

WSR 22-02-030
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-278—Filed December 29, 2021, 10:20 a.m., effective January 1, 2022]

Effective Date of Rule: January 1, 2022.

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: Amending WAC 220-352-035.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: Delayed deployment and training time frames 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.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: December 29, 2021.

Kelly Susewind
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.

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