

WSR 22-20-077
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-225—Filed September 30, 2022, 3:15 p.m., effective October 3, 2022]

Effective Date of Rule: October 3, 2022.

Purpose: Opens commercial harvest of green sea urchin in Districts 1, 2, 3, 4, 6, and 7. Clarifies size restrictions for the possession of both green and red sea urchins for commercial purposes.

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 3 to harvest of green sea urchins only. This emergency rule also clarifies size restrictions for the possession of both green and red sea urchins for commercial purposes. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 30, 2022.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-340-75000L Commercial sea urchin fisheries. Effective October 3, 2022, 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 meas-

uring 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 3, 2022, 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, District 4, District 6, and District 7.

3. Effective October 3, 2022, 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.

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