

**WSR 24-20-074**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 24-209—Filed September 27, 2024, 10:01 a.m., effective October 1, 2024]

Effective Date of Rule: October 1, 2024.

Purpose: The purpose of this emergency rule is to open commercial crab fishing in Puget Sound;

**WAC 220-340-45500I** opens Puget Sound commercial crab harvest in Crab Management Regions 1, 2-East, 2-West, 3-1, 3-2, 3-3, and 3-4 at 8:00 a.m. on October 1, 2024, until further notice; and closes Port Angeles Harbor to commercial crab harvest due to public health decrees.

**WAC 220-340-47000F** sets reduced pot limits by area for Puget Sound commercial crab harvest effective the dates listed in the amended section of WAC 220-340-455.

**WAC 220-340-43000C** restricts Puget Sound Dungeness fishery license holders from using gear with identifiers reserved for any other fishery.

Citation of Rules Affected by this Order: Amending WAC 220-340-455, 220-340-470, and 220-340-430.

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 state has remaining share to catch after accounting for recreational seasons in Regions 1, 2-East, 2-West, 3-1, 3-2, 3-3, and 3-4. These provisions are in conformity with agreed management plans with applicable tribes. These 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. There is insufficient time to adopt permanent rules. Further adjustment of season structure may be made pending updated harvest data.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.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 3, 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: September 27, 2024.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-340-45500I Commercial crab fishery—Seasons and areas—Puget Sound.** Notwithstanding the provisions of WAC 220-340-455, effective October 1, 2024, 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	October 1, until further notice.
Region 1, Marine Fish-Shellfish Catch Areas 22A, 20A, and 20B	October 1, until further notice.
Region 2E, excluding Everett Flats CSMA (WAC 220-320-120(3))	October 1, until further notice.
Region 2E, Everett Flats CSMA (WAC 220-320-120(3))	October 1, until further notice.
Region 2W, not including Port Townsend Bay CSMA (WAC 220-320-120(5))	October 1, until further notice.
Region 2W, Port Townsend Bay CSMA (WAC 220-320-120(5))	October 1, until further notice.
Subregion 3-1	October 1, 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)).	October 1, until further notice.
Subregion 3-2, Discovery Bay CSMA (WAC 220-320-120 (1)(a))	October 1, until further notice.
Subregion 3-2, Sequim Bay CSMA (WAC 220-320-120(6))	October 1, until further notice.
Subregion 3-2, the Port Angeles Harbor CSMA (WAC 220-320-120(4)).	Closed, due to on-going public health concerns.
Subregion 3-3	October 1, until further notice.
Subregion 3-4	October 1, until further notice.

**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.

NEW SECTION

**WAC 220-340-47000F Commercial crab fishery—Gear limits—Puget Sound and Marine Fish-Shellfish Management and Catch Reporting Areas**

Notwithstanding the provisions of 220-340-470, effective October 1, 2024, until further notice:

Effective during the "Open period" listed in amended section of WAC 220-340-455 above it will be 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	40
Region 1, Marine Fish-Shellfish Catch Areas 22A, 20A, and 20B	40
Region 2E, excluding Everett Flats CSMA (WAC 220-320-120(3))	25
Region 2E, Everett Flats CSMA (WAC 220-320-120(3))	25
Region 2W, not including Port Townsend Bay CSMA (WAC 220-320-120(5))	25
Region 2W, Port Townsend Bay CSMA (WAC 220-320-120(5))	20
Subregion 3-1	50

Geographical Management Unit (WAC 220-320-110)	Pot limit
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)).	35
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	50

NEW SECTION

**WAC 220-340-43000C Commercial crab fishery—Gear requirements.**

Notwithstanding the provisions of WAC 220-340-430,

It is unlawful for a Puget Sound Dungeness crab fishery license holder, or designated operator, to use gear that has one or more line marks or to use multicolor line consistent with requirements for the Washington coastal Dungeness crab fishery or any other state or federally managed commercial fishery operating in the U.S. West Coast Exclusive Economic Zone, or in the state waters of Washington, Oregon, or California.