



# 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: February 04, 2025

TIME: 1:10 PM

WSR 25-04-106

**Agency:** Department of Fish and Wildlife (Order 25-19)

**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 220-340-45500V: Extends Region 2-West through February 5, 2025.

WAC 220-340-47000S: Maintains current pot limits in Regions 1, 2W, 3-2, and 3-3.

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

- New:
- Repealed: WAC 220-340-45500U; WAC 220-340-47000R
- 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:** Commercial harvest in Region 2-West will be extended until one hour after sunset February 5, 2025 due to harvest rates being lower than projected. 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. Further adjustments of the 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 \_\_\_\_

**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> February 4, 2025 | <b>Signature:</b><br> |
| <b>Name:</b> Kelly Susewind           |   |
| <b>Title:</b> Director                |   |

NEW SECTION

**WAC 220-340-45500V 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.

| <b>Geographical Management Unit (WAC 220-320-110)</b>  | <b>Open Period</b>                             |
|--|--|
| Region 1, MFSF Catch Areas 21A, 21B, and 22B   | Immediately, through February 15, 2025.        |
| Region 1, Marine Fish-Shellfish Catch Areas 22A, 20A, and 20B  | Immediately, through February 15, 2025.        |
| Region 2E, excluding Everett Flats CSMA (WAC 220-320-120 (3))  | Closed, until further notice.                  |
| Region 2E, Everett Flats CSMA (WAC 220-320-120 (3))  | Closed, until further notice.                  |
| Region 2W, not including Port Townsend Bay CSMA (WAC 220-320-120 (5))  | Immediately through February 5, 2025.          |
| Region 2W, Port Townsend Bay CSMA (WAC 220-320-120 (5))  | Immediately through February 5, 2025.          |
| 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  | Closed, until further notice.                  |

## NEW SECTION

### **WAC 220-340-47000S 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 220-340-45500V 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”.

| <b>Geographical Management Unit (WAC 220-320-110)</b>  | <b>Pot limit</b> |
|--|------------------|
| 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))  | 0                |
| Region 2E, Everett Flats CSMA (WAC 220-320-120 (3))  | 0                |
| 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 220-230-120 (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  | 0                |

## REPEALERS

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

WAC 220-340-45500U Commercial crab fishery--Seasons and areas--Puget Sound. (25-18)

WAC 220-340-47000R Commercial crab fishery – Gear limits – Puget Sound and Marine Fish-Shellfish Management and Catch Reporting Areas. (25-18)