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- Repealed: WAC 220-340-420,
- 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- Federal statute: New ____ Amended ____ Repealed ____
- Federal rules or standards: New ____ Amended ____ Repealed ____
- Recently enacted state statutes: New ____ Amended ____ Repealed ____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New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New 1 Amended ____ Repealed ____

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New ____ Amended ____ Repealed ____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- Negotiated rule making: New ____ Amended ____ Repealed ____
- Pilot rule making: New ____ Amended ____ Repealed ____
- Other alternative rule making: New ____ Amended ____ Repealed ____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: 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.