

WSR 25-07-005
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 25-35—Filed March 5, 2025, 4:02 p.m., effective March 13, 2025, 8:00 a.m.]

Effective Date of Rule: March 13, 2025, 8:00 a.m.

Purpose: Amends coastal commercial crab rules.

Citation of Rules Affected by this Order: Repealing WAC 220-340-42000C and 220-340-45000V; and amending WAC 220-340-420 and 220-340-450.

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 the State/Makah Harvest Management Agreement allow for the opening of Makah special management area to state license holders and specify a 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: March 5, 2025.

Kelly Susewind
Director

NEW SECTION

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

(1) It is unlawful for any fisher or wholesale dealer or buyer to land or purchase Dungeness crab taken from Grays Harbor, Willapa Bay, Columbia River, or Washington coastal or adjacent waters of the Pacific Ocean from any vessel, unless:

(a) A valid Washington crab vessel inspection certificate has been issued to the delivering vessel. Vessel hold inspection certificates dated from January 14, 2025, through February 9, 2025, are only valid for the area south of 46°28.00 N. Lat. until 8:00 A.M. March 18, 2025; and

(b) The vessel inspection certificate numbers are recorded on all shellfish tickets completed for coastal Dungeness crab landings until March 18, 2025.

(2) It is unlawful for a vessel to use more than 200 pots in the Makah SMA beginning 8:00 A.M. March 13, 2025, until 8:00 A.M. April 12, 2025. Fishers must pre-register with the Department of Fish and Wildlife 24 hours prior to deploying gear in this area by one of the following methods:

- E-mail to Jamie Fuller at Jamie.Fuller@dfw.wa.gov; or
- Telephone call to Jamie Fuller at 360-580-0875.

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

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.

NEW SECTION

WAC 220-340-45000W Commercial crab fishery—Seasons and areas—Coastal. Notwithstanding the provisions of WAC 220-340-450 effective immediately until further notice: it is unlawful to fish for Dungeness crab in Washington coastal waters, the Pacific Ocean, Grays Harbor, Willapa Bay, or the Columbia River, except as provided in this section.

(1) Open area: The area from the WA/OR border (46°15.00) to the US/Canada border including Grays Harbor and Willapa Bay.

(a) For the purposes of this section, the waters of Willapa Bay include the marine waters east of a line connecting 46°44.76 N, 124°05.76 W and 46°38.93 N, 124°04.33 W.

(b) Licenses and vessels designated to those licenses that participate in the coastal commercial Dungeness crab fishery in the waters from Point Arena, California, to Klipsan Beach, Washington (46°28.00), including Willapa Bay, before the area north of Klipsan Beach (46°28.00) opens, are prohibited from fishing in the following area for the duration specified:

i. The waters between Oysterville (46°33.00) and US/Canada Border until 8:00 A.M. March 18, 2025.

(2) The Quinault primary special management area (PSMA) is closed to fishing for Dungeness crab until further notice. The PSMA includes the area shoreward of a line approximating the 27-fathom depth curve between Raft River (47°28.00) and Copalis River (47°08.00) according to the following coordinates:

(a) Northeast Corner (Raft River): 47°28.00'N. Lat. 124°20.70'W. Lon.

(b) Northwest Corner: 47°28.00'N. Lat. 124°34.00'W. Lon.

(c) Southwest Corner: 47°08.00'N. Lat. 124°25.50'W. Lon.

(d) Southeast Corner (Copalis River): 47°08.00'N. Lat. 124°11.20'W. Lon.

(3) The Quileute special management area (SMA) is closed to fishing for Dungeness crab until further notice. The SMA includes the area shoreward of a line approximating the 30-fathom depth curve between Destruction Island and Cape Johnson according to the following points:

(a) Northeast Corner (Cape Johnson): 47°58.00'N. Lat. 124°40.40'W. Lon.

(b) Northwest Corner: 47°58.00'N. Lat. 124°49.00'W. Lon.

(c) Southwest Corner: 47°40.50'N. Lat. 124°40.00'W. Lon.

(d) Southeast Corner (Destruction Island): 47°40.50'N. Lat. 124°24.43'W. Lon.

(4) The Makah special management area (SMA) is closed to fishing until 8:00 AM March 13, 2025. The SMA includes the waters between 48°02.15 N. Lat. and 48°19.50 N. Lat. east of a line connecting those points and approximating the 25-fathom line according to the following coordinates:

(a) Northeast Corner: (Tatoosh Island)

(b) Northwest Corner: 48°19.50'N. Lat. 124°50.45'W. Lon.

(c) Southwest Corner: 48°02.15'N. Lat. 124°50.45'W. Lon.

(d) Southeast Corner: 48°02.15'N. Lat. 124°41.00'W. Lon.

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

REPEALER

The following sections of the Washington Administrative Code are repealed effective 8:00 a.m. March 13, 2025:

WAC 220-340-75000C Commercial crab fishery—Unlawful acts.
(25-14)

WAC 220-340-75000V Commercial crab fishery—Seasons and
areas—Coastal. (25-14)