



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 29, 2021

TIME: 4:14 PM

WSR 21-14-037

Agency: Department of Fish and Wildlife (Order 21-106)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 4, 2021

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 emergency rule is to set weekly landing limits for coastal commercial crab.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-340-42000N
 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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New ____ Amended ____ Repealed ____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Negotiated rule making:	New	____	Amended	____	Repealed	____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 29, 2021
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-340-420:

- (1) Effective 12:01 A.M. July 4, 2021 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 2,500 pounds taken during each of the following coastal crab accounting periods:
 - July 4 – July 10, 2021
 - July 11 – July 17, 2021
 - July 18 – July 24, 2021
 - July 25 – July 31, 2021
 - August 1 – August 7, 2021
 - August 8 – August 14, 2021
 - August 15 – August 21, 2021
 - August 22– August 28, 2021
 - August 29 – September 4, 2021
 - September 5 – September 11, 2021
 - September 12 – September 15, 2021
- (2) Any crab taken prior to July 4, 2021, and not landed before 11:59 p.m. July 3, 2021, become part of the July 4 through July 10, 2021 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.

REPEALERS

The following sections of the Washington Administrative Code are repealed effective 12:01 a.m. July 4, 2021:

WAC 220-340-42000N Commercial crab fishery—Unlawful acts. (21-67)