

**WSR 22-19-011
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 22-195—Filed September 9, 2022, 11:19 a.m., effective September 12, 2022]

Effective Date of Rule: September 12, 2022.

Purpose: Closes sea cucumber harvest in District 2-1 and reopens harvest in District 2-2.

Citation of Rules Affected by this Order: Repealing WAC 220-340-73000E; and amending WAC 220-340-730.

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 of sea cucumber management in District 2-1 and reopens harvest in District 2-2. The quota in District 2-1 is expected to be taken by September 12, 2022, and this closure is needed to fulfill obligations of state and tribal comanager agreements. There is harvestable surplus in District 2-2 for one more fishery week beginning September 12, 2022. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 9, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-340-73000F Commercial sea cucumber fishery Effective September 12, 2022, and until further notice, or until this rule expires on January 6, 2023, pursuant to RCW 34.05.350, the following provisions of WAC 220-340-730 regarding Puget Sound commercial sea cucumber harvest and sales shall be described below. 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 Districts 1 and 2-2, Monday through Sunday of each week.

(2) The maximum cumulative landing of sea cucumbers for each weekly fishery opening period is 1,800 pounds per valid designated sea cucumber harvest license.

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REPEALER

The following section of the Washington Administrative Code is repealed effective September 12, 2022:

WAC 220-340-73000E Commercial sea cucumber fishery.
(22-176)