

**WSR 23-05-058
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-23—Filed February 10, 2023, 2:56 p.m., effective February 13, 2023]

Effective Date of Rule: February 13, 2023.

Purpose: The purpose of this emergency rule is to close harvest of red sea urchins in Districts 1, 2, and 3.

Citation of Rules Affected by this Order: Repealing WAC 220-340-75000S; and amending WAC 220-340-750.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: This emergency rule closes harvest for red sea urchins in Districts 1, 2, and 3 because the quotas are likely to be reached before February 13. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: February 10, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-340-75000T Commercial sea urchin fishery. Effective February 13, 2023, until further notice, the provisions of WAC 220-340-750 regarding commercial harvest of sea urchins shall be modified as described below. All other provisions of WAC 220-340-750 not addressed herein remain in effect unless otherwise amended by emergency rule:

(1) It is unlawful for any person to fish for, take, or possess for commercial purposes any green sea urchins less than 2.25 inches; or red sea urchins measuring less than 3.25 inches or greater than 5 inches. All measurements are caliper measurements of the largest shell (test) diameter, exclusive of the spines.

(2) The following areas are open for red sea urchin harvest only, seven days-per-week: Sea Urchin District 4.

(3) The maximum cumulative landings for red sea urchins for each weekly fishery opening period is 1,500 pounds per valid designated sea urchin harvest license.

(4) The following areas are open for green sea urchin harvest only, seven days-per-week: Sea Urchin District 1.

(5) The maximum cumulative landings for green sea urchins for each weekly fishery opening period is 2,500 pounds per valid designated sea urchin harvest license.

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REPEALER

The following section of Washington Administrative Code is repealed, effective February 13, 2023:

WAC 220-340-75000S Commercial sea urchin fishery. (23-15)