

WSR 23-17-015
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-153—Filed August 4, 2023, 4:09 p.m., effective August 7, 2023]

Effective Date of Rule: August 7, 2023.

Purpose: Opens harvest of sea cucumber in all parts of District 5 except a designated closed area within a one nautical mile radius of Gig Harbor.

Citation of Rules Affected by this Order: Repealing WAC 220-340-73000I; 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 parts of District 5 except a designated closed area within a one nautical mile radius of Gig Harbor. The closed area is part of an agreement with comanagers in a signed harvest plan. Harvestable surpluses of sea cucumbers exist in the districts specified. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 4, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-340-73000J Sea cucumbers Effective August 7, 2023, until further notice, or until this rule expires on December 2, 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, 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 adjacent 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 1,500 pounds per license.

(4) The maximum cumulative landing of sea cucumbers for the period of August 1, 2023, to November 5, 2023 is 9,000 pounds per license from all Puget Sound commercial sea cucumber districts combined.

REPEALER

The following section of Washington Administrative Code is repealed, effective August 7, 2023:

WAC 220-340-73000I Sea cucumbers (23-144)