RULE-MAKING ORDER
EMERGENCY RULE ONLY

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

Agency: Department of Fish and Wildlife   (Order No. 21-178)

Effective date of rule:  
Emergency Rules  
☒ Later (specify) September 6, 2021

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?  
☒ No

Purpose: Closes commercial sea cucumber harvest in sea cucumber management district 2-1.

Citation of rules affected by this order:  
New: 
Repealed: WAC 220-340-73000Z
Amended: WAC 220-340-730
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 closes harvest of sea cucumber in sea cucumber management District 2-1 because the quota in this area has been reached. This closure is needed to fulfill obligations of state and tribal co-manager agreements. Immediate adoption of this rule is necessary for the preservation of the public health, safety, or general welfare. Observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to public interest. 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:

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

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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

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

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<tbody>
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<td>Negotiated rule making</td>
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<tr>
<td>Pilot rule making</td>
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<tr>
<td>Other alternative rule making</td>
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**Date Adopted:** September 3, 2021

**Name:** Kelly Susewind

**Title:** Director

**Signature:**

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NEW SECTION


Effective September 6, 2021, until further notice, the following provisions of WAC 220-340-730 regarding Puget Sound commercial sea cucumber harvest and sales shall be described below. All other provisions of WAC 220-340-730 not addressed herein, and unless otherwise amended, remain in effect:

(1)  Sea cucumber harvest using shellfish diver gear is allowed in the following catch record areas of Sea Cucumber District 1, Monday through Sunday of each week: 20A, 20B, 21A, 21B, 22A, 22B.

(2)  The maximum cumulative landing of sea cucumbers for each weekly fishery opening period is 1,800 pounds per valid designated sea cucumber harvest license.

REPEALER

The following section of Washington Administrative Code is repealed, effective September 6, 2021:

WAC 220-340-7300Z  Commercial sea cucumber fishery.  (21-155)