



**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: February 01, 2019

TIME: 3:06 PM

WSR 19-04-077

**Agency:** Department of Fish and Wildlife (Order 19-21)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) February 4, 2019

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

- Yes  No If Yes, explain:

**Purpose:** Amend recreational clam rules in Puget Sound.

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

- New:
- Repealed:
- Amended: WAC 220-330-110
- 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:** This emergency rule is necessary to close the clam season at Dosewallips State Park. Surveys indicate the clam population at this beach has declined while recreational harvesting effort has increased, and the state's clam share was exceeded in 2018. The 2019 state clam share will only allow for a short, late summer clam season. The oyster season on this beach will remain open year-round. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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	____

<b>Date Adopted:</b> February 1, 2019
<b>Name:</b> Kelly Susewind
<b>Title:</b> Director

**Signature:**



NEW SECTION

**WAC 220-330-11000G Clams other than razor clams, mussels – Areas and seasons.**

Notwithstanding the provisions of WAC 220-330-110, effective February 4, 2019 Dosewallips State Park, as defined by boundary markers and signs posted on the beach, is closed until further notice.