

**WSR 22-06-067
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 22-31—Filed February 28, 2022, 10:36 a.m., effective March 1, 2022]

Effective Date of Rule: March 1, 2022.

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: Amending WAC 220-330-090.

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 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.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 28, 2022.

Kelly Susewind
Director

[NEW SECTION]

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.

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Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.