



**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 26, 2019

TIME: 3:44 PM

WSR 19-20-068

**Agency:** Washington Department of Fish and Wildlife (19-237)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) September 30, 2019

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

- Yes  No If Yes, explain:

**Purpose:** Puget Sound commercial sea cucumber fishery

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

New:  
 Repealed: WAC 220-340-73000R  
 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 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	1	Amended	___	Repealed	1
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	___	Repealed	___
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**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 26, 2019

**Name:** Kelly Cunningham for Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-340-73000S Commercial sea cucumber fishery.**

Notwithstanding the provisions of WAC 220-340-730, effective September 30, 2019, until further notice, 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. The maximum cumulative landing of sea cucumbers for each weekly fishery opening period is 500 pounds per valid designated sea cucumber harvest license in these aforementioned areas of District 1.

(2) Sea cucumber harvest using shellfish diver gear is allowed in the following Marine Fish-Shellfish Catch Reporting Areas of Sea Cucumber District 2, Monday through Sunday of each week: 29, 23A, 23D, and 23C east of a line projected true north from the shoreline at 123 degrees 48.3 minutes west longitude, and west of a line projected true north from the shoreline at 123 degrees 52.7 minutes west longitude. The maximum cumulative landing of sea cucumbers for each weekly fishery opening period is 500 pounds per valid designated sea cucumber harvest license in these aforementioned areas of District 2.

## REPEALER

The following section of the Washington Administrative Code is repealed effective September 30, 2019:

WAC 220-340-73000R Commercial sea cucumber fishery. (19-225)