

**WSR 24-06-037  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 24-33—Filed February 29, 2024, 3:11 p.m., effective February 29, 2024, 3:11 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this rule is to allow coastal commercial crab vessels to prepare for pot restrictions being lifted by loading pots in excess of current restrictions on board.

Citation of Rules Affected by this Order: Repealing WAC 220-340-42000T and 220-340-42000V; and 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: This emergency rule is necessary to allow for vessels fishing outside the Quinault U&A to prepare and load gear on the vessel prior to pot limits being lifted at 8:00 a.m., March 2, 2024, under WSR 24-06-007. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: February 29, 2024.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-340-42000V Commercial crab fishery—Unlawful acts.** Notwithstanding the provisions of WAC 220-340-420, effective immediately through 7:59 a.m. March 2, 2024:

(1) It is unlawful for any fisher or wholesale dealer or buyer to land or purchase Dungeness crab taken from Grays Harbor, Willapa Bay, Columbia River, or Washington coastal or adjacent waters of the Pacific Ocean from any vessel, unless:

(a) A valid Washington crab vessel inspection certificate has been issued to the delivering vessel and;

(b) The vessel inspection certificate numbers are recorded on all shellfish tickets completed for coastal Dungeness crab landings until March 2, 2024.

(2) Effective immediately, through 7:59 a.m. March 2, 2024, it is unlawful for persons participating in the Washington coastal, Columbia River, Grays Harbor, or Willapa Bay commercial Dungeness crab fishery to:

(a) Deploy or operate more than 400 shellfish pots if the permanent number of shellfish pots assigned to the Coastal commercial crab fishery license held by that person is 500.

(b) Deploy or operate more than 250 shellfish pots if the permanent number of shellfish pots assigned to the Coastal Dungeness crab fishery license held by that person is 300.

(c) Fail to maintain onboard any participating vessel the excess crab pot buoy tags assigned to the Coastal Dungeness crab fishery license being fished.

(d) Store or possess crab pots on board any participating vessel in excess of the vessels pot limit.

(e) Load pots with buoy tags attached in excess of the pot limits described within this section more than 48-hours prior to pot limits being lifted.

(3) Violation of subsection (5) of this section is a gross misdemeanor or class C felony punishable under RCW 77.15.500 Commercial fishing without a license—Penalty, depending on the circumstances of the violation.

(4) All other provisions of the permanent rule remain in effect.

**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.

REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:

WAC 220-340-42000T Commercial crab fishery—Unlawful acts.  
(24-06)

The following section of Washington Administrative Code is repealed, effective 8:00 a.m. March 2, 2024:

WAC 220-340-42000V Commercial crab fishery—Unlawful acts.  
(24-33)