Agency:       Washington Department of Fish and Wildlife       Emergency Rule Only         Effective date of rule:       Emergency Rules 15:315       Immediately upon filing.         Au rule of rule:       Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?         Yes       No       If Yes, explain:         Purpose:       Amend coastal commercial crab fishing rules         Citation of existing rules affected by this order:       Repeated:         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:         Under RCW 34.05.350 the agency for good cause finds:       Comment upon adoption of a permanent rule would be contrary to the public interest.         That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general wellare, 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 immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general wellare, and that soft not inder a federal deadine for state receipt of federal funds requires immediate adoption of a permanent rule would be contrary to the public interest.         That immediate adoption, amendment, or repeal of a rule is aneceds or requirements of notice and opportunity to comme	RULE-MAKING ORDE	R CR-103E (July 2011) (Implements RCW 34.05.350)					
□ Immediate yopn filing.         □ Later (specify) September 7. 2015         Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?         □ Yes       □ No         □ Yes       □ No         □ Yes       □ Yes, explain:         □ Yes       □ Yes, explain:         □ Yes       □ Yes, explain:         □ Citation of existing rules affected by this order:         Repealed:       WAC 220-52-0440         Amended:       >         Statutory authority for adoption:       RCW 77.04.020 and 77.12.047         Other authority:       = <b>EMERGENCY RULE</b> 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 well are, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public hierest.         □ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of this requirements or notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public hierest.         □ That im order to implement the requirements or 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: Washington Department of Fish and Wildlife permitted g	Agency: Washington Department of Fish and Wildlife	Emergency Rule Only					
Pres       No       If Yes, explain:         Purpose:       Amend coastal commercial crab fishing rules         Citation of existing rules affected by this order:       Repealed:         Repealed:       WAC 220-52-0440         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:	Emergency Rules 15-315 Immediately upon filing.						
Citation of existing rules affected by this order:         Repealed:       WAC 220-52-04400A         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: <ul> <li>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.       Intal state or federal law or 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, 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:       Washington Department of Fish and Wildlife permitted gear recovery is allowed by permanent regulation 15 days following the close of the commercial season. Because of an early fishery closure in the area between Point Chehalis and the WA/OR border, an earlier start to the permitted gear recovery gives participants more time to recover lost gear before weather conditions becomes prohibitive to safe gear recovery efforts. There is insufficient time to adopt permanent rules.         Date adopted:       September 3, 2015       CODE REVISE</li></ul>							
Repealed:       WAC 220-52-044         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:         Image: Comparison of 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.         Image: That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.         Image: That is norder 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 rule.         Image: The indicate the immergence of the immergence of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a rule.         Image: The 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 immergence 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:       Washington Department of Fish and Wildlife permitted gear recovery gives partricipants more time to recover lost gear befo	Purpose: Amend coastal commercial crab fishing rules						
Other authority:         EMERGENCY RULE         Under RCW 34.05.350 the agency for good cause finds:	Repealed: WAC 220-52-04400A Amended: WAC 220-52-044 Suspended:	000 and 77 40 047					
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Date adopted: September 3, 2015       CODE REVISER USE ONLY         NAME (TYPE OR PRINT) J W Unsworth       OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED         SIGNATURE       OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED         DATE: September 03, 2015       TIME: 2:54 PM         WSR 15-19-017       WSR 15-19-017	<ul> <li>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.</li> <li>That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.</li> <li>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.</li> <li>Reasons for this finding: Washington Department of Fish and Wildlife permitted gear recovery is allowed by permanent regulation 15 days following the close of the commercial season. Because of an early fishery closure in the area between Point Chehalis and the WA/OR border, an earlier start to the permitted gear recovery gives</li> </ul>						
NAME (TYPE OR PRINT)         J W Unsworth         SIGNATURE         OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED         DATE: September 03, 2015         TIME: 2:54 PM         WSR 15-19-017	efforts. There is insufficient time to adopt permanent rules.						
J W Unsworth       OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED         SIGNATURE       OATE: September 03, 2015 TIME: 2:54 PM WSR 15-19-017		CODE REVISER USE ONLY					
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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.				
Federal statute:	New		Amended	
Federal rules or standards:	New			
Recently enacted state statutes:	New		Amended	Repealed
The number of sections adopted at the request of a nongovernmental entity:				
	New		Amended	Repealed
The number of sections adopted in the agency's own initiative:         New       1       Amended        Repealed       1				
The number of sections adopted in order to clarify, streamline, or reform agency procedures:				
			, unonaca	
The number of sections adopted using	g:			
Negotiated rule making:	New		Amended	Repealed
Pilot rule making:	New		Amended	Repealed
Other alternative rule making:	New		Amended	Repealed

NEW SECTION

## WAC 220-52-04400A Coastal crab fishery – coastal crab gear recovery permit.

Notwithstanding the provisions of WAC 220-52-044, effective September 7 through October 31, 2015, a coastal crab gear recovery permit may be granted by the director or his or her designee for licensed coastal Dungeness crab fishers to recover crab pots belonging to state licensed fishers that remain in the ocean in the coastal waters between the Washington/Oregon border (46<sup>0</sup>15.00) and Point Chehalis, Washington (46<sup>0</sup>53.18), including the Columbia River and Willapa Bay. No crab may be retained on any vessel engaged in permitted gear recovery activities or while recovered gear is on board the vessel.

## REPEALER

The following section of the Washington Administrative Code is repealed effective November 1, 2015:

WAC 220-52-04400A Coastal crab fishery—coastal crab gear recovery permit.

## **EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

(a) 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.

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

Reasons for this finding: Washington Department of Fish and Wildlife permitted gear recovery is allowed by permanent regulation 15 days following the close of the commercial season. Because of an early fishery closure in the area between Point Chehalis and the WA/OR border, an earlier start to the permitted gear recovery gives participants more time to recover lost gear before weather conditions becomes prohibitive to safe gear recovery efforts. There is insufficient time to adopt permanent rules. (15-315, 9/3/2015)