



# 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: February 18, 2021

TIME: 10:14 AM

WSR 21-06-008

**Agency:** Department of Fish and Wildlife 21-13

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) March 1, 2021

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

- Yes  No If Yes, explain:

**Purpose:** Amends recreational sea cucumber rules for Puget Sound.

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

New:  
 Repealed:  
 Amended: WAC 220-330-090  
 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 needed to align the personal use sea cucumber regulation with provisions of the 2020-21 Puget Sound Sea Cucumber Management Plan. This regulation will close the personal use sea cucumber fishery in all Marine Areas effective March 1, 2021 until further notice to protect aggregations during peak spawning season. This regulation is needed to manage the fishery within court-ordered sharing requirements and ensure conservation. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	<u>1</u>	Amended	___	Repealed	<u>1</u>
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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:** February 18, 2021

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



**WAC 220-330-09000A Sea Cucumbers**

Notwithstanding the provisions of WAC 220-330-090, effective March 1, 2021 until further notice, it is unlawful to take or possess sea cucumbers taken for personal use in all waters of Puget Sound; Marine Areas 4B, 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13.