

**WSR 21-23-047  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 21-254—Filed November 10, 2021, 9:28 a.m., effective November 22, 2021]

Effective Date of Rule: November 22, 2021.

Purpose: The purpose of this emergency rule is to open recreational crabbing in Marine Area 10.

Citation of Rules Affected by this Order: Repealing WAC 220-330-04000C; 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: This emergency rule is needed to maintain the recreational crab harvest in the marine areas which opened on October 1. Additionally, it will open recreational harvest in Marine Area 10 beginning on November 22, 2021. Final summer harvest estimates from catch record card submissions indicate there are 22,300 pounds remaining of the Marine Area 10, 2021 season quota of 55,000 pounds. Opening recreational crab harvest in Marine Area 10 on November 22, will contribute to achieving 50/50 harvest goal with the treaty tribes.

The fishery will remain closed in Marine Area 11, Marine Area 12 south of a line projected true east from Ayock Point, and Marine Area 13 for the remainder of 2021.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: November 10, 2021.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-330-04000D Crab—Areas and seasons—Personal use.** Notwithstanding the provisions of WAC 220-330-040, effective November 22 through December 31, 2021, Puget Sound recreational crab seasons are

as listed below. All other provisions of WAC 220-330-040 not addressed herein remain in effect unless otherwise amended by emergency rule:

It is permissible to crab for personal use in the following Marine Areas: 4 East of the Bonilla-Tatoosh line, 5, 6, 7, 8-1, 8-2, 9, 10 and 12 north of a line projected true east from Ayock Point.

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REPEALER

The following section of the Washington Administrative Code is repealed effective November 22, 2021:

WAC 220-330-04000C Crab—Areas and seasons—Personal use.  
(21-213)

The following section of the Washington Administrative Code is repealed effective January 1, 2022:

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