab Region 5). As a result, Marine Area 12 and that portion of Marine Area 9 north of the Hood Canal Bridge to a line connecting Olele Point and Foulweather Bluff will remain closed for winter harvest. Final summer harvest estimates indicate that the recreational fisheries can remain open in the Marine Areas described in this regulation and contribute to achieving 50/50 harvest goal with the Treaty Tribes. 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 2

**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:** November 25, 2019

**Name:** Nate Pamplin for Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-330-04000I Crab--Areas and Seasons—Personal use.**

Notwithstanding the provisions of WAC 220-330-040, effective November 28, 2019 until further notice, it is unlawful to fish for crab for personal use in Puget Sound in all waters of Marine Areas, 4 east of the Bonilla-Tatoosh line, 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12 and 13, except as provided herein:

Marine Area 4 east of the Bonilla-Tatoosh line, Marine Area 5, Marine Area 6, Marine Area 7, Marine Area 8-1, Marine Area 8-2 and Marine Area 9, except those waters between the Hood Canal Bridge to a line connecting Foulweather Bluff to Olele Point, are open to fish for crab for personal use.

## REPEALERS

The following section of the Washington Administrative Code is repealed effective November 28, 2019:

WAC 220-330-04000H —Areas and seasons—Personal use.

The following section of the Washington Administrative Code is repealed effective January 1, 2020:

WAC 220-330-04000I Crab—Areas and seasons—Personal use.