



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: December 29, 2021

TIME: 10:20 AM

WSR 22-02-030

Agency: Department of Fish and Wildlife (Order 21-278)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) January 1, 2022

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

- Yes No If Yes, explain:

Purpose: The purpose of this emergency rule is to:

- 1) Postpone implementing the mandatory use of electronic fish receiving forms for deliveries of Dungeness crab, ocean pink shrimp, pink shrimp, coonstripe shrimp, sidestripe shrimp, or spot shrimp, and any other lawfully landed species, from coastal and Puget Sound licensed commercial fisheries.
- 2) Not alter, and thus maintain the requirement that receivers that choose to use electronic fish receiving tickets for deliveries of Dungeness crab, ocean pink shrimp, pink shrimp, coonstripe shrimp, sidestripe shrimp, or spot shrimp, or any other lawfully landed species, from coastal and Puget Sound licensed commercial fisheries to obtain a voluntary agreement from the department.

Citation of rules affected by this order:

New:
 Repealed:
 Amended: WAC 220-352-035
 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: Delayed deployment and training timeframes for department-developed tools required to implement mandatory electronic fish ticket receiving forms necessitate additional time before new electronic reporting rules are to take effect. The delay in implementing permanent rules through this emergency rule will provide time to successfully finish deployment of the application and train constituents in the use of new technologies. There is insufficient time to adopt permanent rules.

**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 ____

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: December 29, 2021	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-352-03500A – Requirement to prepare fish receiving ticket forms completely and accurately—Determining the appropriate form.

Effective January 1, 2022, until further notice, the provisions of WAC 220-352-035(2)(d) are suspended. All other provisions of WAC 220-352-035 not contained herein remain in effect unless otherwise altered by emergency rule.