



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: December 11, 2024

TIME: 4:21 PM

WSR 25-01-066

Agency: Department of Fish and Wildlife (Order 24-282)

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 amend commercial crab fishing regulations in Puget Sound;

WAC 220-340-45500Q:

- (1) Opens Region 2-East on December 13, 2024, at 8:00 AM.
- (2) Opens Region 2-West on December 13, 2024, at 8:00 AM.
- (3) Closes Region 3-4 on December 13, 2024.

WAC 220-340-47000M:

- (1) Increases the Region 1 pot limit to 60 pots per license.
- (2) Sets the Region 2-East pot limit to 20 pots per license.
- (3) Sets the Region 2-West pot limit to 20 pots per license.
- (4) Maintains current pot limits in Regions 3-2, 3-3, and 3-4.

Citation of rules affected by this order:

New:

Repealed: WAC 220-340-45500P; WAC 220-340-47000L

Amended: WAC 220-340-455; WAC 220-340-470

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: Regions 2-East and 2-West will open on December 13, 2024, at 8:00 AM to harvest the remaining available quota in those areas. Region 3-4 will close on December 13, 2024, due to quota attainment. The Region 1 pot limit will be increased to 60 pots per license. This rule maintains current pot limit levels in Regions 3-2, 3-3, and 3-4. There is sufficient allocation remaining to allow continued harvest in Puget Sound commercial crab fishery in Regions 1, 3-2, and 3-3, until further notice. These provisions are in conformity with agreed management plans with applicable tribes. Co-management plans are entered into as required by court order. The Puget Sound commercial season is structured to meet harvest allocation objectives negotiated with applicable Treaty tribes and outlined in the management plans. There is insufficient time to adopt permanent rules. Further adjustments of season structure may be made pending updated harvest data. 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	_____
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The number of sections adopted on the agency's own initiative:

New	2	Amended	_____	Repealed	<u>2</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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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: December 11, 2024

Name: Amy Windrope for Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-340-45500Q Commercial crab fishery--Seasons and areas--Puget Sound.

Notwithstanding the provisions of WAC 220-340-455, effective immediately, until further notice:

Harvest of Dungeness crab in Puget Sound is permitted during the “Open period” indicated in the following table. On the opening date, harvest will be permitted starting at 8:00 a.m. Harvest for these areas after the opening date is permitted starting one hour before official sunrise until further notice. Any closures will take effect one hour after official sunset unless otherwise indicated.

Geographical Management Unit (WAC 220-320-110)	Open Period
Region 1, MFSF Catch Areas 21A, 21B, and 22B	Immediately, until further notice.
Region 1, Marine Fish-Shellfish Catch Areas 22A, 20A, and 20B	Immediately, until further notice.
Region 2E, excluding Everett Flats CSMA (WAC 220-320-120 (3))	December 13, 2024, until further notice.
Region 2E, Everett Flats CSMA (WAC 220-320-120 (3))	December 13, 2024, until further notice.
Region 2W, not including Port Townsend Bay CSMA (WAC 220-320-120 (5))	December 13 through December 16, 2024.
Region 2W, Port Townsend Bay CSMA (WAC 220-320-120 (5))	December 13 through December 16, 2024.
Subregion 3-1	Closed, until further notice.
Subregion 3-2, not including Discovery Bay CSMA (WAC 220-230-120 (1)(a)), Sequim Bay CSMA (WAC 220-320-120 (6)), or the Port Angeles Harbor CSMA (WAC 220-320-120(4)).	Immediately, until further notice.
Subregion 3-2, Discovery Bay CSMA (WAC 220-320-120 (1)(a))	Immediately, until further notice.
Subregion 3-2, Sequim Bay CSMA (WAC 220-320-120 (6))	Immediately, until further notice.
Subregion 3-2, the Port Angeles Harbor CSMA (WAC 220-320-120(4)).	Closed, due to ongoing public health concerns.
Subregion 3-3	Immediately, until further notice.
Subregion 3-4	Immediately, through December 13, 2024.

NEW SECTION

WAC 220-340-47000M Commercial crab fishery – Gear limits – Puget Sound and Marine Fish-Shellfish Management and Catch Reporting Areas

Notwithstanding the provisions of 220-340-470, effective immediately, until further notice:

Effective during the “Open period” listed in WAC 220-340-45500Q it is unlawful for any person to harvest crabs with more than the “Pot limit” per license per buoy tag number indicated within each “geographical management unit”.

Geographical Management Unit (WAC 220-320-110)	Pot limit
Region 1, MFSF Catch Areas 21A, 21B, and 22B	60
Region 1, Marine Fish-Shellfish Catch Areas 22A, 20A, and 20B	60
Region 2E, excluding Everett Flats CSMA (WAC 220-320-120 (3))	20
Region 2E, Everett Flats CSMA (WAC 220-320-120 (3))	20
Region 2W, not including Port Townsend Bay CSMA (WAC 220-320-120 (5))	20
Region 2W, Port Townsend Bay CSMA (WAC 220-320-120 (5))	20
Subregion 3-1	0
Subregion 3-2, not including Discovery Bay CSMA (WAC 220-320-120 (1)(a)), Sequim Bay CSMA (WAC 220-320-120 (6)), or the Port Angeles Harbor CSMA (WAC 220-320-120(4)).	60
Subregion 3-2, Discovery Bay CSMA (WAC 220-320-120 (1)(a))	20
Subregion 3-2, Sequim Bay CSMA (WAC 220-320-120 (6))	20
Subregion 3-2, the Port Angeles Harbor CSMA (WAC 220-320-120(4)).	0
Subregion 3-3	50
Subregion 3-4	50

REPEALERS

The following sections of Washington Administrative Code are repealed, effective immediately:

WAC 220-340-45500P Commercial crab fishery--Seasons and areas--Puget Sound. (24-273)

WAC 220-340-47000L Commercial crab fishery – Gear limits – Puget Sound and Marine Fish-Shellfish Management and Catch Reporting Areas. (24-273)