

**WSR 21-17-100
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 21-150—Filed August 13, 2021, 3:30 p.m., effective August 13, 2021, 3:30 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to delay the start of recreational crabbing in Marine Area 7 north to August 21.

Citation of Rules Affected by this Order: Repealing WAC 220-330-04000A; and amending WAC 220-330-040.

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 opening of Marine Area 7 north will be delayed until August 21 to accommodate additional time for tribal comanagers to plan and prosecute fisheries. Because of this delay, two additional days are being added to the original recreational crab schedule in 7 north on September 28 and 29. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: August 13, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-330-04000B Crab—Areas and seasons—Personal use. Notwithstanding the provisions of WAC 220-330-040, effective immediately through September 30, 2021, it is unlawful to fish for crab for personal use in Puget Sound in all waters of Marine Areas 4 east of the Bonilla-Tatoosh line, 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12 and 13, except as provided herein:

(1) Marine Areas 4 east of the Bonilla-Tatoosh line, 5, 6, 8-1, 8-2, and 9: Effective immediately, through 11:59 p.m. September 6, 2021, it is permissible to fish for crab for personal use on Thursdays, Fridays, Saturdays, Sundays and Mondays.

(2) Marine Area 10: Effective immediately, through 11:59 p.m. September 6, 2021, it is permissible to fish for crab for personal use on Sundays and Mondays.

(3) Marine Area 11: Effective immediately, through 11:59 p.m. August 30, 2021, it is permissible to fish for crab for personal use on Sundays and Mondays.

(4) The portion of Marine Area 12 north of a line projected due east from Ayock Point: Effective immediately, through 11:59 p.m. September 6, 2021, it is permissible to fish for crab for personal use on Thursdays, Fridays, Saturdays, Sundays and Mondays.

(5) The portion of Marine Area 12 south of a line projected due east from Ayock Point: Closed until further notice.

(6) Those waters of Marine Area 7 south and west of a line projected from Village Point, Lummi Island, through the navigation buoy just east of Matia Island, thence to the buoy at Clements Reef, thence to the easternmost point of Patos Island, thence running along the northern shore of Patos Island to the westernmost point of Patos Island, thence true west to the international boundary and south of a line that extends from Point Francis on Portage Island, through the marker just north of Inati Bay on Lummi Island to Lummi Island: Effective immediately, through 11:59 p.m. September 30, 2021, it is permissible to fish for crab for personal use on Thursdays, Fridays, Saturdays, Sundays and Mondays.

(7) Those waters of Marine Area 7 north and east of a line projected from Village Point, Lummi Island through the navigation buoy just east of Matia Island thence to the buoy at Clements Reef thence to the easternmost point of Patos Island, running along the northern shoreline of Patos Island and from the westernmost point of Patos Island true west to the international boundary and north of a line that extends from Point Francis on Portage Island, through the marker just north of Inati Bay on Lummi Island to Lummi Island: Effective 12:01 a.m. August 21, 2021, through 11:59 p.m. September 27, 2021, it is permissible to fish for crab for personal use on Thursdays, Fridays, Saturdays, Sundays and Mondays. Additionally, it is permissible to fish for crab for personal use from September 28, 2021 through September 30, 2021.

(8) Marine Area 13: Closed until further notice.

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REPEALER

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

WAC 220-330-04000A Crab—Areas and seasons—Personal use.

The following section of the Washington Administrative Code is repealed, effective October 1, 2021:

WAC 220-330-04000B Crab—Areas and seasons—Personal use.