



**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: September 13, 2024

TIME: 12:07 PM

WSR 24-19-058

Agency: Department of Fish and Wildlife (Order 24-186)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 16, 2024

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

- Yes No If Yes, explain:

Purpose: This emergency rule closes sea cucumber District 2-1 to prevent overharvest of sea cucumbers.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-340-73000S
- 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 sea cucumber harvest in District 2-1 to prevent overharvest because the quota has been reached. Harvestable surpluses of sea cucumbers exist in the districts specified. 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| Federal statute: | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards: | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | ___ | Repealed | ___ |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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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 | ____ |

| | |
|---|---|
| Date Adopted: September 13, 2024 | Signature:  |
| Name: Kelly Susewind | |
| Title: Director | |

NEW SECTION

WAC 220-340-73000T Sea Cucumbers

Effective September 16, 2024, until further notice, the following provisions of WAC 220-340-730 regarding Puget Sound commercial sea cucumber harvest seasons and landing limits shall be as described herein. 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 Sea Cucumber District 1 Monday through Sunday of each week.
- (2) It is unlawful for any harvester to fish for, take, or possess for commercial purposes more than 1,500 pounds of sea cucumber per license for each weekly fishery opening period.
- (3) The maximum cumulative landing of sea cucumbers from August 5 through November 17, 2024, is 9,300 pounds per valid designated sea cucumber harvest license.

REPEALER

The following section of Washington Administrative Code is repealed, effective September 16, 2024:

WAC 220-340-73000S Sea Cucumbers (24-173)