



# 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: June 26, 2020

TIME: 12:59 PM

WSR 20-14-061

**Agency:** Department of Fish and Wildlife (Order No. 20-120)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify) July 5, 2020

**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 rule is to set coastal commercial crab fishery weekly landing limits and define weekly periods.

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

New:  
Repealed: WAC 220-340-42000B  
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 and period is necessary to mitigate handling mortality from sorting soft-shelled crab and provide for an orderly fishery. 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| Federal statute:                 | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards:      | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | ___ | Repealed | ___ |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:** June 26, 2020

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-340-42000B Commercial crab fishery—Unlawful acts.**

Effective July 5, 2020 through September 15, 2020, the following provisions of WAC 220-340-420 regarding coastal commercial crab landing periods shall be as described below. All other provisions of WAC 220-340-420 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

- (1) Effective 12:01 a.m. July 5 through September 15, 2020, it is unlawful for any person licensed to fish under a Dungeness crab-coastal fishery license to possess or land crab in excess of 2,500 pounds taken during each of the following coastal crab accounting periods:
  - July 5 – July 11, 2020
  - July 12 – July 18, 2020
  - July 19 – July 25, 2020
  - July 26 – August 1, 2020
  - August 2 – August 8, 2020
  - August 9 – August 15, 2020
  - August 16 – August 22, 2020
  - August 23– August 29, 2020
  - August 30 – September 5, 2020
  - September 6 – September 12, 2020
  - September 13 – September 15, 2020
- (2) Any crab taken prior to July 5, 2020, and not landed before 11:59 p.m. July 4, 2020, become part of the July 5 through July 11, 2020 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.
- (4) All other provisions of the permanent rule remain in effect.

## REPEALER

The following section of the Washington Administrative Code is repealed effective September 16, 2020:

WAC 220-340-42000B Commercial crab fishery—Unlawful acts.