



# RULE-MAKING ORDER

**CR-103E (July 2011)**  
**(Implements RCW 34.05.350)**

**Agency:** Washington Department of Fish and Wildlife

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules 15-434**

- Immediately upon filing.
- Later (specify) 8:00 a.m. December 1, 2015

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** Amend Puget Sound recreational crab fishing rules

**Citation of existing rules affected by this order:**

Repealed: WAC 220-56-33000U, WAC 220-56-33000W  
 Amended: WAC 220-56-330  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020 and 77.12.047

**Other authority :**

**EMERGENCY RULE**

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.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: This rule re-opens the recreational crab fishery in Marine Area 10 for the month of December in addition to all other Puget Sound Marine Areas which were already opened October 1, 2015 in the previous emergency regulation WSR 15-20-026. It adjusts the open days per week to allow for inclement winter weather similar to the previous emergency regulation. Available harvest shares allow the areas to be opened in this rule. There is insufficient time to adopt permanent rules.

**Date adopted:** November 25, 2015

**NAME (TYPE OR PRINT)**

J W Unsworth

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: November 25, 2015**

**TIME: 4:08 PM**

**WSR 15-24-076**

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	<u>1</u>	Amended	_____	Repealed	<u>2</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

NEW SECTION

**WAC 220-56-33000W Crab—Areas and seasons.**

Notwithstanding the provisions of WAC 220-56-330, effective 8:00 a.m. December 1 through 5:00 p.m. December 31, 2015, it is permissible to fish for crab for personal use seven days a week in Marine Areas 4 east of the Bonilla Tatoosh Line, 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12 and 13.

REPEALERS

The following section of the Washington Administrative Code is repealed effective 8:00 a.m. December 1, 2015:

WAC 220-56-33000U Crab—Areas and Seasons. (15-360)

The following section of the Washington Administrative Code is repealed effective 5:01 p.m. December 31, 2015:

WAC 220-56-33000W Crab—Areas and seasons.

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**EMERGENCY RULE ONLY**

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(x) 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.

( ) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

( ) That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, 2011, 2012 or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

**Reasons for this finding:** This rule re-opens the recreational crab fishery in Marine Area 10 for the month of December in addition to all other Puget Sound Marine Areas which were already opened October 1, 2015 in the previous emergency regulation WSR 15-20-026. It adjusts the open days per week to allow for inclement winter weather similar to the previous emergency regulation. Available harvest shares allow the areas to be opened in this rule. There is insufficient time to adopt permanent rules.

**(15-434, 11/25/2015)**