



# 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 23, 2024

TIME: 4:08 PM

WSR 24-18-026

**Agency:** Department of Fish and Wildlife (Order 24-166)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) August 24, 2024

**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 to set the opening of the Quinault secondary special management area.

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

- New:
- Repealed:
- 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:** Closure of the Quinault Indian Nation Dungeness crab fishery allows for the opening of the Quinault SSMA to state license holders. State commercial Dungeness crab harvest in the Quinault U&A is below fifty percent of the harvestable surplus. Opening this area will not compromise the harvest sharing goals as described in the current harvest sharing agreement. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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:** August 23, 2024

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-340-45000T 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 US/Canada Border to the WA/OR border ( $46^{\circ}15.00$ ) and Grays Harbors and Willapa Bay.

For the purposes of this section, the waters of Willapa Bay include the marine waters east of a line connecting  $46^{\circ}44.76$  N,  $124^{\circ}05.76$  W and  $46^{\circ}38.93$  N,  $124^{\circ}04.33$  W.

- (2) Effective immediately, through 7:59 a.m. August 26, 2024, 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 ( $47^{\circ}24.50$ ) and Joe Creek ( $47^{\circ}12.25$ ) according to the following coordinates:

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

- (3) Unless otherwise amended all other provisions of the permanent rule remain in effect.