



# RULE-MAKING ORDER

**CR-103E (July 2011)**  
**(Implements RCW 34.05.350)**

**Agency:** Washington Department of Fish and Wildlife

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules 15-84**

- Immediately upon filing.
- Later (specify) 4:45 a.m. May 2, 2015

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** Amend rules in the recreational spot shrimp fishery

**Citation of existing rules affected by this order:**

Repealed: WAC 220-56-32500Q, WAC 220-56-32500R  
 Amended: WAC 220-56-325  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020, and 77.12.047

**Other authority :**

**EMERGENCY RULE**

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.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: This regulation is needed to ensure an orderly fishery, manage the fishery within court-ordered sharing requirements, and ensure conservation. Additional harvestable amounts of spot shrimp are available in Marine Area 7 West. There is insufficient time to adopt permanent rules.

**Date adopted:** April 22, 2015

**NAME (TYPE OR PRINT)**

J W Unsworth

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: April 22, 2015**

**TIME: 2:19 PM**

**WSR 15-10-004**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	<u>1</u>	Amended	_____	Repealed	<u>2</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

NEW SECTION

**WAC 220-56-32500R Shrimp--Areas and Seasons.**

Notwithstanding the provisions of WAC 220-56-325, effective 4:45 a.m. May 2 through May 31, 2015, it is unlawful to fish for or possess shrimp taken for personal use in all waters of Marine Areas 4 (east of the east of the Bonilla-Tatoosh line), 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12 and the Discovery Bay Shrimp District, except as provided for in this section:

- (1) Marine Areas 4 (east of the Bonilla-Tatoosh line), 5, 6 (excluding the Discovery Bay Shrimp District) and 13: Open May 2 through May 31.
- (2) Marine Area 7:
  - (a) The portion of Marine Area 7 north of a line from Davis Point on Lopez Island to Cattle Point on San Juan Island, then north of a line due west from Lime Kiln Point light to the international boundary, then west of a line from the bell buoy at the international boundary to Point Doughty on Orcas Island, then west of a line projected true north and south from the western tip of Crane Island, then west of a line projected from the southern tip of Shaw Island to the number 2 buoy at the entrance to Fisherman Bay: Open May 2 through May 31;
  - (b) The portion of Marine Area 7 south of a line from Davis Point on Lopez Island to Cattle Point on San Juan Island, then south of a line due west from Lime Kiln Point light to the international boundary, then east of a line from the bell buoy at the international boundary to Point Doughty on Orcas Island, then east of a line projected true north and south from the western tip of Crane Island, then east of a line projected from the southern tip of Shaw Island to the number 2 buoy at the entrance to Fisherman Bay: Open May 2; May 13 through May 16; May 20 through May 23; and May 27 through May 30.
- (3) Marine Areas 8-1, 8-2 and 9:
  - (a) Open May 2 and May 13 from 7:00 a.m. through 3:00 p.m.
  - (b) Divers may take shrimp by hand or hand-held device from 7:00 p.m. until midnight on those open days in Marine Area 8-2.
- (4) Marine Area 10 and 11
  - (a) Open May 2 from 7:00 a.m. through 3:00 p.m.
  - (b) On May 13, in that portion of Marine Area 10 west of a line from West Point to Alki Point, open from 7:00 a.m. to 3:00 p.m.
- (5) Marine Area 12: Open May 2, 9, 11 and 13 from 9:00 a.m. through 1:00 p.m.
- (6) Discovery Bay Shrimp District: Open May 2, 9, 11 and 13 from 7:00 a.m. through 3:00 p.m.

## REPEALERS

The following section of the Washington Administrative Code is repealed:

WAC 220-56-32500Q Shrimp—Areas and Seasons. (15-68)

The following section of the Washington Administrative Code is repealed effective June 1, 2015:

WAC 220-56-32500R Shrimp—Areas and Seasons.

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### **EMERGENCY RULE ONLY**

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(x) 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.

( ) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

( ) That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, **2010, 2011, 2012 or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that** observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

**Reasons for this finding:** This regulation is needed to ensure an orderly fishery, manage the fishery within court-ordered sharing requirements, and ensure conservation. Additional harvestable amounts of spot shrimp are available in Marine Area 7 West. There is insufficient time to adopt permanent rules.

**(15-84, 4/22/2015)**

