

**WSR 23-13-073
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-98—Filed June 14, 2023, 2:32 p.m., effective July 2, 2023]

Effective Date of Rule: July 2, 2023.

Purpose: The purpose of this emergency rule is to set weekly landing limits for coast commercial crab fisheries.

Citation of Rules Affected by this Order: Amending WAC 220-340-420.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: The weekly landing limit and period is necessary to mitigate handling mortality from sorting soft-shelled crab and provide for an orderly fishery. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: June 14, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-340-42000R Commercial crab fishery—Unlawful acts. Effective July 2 through September 15, 2023, the provisions of WAC 220-340-420 regarding commercial crab weekly landing limits and accounting periods, shall be modified as described below. All other provisions of WAC 220-340-420 not addressed herein remain in effect unless otherwise amended by emergency rule:

(1) Effective 12:01 A.M. July 2, 2023, until further notice, it is unlawful for any person licensed to fish under a Dungeness crab-coastal fishery license to possess or land crab in excess of 2,500 pounds taken during each of the following coastal crab accounting periods:

- July 2 - July 8, 2023
- July 9 - July 15, 2023
- July 16 - July 22, 2023
- July 23 - July 29, 2023
- July 30 - August 5, 2023
- August 6 - August 12, 2023
- August 13 - August 19, 2023
- August 20 - August 26, 2023
- August 27 - September 2, 2023
- September 3 - September 9, 2023
- September 10 - September 15, 2023

(2) Any crab taken prior to July 2, 2023, and not landed before 11:59 P.M July 1, 2023, become part of the July 2 through July 8, 2023, accounting period catch.

(3) It is unlawful for any person taking crab under subsection (1) of this section to fish for crab during any accounting period while having on board any crab taken in a different accounting period.

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Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.