

**WSR 22-09-068
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 22-57—Filed April 19, 2022, 11:27 a.m., effective April 19, 2022, 11:27 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amends rules for coastal commercial crab fishery for Quileute Special Management Area.

Citation of Rules Affected by this Order: Amending WAC 220-340-420.

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: Provisions of state/tribal agreements have been met, allowing an emergency rule for opening of Quileute Special Management Area with the temporary pot limit. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: April 19, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-340-42000H Commercial crab fishery—Unlawful acts. Notwithstanding the provisions of WAC 220-340-420, effective immediately until further notice:

(1) It unlawful for a vessel to use more than 100 pots in the Quileute SMA area between Cape Johnson (47°58.00') and Destruction Island (47°40.50') shoreward of a line approximating the 30-fathom depth curve, from 8:00 am May 1, 2022, until 8:00 am June 1, 2022. Fishers must pre-register with the Department of Fish and Wildlife 24 hours prior to deploying gear in this area by one of the two following methods:

- E-mail to Jamie Fuller at Jamie.Fuller@dfw.wa.gov; or

- Telephone call to Jamie Fuller at 360-580-0875.

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

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Reviser's note: The unnecessary underscoring in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.