



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 31, 2018

TIME: 12:40 PM

WSR 18-22-059

Agency: Department of Fish and Wildlife (Order 18-301)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) November 15, 2018

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 coastal crab rules

Citation of rules affected by this order:

New:
 Repealed: WAC 220-330-04000E
 Amended: WAC 220-330-040
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 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.

Reasons for this finding: This emergency rule is needed to revise the date when recreational anglers can use pot gear in marine area 2-1 (Willapa Bay). This rule will allow recreational pot gear to be used two weeks earlier starting on November 15, 2018, which will provide additional opportunity to recreational anglers. This rule is interim until permanent rules take effect.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:


New 1 Amended ____ Repealed 1

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

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	____

Date Adopted: October 31, 2018	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-330-04000E Crab—Areas and seasons—Personal use.

Notwithstanding the provisions of WAC 220-330-040, effective November 15, 2018, until further notice, it is permissible to fish for and possess crab taken for personal use with shellfish pot gear from Marine Area 2-1 (Willapa Bay). Open to gear other than shellfish pot gear year-round.

REPEALER

The following section of the Washington Administrative Code is repealed effective November 27, 2018:

WAC 220-330-04000E Crab—Areas and seasons—Personal use.