



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: April 19, 2022

TIME: 11:27 AM

WSR 22-09-068

Agency: Department of Fish and Wildlife (Order No. 22-57)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: Amends rules for coastal commercial crab fishery for Quileute Special Management Area

Citation of rules affected by this order:

New:
Repealed:
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: Provisions of state/tribal agreements have been met allowing and emergency rule for opening of Quileute Special Management Area with the temporary pot limit. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	1	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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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: April 19, 2022

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-340-420, effective immediately until further notice:

- (1) It unlawful for a vessel to use more than 100 pots in the Quileute SMA area between Cape Johnson (47°58.00') and Destruction Island (47°40.50') shoreward of a line approximating the 30-fathom depth curve, from 8:00 am May 1, 2022, until 8:00 am June 1, 2022. Fishers must pre-register with the Department of Fish and Wildlife 24 hours prior to deploying gear in this area by one of the two following methods:
 - E-mail to Jamie Fuller at Jamie.Fuller@dfw.wa.gov; or
 - Telephone call to Jamie Fuller at 360-580-0875.
- (2) Unless otherwise amended all other provisions of the permanent rule remain in effect.