



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 24, 2023

TIME: 3:32 PM

WSR 23-10-011

Agency: Department of Fish and Wildlife (Order 23-56)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) May 1, 2023

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

- Yes No If Yes, explain:

Purpose: Coastal commercial crab rule

Citation of rules affected by this order:

New:
 Repealed:
 Amended: WAC 220-340-480
 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: Additional reduced pot limit descriptions for vessels fishing in the Quinault Indian Nation Usual and Accustomed Fishing Area 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____


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New ____ Amended ____ Repealed ____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Negotiated rule making: New ____ Amended ____ Repealed ____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 24, 2023
Name: Amy Windrope for Kelly Susewind
Title: Director

Signature:


NEW SECTION

WAC 220-340-48000A Commercial crab fishery—Gear limits—Coastal.

Notwithstanding the provisions of WAC 220-340-480:

Summer management period – Pot limits. Beginning May 1, 2023 until further notice, it is unlawful for a person to deploy or fish more than the specified reduced pot limit assigned to each license, unless otherwise authorized by permit issued by the director. Each pot deployed during the summer management period must possess a summer buoy tag, unless authorized by permit issued by the director.

- (a) Licenses with a permanent pot limit of 500 will be assigned a reduced pot limit of 330 pots.
- (b) Licenses with a permanent pot limit of 300 will be assigned a reduced pot limit of 200 pots.
- (c) It is unlawful to deploy gear that includes tags other than the summer buoy tag, unless authorized by permit issued by the director.
- (d) Until further notice, it is unlawful for a person to deploy or fish more than the specified reduced pot limit assigned to each license if a vessel is fishing in the Quinault Indian Nation Usual and Accustomed Fishing Area.
 - (i) Licenses with a permanent pot limit of 500 will be assigned a reduced pot limit of 300 pots.
 - (ii) Licenses with a permanent pot limit of 300 will be assigned a reduced pot limit of 185 pots.
 - (iii) Vessels operating in the Quinault U&A must maintain onboard the excess crab pot buoy tags assigned to the Coastal Dungeness crab fishery license being fished.