

WSR 24-18-026
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-166—Filed August 23, 2024, 4:08 p.m., effective August 24, 2024]

Effective Date of Rule: August 24, 2024.

Purpose: The purpose of this emergency rule is to set the opening of the Quinault secondary special management area (SSMA).

Citation of Rules Affected by this Order: Amending WAC 220-340-450.

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: Closure of the Quinault Indian Nation Dungeness crab fishery allows for the opening of the Quinault SSMA to state license holders. State commercial Dungeness crab harvest in the Quinault U&A is below 50 percent of the harvestable surplus. Opening this area will not compromise the harvest sharing goals as described in the current harvest sharing agreement. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: August 23, 2024.

Kelly Susewind
Director

NEW SECTION

WAC 220-340-45000T Commercial crab fishery—Seasons and areas—Coastal. Notwithstanding the provisions of WAC 220-340-450 effective immediately, until further notice: it is unlawful to fish for Dungeness crab in Washington coastal waters, the Pacific Ocean, Grays Harbor, Willapa Bay, or the Columbia River, except as provided in this section.

(1) Open area: The area from the US/Canada Border to the WA/OR border (46°15.00) and Grays Harbors and Willapa Bay.

For the purposes of this section, the waters of Willapa Bay include the marine waters east of a line connecting 46°44.76 N, 124°05.76 W and 46°38.93 N, 124°04.33 W.

(2) Effective immediately, through 7:59 a.m. August 26, 2024, the Quinault secondary special management area (SSMA) is closed to fishing for Dungeness crab. The SSMA includes the area shoreward of a line approximating the 17-fathom depth curve between Split Rock (47°24.50) and Joe Creek (47°12.25) according to the following coordinates:

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|------------------------------------|------------------|-------------------|
| (a) Northeast Corner (Split Rock): | 47°24.50'N. Lat. | 124°20.00'W. Lon. |
| (b) Northwest Corner: | 47°24.50'N. Lat. | 124°28.50'W. Lon. |
| (c) Southwest Corner: | 47°12.25'N. Lat. | 124°19.00'W. Lon. |
| (d) Southeast Corner (Joe Creek): | 47°12.25'N. Lat. | 124°12.28'W. Lon. |

(3) Unless otherwise amended all other provisions of the permanent rule remain in effect.