



**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 30, 2021

TIME: 10:30 AM

WSR 21-20-078

Agency: Department of Fish and Wildlife (Order 21-213)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 1, 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 open recreational winter crab seasons in Puget Sound.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-330-04000C
- 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 opens recreational crab harvest in the Marine Areas listed. Preliminary summer harvest estimates indicate that these areas can open on October 1. Additional time is needed to determine whether Marine Areas 10 and 11 can offer winter opportunity.

The fishery will remain closed in Marine Area 12 south of a line projected due east from Ayock Point and Marine Area 13 for the remainder of 2021.

Immediate adoption of this rule is necessary for the preservation of the public health, safety, or general welfare. Observing time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest. 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Federal statute:	New	_____	Amended	_____	Repealed	_____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	_____

NEW SECTION

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

Notwithstanding the provisions of WAC 220-330-040, effective 12:01 a.m. October 1, 2021 through December 31, 2021, 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, 8-1, 8-2, 9, and 12 north of a line projected due east from Ayock Point.

REPEALER

The following section of the Washington Administrative Code is repealed effective January 1, 2022:

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