

WSR 21-20-064
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-212—Filed September 29, 2021, 8:57 a.m., effective October 4, 2021]

Effective Date of Rule: October 4, 2021.

Purpose: The purpose of this emergency rule is to open commercial harvest of green sea urchin in Sea Urchin Districts 1, 2, 3, 4, 6, and 7.

Citation of Rules Affected by this Order: 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 opens listed sea urchin districts on October 4 to harvest of green sea urchins only. This emergency rule is also needed to clarify size restrictions for the possession of both green sea urchins and red sea urchins.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 29, 2021.

Nate Pamplin
for Kelly Susewind
Director

NEW SECTION

WAC 220-340-75000E Commercial sea urchin fishery. Effective October 4, 2021, 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. Effective immediately, until further notice, 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. Effective October 4, 2021, until further notice, the following areas are open for green sea urchin harvest only, seven days-per-week: Sea Urchin District 1, District 2, District 3 east of a line projected true north from the shoreline at 123°52.7'W longitude to the international border, District 4 west of a line projected true north from the shoreline at 123°48.3'W longitude to the international border, District 6, and District 7 except all waters of Hale Passage and Wollochet Bay within the following lines: west and north of a line starting at Point Fosdick following longitude 122°35'W southward to latitude 47°14'N thence true west to Fox Island, and east and north of a line starting at Green Point following longitude 122°41'W southward to latitude 47°16.5'N thence true east to Fox Island.

3. Effective October 4, 2021, until further notice, the maximum cumulative landings for green sea urchins for each weekly fishery opening period is 1,500 pounds per valid designated sea urchin harvest license. Each fishery week begins Monday and ends Sunday.

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