



**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: September 29, 2020

TIME: 4:28 PM

WSR 20-20-032

Agency: Department of Fish and Wildlife (Order 20-209)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 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: The purpose of this rule is to open recreational winter crab seas in Marine Areas 4 East of the Bonilla-Tatoosh line, 5, 6, 7, 9 and 12, beginning October 1 and through December 31, 2020.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-330-04000P
 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 the Marine Areas listed. Preliminary summer harvest estimates indicate that these areas can open on October 1 and contribute to achieving 50/50 harvest goal with the Treaty Tribes. A further update of recreational harvest estimates is required to determine whether Marine Areas 8-1 and 8-2 can open for winter recreational harvest. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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: September 29, 2020
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-330-040, effective immediately through December 31, 2020, Puget Sound recreational crab seasons are as listed below. All other provisions of WAC 220-330-040 not addressed herein remain in effect unless otherwise amended by emergency rule:

It is permissible to crab for personal use in the following Marine Areas: 4 East of the Bonilla-Tatoosh line, 5, 6, 7, 9, and 12.

REPEALER

The following section of the Washington Administrative Code is repealed effective January 1, 2021:

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