



# 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, 2025

TIME: 9:17 AM

WSR 25-06-049

**Agency:** Department of Fish and Wildlife (Order 25-31)

**Effective date of rule:**

**Emergency Rules**

- ☐ Immediately upon filing.  
☒ Later (specify) March 1, 2025

**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 opens recreational clam, mussel, and oyster harvest on Illahee State Park beach during the month of March.

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

New:  
Repealed:  
Amended: WAC 220-330-110; WAC 220-330-140  
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 rule is needed to open recreational clam, mussel, and oyster harvesting opportunities at Illahee State Park. Permanent rules currently have seasons open April 1 through July 31. This rule will open the beach one month earlier on March 1. An earlier opening date is needed to address congestion issues during the month of July. The proposed permanent rule will close the beach beginning July 1. Proposed seasons for 2025 have been announced and permanent rulemaking for 2025 clam, mussel and oyster seasons for these beaches has been initiated with WSR 25-03-124, filed January 21, 2025.

This rule ensures an orderly fishery and manage within court-ordered sharing requirements. Immediate adoption is necessary for the preservation of 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 the 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:**

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    2    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, 2025

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-330-11000R Clams other than razor clams, mussels – Areas and seasons.**

Notwithstanding the provisions of WAC 220-330-110, effective March 1 through March 31, 2025, the following provisions of WAC 220-330-110 regarding Illahee State Park clam and mussel seasons shall be as described in this section. All other provisions, not addressed in this section, or unless otherwise amended by emergency rule, remain in effect:

Illahsee State Park: Open March 1 through March 31, 2025.

## NEW SECTION

### **WAC 220-330-14000N Oysters – Areas and seasons.**

Notwithstanding the provisions of WAC 220-330-140, effective March 1 through March 31, 2025, the following provisions of WAC 220-330-140 regarding Illahee State Park oyster seasons shall be as described in this section. All other provisions, not addressed this section, or unless otherwise amended by emergency rule, remain in effect:

Illahsee State Park: Open March 1 through March 31, 2025.