

**WSR 21-14-037
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 21-106—Filed June 29, 2021, 4:14 p.m., effective July 4, 2021]

Effective Date of Rule: July 4, 2021.

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

Citation of Rules Affected by this Order: Repealing WAC 220-340-42000N; 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: 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 29, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-340-42000P Commercial crab fishery—Unlawful acts. Notwithstanding the provisions of WAC 220-340-420:

(1) Effective 12:01 A.M. July 4, 2021 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 4 - July 10, 2021
- July 11 - July 17, 2021
- July 18 - July 24, 2021
- July 25 - July 31, 2021
- August 1 - August 7, 2021

- August 8 - August 14, 2021
- August 15 - August 21, 2021
- August 22 - August 28, 2021
- August 29 - September 4, 2021
- September 5 - September 11, 2021
- September 12 - September 15, 2021

(2) Any crab taken prior to July 4, 2021, and not landed before 11:59 p.m. July 3, 2021, become part of the July 4 through July 10, 2021 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.

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

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REPEALER

The following sections of the Washington Administrative Code are repealed effective 12:01 a.m. July 4, 2021:

WAC 220-340-42000N Commercial crab fishery—Unlawful acts.
(21-67)

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