



**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 02, 2018

TIME: 3:08 PM

WSR 18-17-017

**Agency:** Washington Department of Fish and Wildlife (Order 18-187)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) August 5, 2018

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

- Yes  No If Yes, explain:

**Purpose:** Amends coastal commercial crab rules

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

- New:
- Repealed: WAC 220-340-42000H
- Amended: WAC 220-340-420
- 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:** The weekly landing limit is necessary to protect the coastal Dungeness crab resource by mitigating handling mortality from sorting soft shelled crab and is in conformity with the Coastal Dungeness crab Summer Fishery Management Plan. There is insufficient time to promulgate 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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New 1 Amended \_\_\_\_ Repealed 1

**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	____

<b>Date Adopted:</b> August 2, 2018	<b>Signature:</b> 
<b>Name:</b> Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220–340–42000I Commercial crab fishery – Weekly trip limits**

(1) Notwithstanding the provisions of WAC 220-340-420, effective immediately until further notice, it is unlawful for any person licensed to fish under a Dungeness crab-coastal fishery license to possess or land crab in excess of 1,200 pounds taken during each of the following coastal crab accounting periods:

- August 5 – August 11, 2018
- August 12 – August 18, 2018
- August 19 – August 25, 2018
- August 26– September 1, 2018
- September 2 – September 8, 2018
- September 9 – September 15, 2018

(2) Any crab taken prior to August 5, 2018, and not landed before 11:59 p.m. August 4, 2018, become part of the August 5 through August 11, 2018 accounting period catch.

(3) It is unlawful for any person taking crab under subsection (1) of this section to fish for crab during any accounting period while having on board any crab taken in a different accounting period.

## REPEALER

The following section of the Washington Administrative Code is repealed effective August 5, 2018:

WAC 220-340-42000H Coastal crab fishery—Weekly trip limits. (18-134)