RULE-MAKING ORDER
EMERGENCY RULE ONLY

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

Agency: Washington Department of Fish and Wildlife (21-73)

Effective date of rule:
- Emergency Rules
  ☒ Immediately upon filing.
  ☐ Later (specify) _____

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 harvest rules for razor clams

Citation of rules affected by this order:
- New:  
- Repealed: WAC 220-330-16000W
- Amended: WAC 220-330-160
- 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 needed to open the recreational razor clam season. Survey results show that adequate clams are available for harvest in Razor Clam Area 5 for recreational harvest. Washington Department of Health has certified clams from this beach to be safe for human consumption. 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:

<table>
<thead>
<tr>
<th>Category</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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<tbody>
<tr>
<td>Federal statute:</td>
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<td>Federal rules or standards:</td>
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<td>Recently enacted state statutes:</td>
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The number of sections adopted at the request of a nongovernmental entity:

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<th>Category</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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The number of sections adopted on the agency’s own initiative:

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<th>Category</th>
<th>New</th>
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<th>Repealed</th>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

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<th>Repealed</th>
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The number of sections adopted using:

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<th>Category</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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<tbody>
<tr>
<td>Negotiated rule making:</td>
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<td>Pilot rule making:</td>
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<td>Other alternative rule making:</td>
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Date Adopted: May 21, 2021

Name: Kelly Susewind

Title: Director

Signature:
NEW SECTION

WAC 220-330-16000W 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:

Effective 12:01 a.m. May 24, 2021 through 11:59 a.m. May 24, 2021 and 12:01 a.m. May 26, 2021 through 11:59 a.m. May 26, 2021 and 12:01 a.m. May 28, 2021 through 11:59 a.m. May 28, 2021 and 12:01 a.m. May 30, 2021 through 11:59 a.m. May 30, 2021, razor clam digging is permissible in Razor Clam Area 5. Digging is permissible from 12:01 a.m. to 11:59 a.m. each day only.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 p.m. May 30, 2021:

WAC 220-330-16000W Razor Clams – Areas and Seasons.