



# RULE-MAKING ORDER EMERGENCY RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: September 19, 2019

TIME: 10:31 AM

WSR 19-20-007

**Agency:** Washington Department of Fish and Wildlife (19-225)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify) September 23, 2019

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

- Yes  No If Yes, explain:

**Purpose:** Closes the commercial harvest of sea cucumbers in Puget Sound

**Citation of rules affected by this order:**

New:  
Repealed: WAC 220-340-73000Q  
Amended: WAC 220-340-730  
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.

**Reasons for this finding:** This emergency rule is necessary to open the Puget Sound commercial sea cucumber fishery in sea cucumber Management District 1 (20A, 20B, 21A, 21B, 22A, 22B). This emergency rule is necessary to close the Puget Sound commercial sea cucumber fishery in sea cucumber Management District 2-1 (23A, 23C, 23D, 29). Harvestable surpluses of sea cucumbers remain these areas. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	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:** September 19, 2019

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



**WAC 220-340-73000R Commercial sea cucumber fishery.**

Notwithstanding the provisions of WAC 220-340-730, effective September 23, 2019, it is unlawful to take or possess sea cucumbers taken for commercial purposes except as provided for in this section:

(1) Sea cucumber harvest using shellfish diver gear is allowed in the following Marine Fish-Shellfish Catch Reporting Areas of Sea Cucumber District 1, Monday through Sunday of each week: 20A, 20B, 21A, 21B, 22A, and 22B.

(2) The maximum cumulative landing of sea cucumbers for each weekly fishery opening period is 500 pounds per valid designated sea cucumber harvest license.

**R E P E A L E R**

The following section of the Washington Administrative Code is repealed effective September 23, 2019:

WAC 220-340-73000Q Sea Cucumbers. (19-215)