**Agency:** Department of Fish and Wildlife (Order 22-104)

**Effective date of rule:**
- **Emergency Rules**
  - ☒ Later (specify) July 3, 2022

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**
- ☒ No

**Purpose:** The purpose of this emergency rule is to set weekly landing and possession limits for coastal commercial crab fisheries.

**Citation of rules affected by this order:**
- New:
- Repealed: WAC 220-340-42000H
- 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:

<table>
<thead>
<tr>
<th>Category</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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<tbody>
<tr>
<td>Federal statute</td>
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<tr>
<td>Federal rules or standards</td>
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<tr>
<td>Recently enacted state statutes</td>
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</table>
The number of sections adopted at the request of a nongovernmental entity:

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<tr>
<th></th>
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The number of sections adopted on the agency’s own initiative:

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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

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<th>Amended</th>
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The number of sections adopted using:

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<td>Negotiated rule making</td>
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<tr>
<td>Pilot rule making</td>
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<tr>
<td>Other alternative rule making</td>
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</tbody>
</table>

**Date Adopted:** June 13, 2022

**Name:** Kelly Susewind

**Title:** Director

**Signature:**

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NEW SECTION

Notwithstanding the provisions of WAC 220-340-420:

(1) Effective 12:01 A.M. July 3, 2022, 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 3 – July 9, 2022
- July 10 – July 16, 2022
- July 17 – July 23, 2022
- July 24 – July 30, 2022
- July 31 – August 6, 2022
- August 7 – August 13, 2022
- August 14 – August 20, 2022
- August 21 – August 27, 2022
- August 28 – September 3, 2022
- September 4 – September 10, 2022
- September 11 – September 15, 2022

(2) Any crab taken prior to July 3, 2022, and not landed before 11:59 p.m. July 2, 2022, become part of the July 3 through July 9, 2022, 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 section of the Washington Administrative Code is repealed effective 12:01 a.m. July 3, 2022: WAC 220-340-42000H Commercial crab fishery—Unlawful acts. (22-57)