



# 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: March 26, 2025

TIME: 1:48 PM

WSR 25-08-035

**Agency:** Department of Fish and Wildlife (Order 25-49)

**Effective date of rule:**

**Emergency Rules**

- ☐ Immediately upon filing.  
☒ Later (specify) April 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:** The purpose of this emergency rule is to open commercial razor clam seasons in razor clam area 2.

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

New:  
Repealed: WAC 220-340-12000J  
Amended: WAC 220-340-120  
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:** Based on historical catches and on-site inspection, there are adequate clams to support an eleven-week commercial razor clam season. Washington Department of Health has confirmed biotoxin levels currently fall below the regulatory threshold. This emergency rule is needed to open the commercial razor clam season in Razor Clam Area 2. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

<b>The number of sections adopted at the request of a nongovernmental entity:</b>			
	New	_____	Amended _____ Repealed _____
<b>The number of sections adopted on the agency's own initiative:</b>			
	New	1	Amended _____ Repealed 1
<b>The number of sections adopted in order to clarify, streamline, or reform agency procedures:</b>			
	New	_____	Amended _____ Repealed _____
<b>The number of sections adopted using:</b>			
Negotiated rule making:	New	_____	Amended _____ Repealed _____
Pilot rule making:	New	_____	Amended _____ Repealed _____
Other alternative rule making:	New	_____	Amended _____ Repealed _____
<b>Date Adopted:</b> March 26, 2025		<b>Signature:</b> 	
<b>Name:</b> Amy Windrope for Kelly Susewind			
<b>Title:</b> Director			

## NEW SECTION

### **WAC 220-340-12000J Commercial Razor clams.**

Notwithstanding the provisions of WAC 220-340-120, effective April 1 through June 20, 2025, a person may dig for and possess razor clams for commercial purposes only in those waters and detached beaches of Razor Clam Area 2 lying south of the Willapa Bay Ship Channel, west of Ellen Sands, and north of the tip of Leadbetter Point. Digging is prohibited on the west side of Leadbetter Point south of 46°40.245' N. Access to Razor Clam Area 2 is by boat only.

## REPEALER

The following section of the Washington Administrative Code is repealed effective June 21, 2025:

WAC 220-340-12000J Commercial Razor Clams.