

WSR 24-17-033
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-152—Filed August 12, 2024, 2:35 p.m., effective August 12, 2024, 2:35 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: This emergency rule is needed to add two days to the recreational crab seasons in Marine Areas 4 east of the Bonilla-Tatoosh line, 5, 6, 7, 8-1, 8-2, 9, and 12 north of Ayock Point.

Citation of Rules Affected by this Order: Repealing WAC 220-330-04000N; 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 adds two days to the previously announced recreational crab seasons in Marine Areas 4 east of the Bonilla-Tatoosh line, 5, 6, 7, 8-1, 8-2, 9, and 12 north of Ayock Point. August 27 and 28 were added to keep the summer season length similar with previous years (Labor Day falls on September 2 in 2024.) The previously announced seasons for Marine Areas 10 and 11 are unchanged. This rule is necessary to achieve the 50/50 harvest defined by the federal court order. Marine Area 12 south of a line projected due east from Ayock Point and Marine Area 13 will be closed. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 12, 2024.

Kelly Susewind
Director

NEW SECTION

WAC 220-330-04000P Crab—Areas and seasons—Personal use. Notwithstanding the provisions of WAC 220-330-040, effective immediately through September 30, 2024, 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 August 21, 2024, it is permissible to fish for crab for personal use on Thursdays, Fridays, Saturdays, Sundays, and Mondays. From August 22 through September 2, 2024, it is permissible to fish for crab for personal use each day.

(2) **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 August 21, 2024, it is permissible to fish for crab for personal use on Thursdays, Fridays, Saturdays, Sundays, and Mondays. From August 22 through September 2, 2024, it is permissible to fish for crab for personal use each day. From September 5 through September 30, 2024, it is permissible to fish for crab for personal use on Thursdays, Fridays, Saturdays, Sundays, and Mondays.

(3) **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 August 15 through August 21, 2024, it is permissible to fish for crab for personal use on Thursdays, Fridays, Saturdays, Sundays, and Mondays. From August 22 through September 2, 2024, it is permissible to fish for crab for personal use every day. From September 5 through September 30, 2024, it is permissible to fish for crab for personal use on Thursdays, Fridays, Saturdays, Sundays, and Mondays.

(4) **Marine Area 10:** Effective 12:01 a.m. immediately through 11:59 p.m. August 26, 2024, it is permissible to fish for crab for personal use on Sundays, and Mondays.

(5) **Marine Area 11:** Effective 12:01 a.m. immediately through 11:59 p.m. August 26, 2024, it is permissible to fish for crab for personal use on Sundays, and Mondays.

(6) **The portion of Marine Area 12 north of a line projected due east from Ayock Point:** Effective immediately, through August 21, 2024, it is permissible to fish for crab for personal use on Thursdays, Fridays, Saturdays, Sundays, and Mondays. From August 22 through September 2, 2024, it is permissible to fish for crab for personal use every day.

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

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

REPEALER

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

WAC 220-330-04000N Crab—Areas and seasons—Personal use.
(24-97)