



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 15-161

- Immediately upon filing.
- Later (specify) 6:00 a.m. June 15, 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 recreational fishing rules

Citation of existing rules affected by this order:

Repealed: WAC 220-56-33000P, WAC 220-56-33000Q
 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: Recent test fisheries in Marine Area 12 indicate the peak molting period has occurred and the crab are ready for harvest. Opening the Area will give crab harvesters an extra two weeks of summer crabbing opportunity. The season will be open five days a week to achieve the 50/50 harvest defined by the Federal Court Order. There is insufficient time to promulgate permanent rules.

Date adopted: June 9, 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: June 09, 2015

TIME: 8:56 AM

WSR 15-13-040

**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:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 220-56-33000Q Crab--Areas and Seasons.

Notwithstanding the provisions of WAC 220-56-330:

- (1) **Marine Area 12:** Effective 6:00 a.m. June 15 until 11:59 p.m. September 7, 2015, it is permissible to fish for crab for personal use five days a week, Thursday through Monday of each week.
- (2) **Marine Area 13:** Effective immediately, until 11:59 p.m. September 7, 2015, it is permissible to fish for crab for personal use seven days a week.

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:00 a.m. June 15, 2015:

WAC 220-56-33000P Crab—Areas and Seasons. (15-140)

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.

(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: Recent test fisheries in Marine Area 12 indicate the peak molting period has occurred and the crab are ready for harvest. Opening the Area will give crab harvesters an extra two weeks of summer crabbing opportunity. The season will be open five days a week to achieve the 50/50 harvest defined by the Federal Court Order. There is insufficient time to promulgate permanent rules.

(15-161, 6/9/2015)