



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: December 10, 2019

TIME: 5:34 PM

WSR 20-01-066

Agency: Department of Fish and Wildlife (Order 19-306)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) January 1, 2020

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- Repealed: WAC 220-330-04000J; WAC 220-310-02000A
- Amended: WAC 220-330-040; WAC 220-310-020
- 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 continue 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 remain open through January 31, 2020. Co-managers have also agreed to waive the requirement to record retained Dungeness crab on a valid catch record card. Instead, the average monthly recreational harvest for winter during the last three seasons will be used as the January recreational harvest estimate. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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: December 10, 2019	Signature: 
Name: Nate Pamplin for Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-330-04000J Crab--Areas and Seasons—Personal use.

Notwithstanding the provisions of WAC 220-330-040, effective January 1, 2020 through January 31, 2020 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 8-1 and Marine Area 8-2 are open to fish for crab for personal use from January 1 through January 31, 2020.

NEW SECTION

WAC 220-310-02000A Catch record cards.

Notwithstanding the provisions of WAC 220-310-020, effective January 1 through January 31, 2020 anglers will not be required to have a valid and appropriate Puget Sound Dungeness crab catch record card as described in WAC 220-310-010 to fish for or possess for personal use, Dungeness crab in Catch Record Card Areas 8-1 and 8-2. Accordingly, anglers will also not be required to record any retained Dungeness crab on a Catch Record Card from January 1 through January 31, 2020.

REPEALERS

The following sections of the Washington Administrative Code are repealed effective February 1, 2020:

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

WAC 220-310-02000A—Catch record cards.