



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: April 13, 2020

TIME: 10:18 AM

WSR 20-09-068

Agency: Department of Fish and Wildlife (Order 20-58)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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

- Yes
 - No
- If Yes, explain:

Purpose: Amends Puget Sound commercial crabbing rules.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-340-45500H
- Amended: WAC 220-340-455
- 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 close Puget Sound commercial crab Region 3-3 on April 15, 2020. It is necessary to conform to closure dates previously agreed to with co-managers in the harvest management plan. Region 3-3 will remain closed to State commercial harvest until October 1, 2020 when the next management plan harvest period begins for State commercial harvesters. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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	____

Date Adopted: April 13, 2020
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-340-45500I Commercial crab fishery--Seasons and areas--Puget Sound.

Notwithstanding the provisions of WAC 220-340-455:

- 1) Effective immediately until further notice, all of Crab Management Regions 1, 2-East, 2-West, 3-1, and 3-2 are closed. Region 1 includes Marine Fish-Shellfish Catch Reporting Areas 20A, 20B, 21A, 21B, 22A and 22B. Region 2-East includes Marine Fish-Shellfish Catch Reporting Areas 24A, 24B, 24C, 24D and 26A East. Region 2-West includes Marine Fish-Shellfish Catch Reporting Areas 25B, 25D, and 26A West. Region 3-1 includes Marine Fish-Shellfish Catch Reporting Areas 23A and 23B. Region 3-2 includes Marine Fish-Shellfish Catch Reporting Areas 23D, 25A, and 25E.
- 2) Effective immediately until 7:59 p.m. April 15, 2020, it is permissible to fish for Dungeness crab for commercial purposes in Crab Management Region 3-3. Region 3-3 includes Catch Reporting Areas 23C and 29.
- 3) Effective immediately, until further notice, it is unlawful for any license holder or alternate operator to fish for crabs for commercial purposes with more than 50 pots per license per buoy tag number in Crab Management Region 3-3.
- 4) All remaining buoy tags per license must be onboard the designated vessel and available for immediate inspection.

REPEALER

The following section of the Washington Administrative code is repealed:

WAC 220-340-45500H Commercial crab fishery—Seasons and areas—Puget Sound. (20-29)