



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 28, 2022

TIME: 10:36 AM

WSR 22-06-067

Agency: Department of Fish and Wildlife (Order No. 22-31)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) March 1, 2022

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

- Yes No If Yes, explain:

Purpose: The purpose of this emergency rule is to close recreational sea cucumber harvest in all Puget Sound Marine Areas beginning March 1, 2022.

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 Repealed: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 rules with provisions of the 2021-22 Puget Sound Sea Cucumber Management Plan to ensure conservation of the species related to a biologically based spawning window closure. This rule will close the personal use sea cucumber fisheries in Marine Areas 4 east of the Bonilla-Tatoosh Line, 5, 6, 7, 8-1, 8-2, 9, 10, 11, and 13 from March 1, 2022, until further notice.

These rules are interim until permanent rules adopted by the Fish and Wildlife Commission and filed under WSR 22-06-066 become effective.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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	____

Date Adopted: February 28, 2022
Name: Kelly Susewind
Title: Director

Signature:



WAC 220-330-09000D Sea Cucumbers—Areas and seasons.

Notwithstanding the provisions of WAC 220-330-090, effective March 1, 2022, until further notice, it is unlawful to take or possess sea cucumbers taken for personal use in all waters of Marine Areas 4 east of the Bonilla-Tatoosh Line, 5, 6, 7, 8-1, 8-2, 9, 10, 11, and 13. All other provisions of WAC 220-330-090 not addressed herein remain in effect unless otherwise amended by emergency rule.