



# 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: August 26, 2022

TIME: 12:50 PM

WSR 22-18-018

**Agency:** Department of Fish and Wildlife (Order 22-183)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) August 28, 2022

**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 and possession limits for coastal commercial crab fisheries.

**Citation of rules affected by this order:**

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 Repealed: WAC 220-340-42000I  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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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New 1 Amended \_\_\_\_ Repealed 1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

<b>Date Adopted:</b> August 26, 2022	<b>Signature:</b> 
<b>Name:</b> Amy Windrope for Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-340-42000J Commercial crab fishery—Unlawful acts.**

Effective August 28, through September 15, 2022; notwithstanding the provisions of WAC 220-340-420:

- (1) Effective immediately 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 1,200 pounds taken during each of the following coastal crab accounting periods:
  - August 28 – September 3, 2022
  - September 4 – September 10, 2022
  - September 11 – September 15, 2022
- (2) Any crab taken prior to August 28, 2022, and not landed before 11:59 p.m. August 27, 2022, becomes part of the August 28 – September 3, 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.

## REPEALER

The following section of the Washington Administrative Code is repealed, effective August 28, 2022:  
WAC 220-340-42000I Commercial crab fishery—Unlawful acts. (22-104)