

WSR 22-13-003  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 22-89—Filed June 1, 2022, 3:46 p.m., effective June 2, 2022]

Effective Date of Rule: June 2, 2022.

Purpose: The purpose of this emergency rule is to:

(1) Postpone the implementation of the mandatory use of electronic fish receiving forms for deliveries of Dungeness crab, ocean pink shrimp, pink shrimp, coonstripe shrimp, sidestripe shrimp, spot shrimp, and any other lawfully landed species, from coastal and Puget Sound licensed commercial fisheries.

(2) This maintains the requirement for receivers to obtain a voluntary agreement from the department to use electronic fish tickets to report deliveries of Dungeness crab, ocean pink shrimp, pink shrimp, coonstripe shrimp, sidestripe shrimp, spot shrimp, or any other lawfully landed species from coastal and Puget Sound licensed commercial shellfish fishers.

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 of a department-developed mobile electronic catch reporting application, required to implement mandatory electronic fish receiving tickets, is necessary to complete dedicated commission rule making (WSR 22-11-084). The department is proposing to amend commercial rules to require additional information when submitting an electronic fish receiving ticket while using mobile electronic catch reporting software or applications. The rule-making file can be found here <https://wdfw.wa.gov/about/regulations/development/electronic-fish-receiving-tickets>.

The delay in implementing permanent rules is necessary to provide time to complete commission rule making, 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.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: June 1, 2022.

Kelly Susewind

NEW SECTION

**WAC 220-352-03500B Requirement to prepare fish receiving ticket forms completely and accurately—Determining the appropriate form.**  
Effective June 2, 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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