



**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: January 03, 2020

TIME: 1:33 PM

WSR 20-03-008

**Agency:** Department of Fish and Wildlife (Order 20-02)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) 6:00 p.m, January 7, 2020

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

- Yes  No If Yes, explain:

**Purpose:** Amends Puget Sound commercial crab rules.

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

- New:
- Repealed: WAC 220-340-45500A
- Amended: WAC 220-340-455
- 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 will close Region 3-1 on January 7 at 6:00 pm because the Region 3-1 State quota will have been reached. With this rule, Region 1, Region 2E and Region 3-2 will remain closed. It will continue the Puget Sound commercial crab harvest in Regions 2-West and 3-3. Pot limits in Regions 2-West and 3-3 will remain at 50 pots per license. These provisions are in conformity with agreed management plans with applicable tribes. These management plans are entered into as required by court order. The Puget Sound commercial season is structured to meet harvest allocation objectives negotiated with applicable Treaty tribes and outlined in the management plans. 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Federal statute:	New	___	Amended	___	Repealed	___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	____

<b>Date Adopted:</b> January 2, 2020
<b>Name:</b> Kelly Susewind
<b>Title:</b> Director

**Signature:**



## NEW SECTION

### **WAC 220-330-16000M Razor clams – Areas and Seasons.**

Notwithstanding the provisions of WAC 220-330-160, it is unlawful to take, dig for or possess razor clams taken for personal use from any beaches in any razor clam area except as provided for in this section:

- (1) Effective 12:01 p.m. January 8, 2020 through 11:59 p.m. January 14, 2020, and 12:01 p.m., razor clam digging is permissible in Razor Clam Area 1. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.
- (2) Effective 12:01 p.m. January 8, 2020 through 11:59 p.m. January 14, 2020, and 2:01 p.m., razor clam digging is permissible in Razor Clam Area 3. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.
- (3) Effective 12:01 p.m. January 9, 2020 through 11:59 p.m. January 9, 2020, and 12:01 p.m. January 11, 2020 through 11:59 p.m. January 11, 2020, and 12:01 p.m. January 13, 2020 through 11:59 p.m. January 13, 2020, razor clam digging is permissible in Razor Clam Area 4. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.
- (4) Effective 12:01 p.m. January 8, 2020 through 11:59 p.m. January 8, 2020, and 12:01 p.m. January 10, 2020 through 11:59 p.m. January 10, 2020, and 12:01 p.m. January 12, 2020 through 11:59 p.m. January 12, 2020, and 12:01 p.m. January 14, 2020 through 11:59 p.m. January 14, 2020, razor clam digging is permissible in Razor Clam Area 5. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.
- (5) It is unlawful to dig for razor clams at any time in the Long Beach, Twin Harbors and Copalis Beach Clam sanctuaries defined in WAC 220-320-130.

## REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m., January 15, 2020:

WAC 220-330-16000M Razor Clams – Areas and Seasons. (20-03)