

WSR 24-08-003  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 24-43—Filed March 20, 2024, 3:54 p.m., effective March 26, 2024]

Effective Date of Rule: March 26, 2024.

Purpose: This emergency rule is needed to open recreational razor clam seasons.

Citation of Rules Affected by this Order: Repealing WAC 220-330-16000P; and amending WAC 220-330-160.

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: Survey results show that adequate clams are available for harvest in Razor Clam Areas 1, 3, 4, and 5 for recreational harvest. Washington department of health has certified clams from these Razor Clam Areas 1, 3, 4, and 5 to be safe for human consumption. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: March 20, 2024.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-330-16000P Razor clams—Areas and seasons.** Notwithstanding the provisions of WAC 220-330-160, it is unlawful to take, dig for or possess razor clams taken for personal use from any beaches in any razor clam area except as provided for in this section:

(1) Effective 12:01 a.m. March 26 through 11:59 a.m. March 29, 2024, razor clam digging is permissible in Razor Clam Areas defined in WAC 220-330-160 during dates and times listed below:

| Razor Clam Area | Date                      | Time                          |
|-----------------|---------------------------|-------------------------------|
| Area 1          | March 27 through March 29 | From 12:01 a.m. to 11:59 a.m. |
| Area 2          | Closed                    | Closed                        |

| Razor Clam Area | Date            | Time                          |
|-----------------|-----------------|-------------------------------|
| Area 3          | March 28 and 29 | From 12:01 a.m. to 11:59 a.m. |
| Area 4          | March 26 and 29 | From 12:01 a.m. to 11:59 a.m. |
| Area 5          | March 27 and 28 | From 12:01 a.m. to 11:59 a.m. |
| Area 6          | Closed          | Closed                        |
| Area 7          | Closed          | Closed                        |

(2) Effective 12:01 a.m. March 30 through 12:59 p.m. March 31, 2024, razor clam digging is permissible in Razor Clam Areas defined in WAC 220-330-160 during dates and times listed below:

| Razor Clam Area | Date            | Time                          |
|-----------------|-----------------|-------------------------------|
| Area 1          | March 30 and 31 | From 12:01 a.m. to 12:59 p.m. |
| Area 2          | Closed          | Closed                        |
| Area 3          | March 30 and 31 | From 12:01 a.m. to 12:59 p.m. |
| Area 4          | March 30        | From 12:01 a.m. to 12:59 p.m. |
| Area 5          | March 31        | From 12:01 a.m. to 12:59 p.m. |
| Area 6          | Closed          | Closed                        |

(3) It is unlawful to dig for razor clams at any time in the Long Beach and Copalis Beach Clam sanctuaries defined in WAC 220-320-130.

REPEALER

The following sections of the Washington Administrative Code are repealed effective 12:01 a.m. April 1, 2024:

WAC 220-330-16000P Razor clams—Areas and seasons.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.