



**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 25, 2024

TIME: 2:23 PM

WSR 24-10-051

**Agency:** Department of Fish and Wildlife (Order 24-61)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) 8:00 a.m. May 1, 2024

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

- Yes  No If Yes, explain:

**Purpose:** This emergency rule is necessary to adjust the Quinault secondary special management area boundary.

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

New:  
 Repealed: WAC 220-340-42000X; WAC 220-340-45000R  
 Amended: WAC 220-340-420; 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 State/Tribal Agreements and 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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New 2 Amended \_\_\_\_ Repealed 2

**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> April 25, 2024
<b>Name:</b> Kelly Susewind
<b>Title:</b> Director

**Signature:**



## NEW SECTION

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

Notwithstanding the provisions of WAC 220-340-420 and WAC 220-340-480, effective 8:00 a.m. May 1, 2024, until further notice:

- (1) It is 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 a.m. May 1 through 7:59 a.m. June 1, 2024. Fishers must pre-register with the Department of Fish and Wildlife 24 hours prior to deploying gear in this area by one of the following methods:
  - (a) E-mail to Jamie Fuller at [Jamie.Fuller@dfw.wa.gov](mailto:Jamie.Fuller@dfw.wa.gov); or
  - (b) Telephone call to Jamie Fuller at 360-580-0875.
- (2) All other provisions of the permanent rule remain in effect.

## NEW SECTION

### **WAC 220-340-45000S Commercial crab fishery—Seasons and areas—Coastal.**

Notwithstanding the provisions of WAC 220-340-450, effective 8:00 a.m. May 1, 2024, 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 (except for areas and times listed in sections (2), (3), and (4) below): The area from the WA/OR border (46°15.00) to the U.S./Canada border, including Willapa Bay and Grays Harbor.

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. The SSMA includes the area shoreward of a line approximating the 17-fathom depth curve between Split Rock (47°24.50) and Joe Creek (47°12.25) according to the following coordinates:

- |                                    |                                      |
|------------------------------------|--------------------------------------|
| (a) Northeast Corner (Split Rock): | 47°24.50' N. Lat. 124°20.00' W. Lon. |
| (b) Northwest Corner:              | 47°24.50' N. Lat. 124°28.50' W. Lon. |
| (c) Southwest Corner:              | 47°12.25' N. Lat. 124°19.00' W. Lon. |
| (d) Southeast Corner (Joe Creek):  | 47°12.25' N. Lat. 124°12.28' W. Lon. |

- (3) Quileute special management area (SMA) definition: The SMA includes the area shoreward of a line approximating the 30-fathom depth curve 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) All other provisions of the permanent rule remain in effect.

## REPEALERS

The following sections of Washington Administrative Code are repealed, effective 8:00 a.m. May 1, 2024:

WAC 220-340-42000X Commercial crab fishery—Unlawful acts. (24-55)

WAC 220-340-45000R Commercial crab fishery—Seasons and areas—Coastal. (24-55)