



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: March 31, 2023

TIME: 9:05 AM

WSR 23-08-050

Agency: Department of Fish and Wildlife (Order 23-48)

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: The purpose of this emergency rule is to revise the boundary of the Quinault Special Management Area.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-340-45000L
- Amended: WAC 220-340-450
- 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: Tribal Special Management Area descriptions conform with recent State/Tribal Agreements and recent State/Tribal discussions regarding in-season modifications.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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New ____ Amended ____ Repealed ____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Negotiated rule making:	New	____	Amended	____	Repealed	____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	____

Date Adopted: March 31, 2023
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-340-45000M Commercial crab fishery—Seasons and areas—Coastal.

Notwithstanding the provisions of WAC 220-340-450, effective immediately until further notice: it is unlawful to fish for Dungeness crab in Washington coastal waters, the Pacific Ocean, Grays Harbor, Willapa Bay, or the Columbia River, except as provided in this section:

- (1) Open area: The area from the WA/OR border (46°15.00) to the US/Canada border, except for Quinault Secondary Special Management Area (SSMA) and Quileute Special Management (SMA) during times and as described below. For the purposes of this section, the waters of Willapa Bay include the marine waters east of a line connecting 46°44.76 N, 124°05.76 W and 46°38.93 N, 124°04.33 W.
- (2) The Quinault Secondary Special Management Area (SSMA) is closed to fishing for Dungeness crab starting at 8:00 a.m., April 10, 2023, until further notice. The SSMA is defined by the following points:
 - (a) Northeast Corner: 47°28.00' N. Lat., 124°20.70' W. Lon.
 - (b) Northwest Corner: 47°28.00' N. Lat., 124°36.00' W. Lon.
 - (c) Southwest Corner: 47°06.00' N. Lat., 124°27.10' W. Lon.
 - (d) Southeast Corner: 47°06.00' N. Lat., 124°11.00' W. Lon.
- (3) The Quileute Special Management Area (SMA) is closed to fishing for Dungeness crab until 8:00 a.m. May 1, 2023. The SMA includes the area shoreward the 30-fathom depth curve line at the coordinates below, between Destruction Island and Cape Johnson according to the following points:
 - (a) Northeast Corner (Cape Johnson): 47°58.00' N. Lat., 124°40.40' W. Lon.
 - (b) Northwest Corner: 47°58.00' N. Lat., 124°49.00' W. Lon.
 - (c) Southwest Corner: 47°40.50' N. Lat., 124°40.00' W. Lon.
 - (d) Southeast Corner (Destruction Island): 47°40.50' N. Lat., 124°24.43' W. Lon.
- (4) Unless otherwise amended all other provisions of the permanent rule remain in effect.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-340-45000L Commercial crab fishery—Seasons and areas—Coastal. (23-32)