

**WSR 22-17-025**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 22-161—Filed August 5, 2022, 3:41 p.m., effective August 8, 2022]

Effective Date of Rule: August 8, 2022.

Purpose: Amends rules for Puget Sound commercial sea cucumber.

Citation of Rules Affected by this Order: Repealing WAC 220-340-73000B; 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 opens harvest of sea cucumber in all of Sea Cucumber Management District 5, and defines a specified area closed to harvest in [Catch Area] 26D. This opener is pursuant to fulfill obligations of state and tribal comanager agreements. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: August 5, 2022.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-340-73000C Commercial sea cucumber fishery** Effective August 8, 2022 and until further notice, or until this rule expires on December 2, 2022 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, 2-1, and 2-2 Monday through Sunday of each week.

(2) Sea cucumber harvest using shellfish diver gear is allowed in Sea Cucumber District 5 except for all waters in Gig Harbor and adja-

cent waters within a one nautical mile radius of the Gig Harbor entrance, Monday through Sunday of each week.

(3) 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 August 8, 2022:

WAC 220-340-73000B Commercial sea cucumber fishery.  
(22-156)