**RULE-MAKING ORDER**  
**EMERGENCY RULE ONLY**  
CR-103E (December 2017)  
(Implements RCW 34.05.350 and 34.05.360)

### 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- Repealed: WAC 220-340-42000N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- Federal statute: New ____  Amended ____  Repealed ____
- Federal rules or standards: New ____  Amended ____  Repealed ____
- Recently enacted state statutes: New ____  Amended ____  Repealed ____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- Repealed ___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- Repealed 1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- Repealed ___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- Repealed ___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

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.

REPEAVERS

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)