



**RULE-MAKING ORDER
EMERGENCY RULE ONLY**

**CR-103E (December 2017)
(Implements RCW 34.05.350
and 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 10, 2019

TIME: 3:52 PM

WSR 19-13-025

Agency: Department of Fish and Wildlife (Order 19-121)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) 5:00 a.m. June 12, 2019

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

- Yes No If Yes, explain:

Purpose: Amend commercial shrimp fishery rules for Puget Sound.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-340-52000B
- Amended: WAC 220-340-520
- Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 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.

Reasons for this finding: The 2019 State/Tribal Shrimp Harvest Management Plans for the Strait of Juan de Fuca and Puget Sound require adoption of harvest seasons contained in this emergency rule. This emergency rule (1) opens the Region 1 and Region 3 trawl fishery season; (2) opens the pot fishery season for non-spot shrimp with weekly harvest limits; (3) Closes the non-spot shrimp pot fishery in Shrimp Management Area 1A, 1B and 1C until further notice. There is insufficient time to adopt permanent rules.

**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:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

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

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New 1 Amended ____ Repealed 1

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

The number of sections adopted using:

Negotiated rule making:	New ____	Amended ____	Repealed ____
Pilot rule making:	New ____	Amended ____	Repealed ____
Other alternative rule making:	New ____	Amended ____	Repealed ____

Date Adopted: June 10, 2019
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-340-52000C Puget Sound shrimp pot and trawl fishery—season.

Notwithstanding the provisions of WAC 220-340-520, effective at 5:00 AM, June 12, 2019, until further notice, it is unlawful to fish for shrimp for commercial purposes in Puget Sound except as provided for in this section:

(1) Shrimp pot gear:

(a) All waters of Shrimp Management Areas 2E, 2W and 3 are open to the harvest of all non-spot shrimp species, effective immediately, until further notice, except as provided for in this section:

- (i) All waters of Marine Fish/Shellfish Management and Catch Reporting Area (Catch Area) 23A-E, 23A-W, 23A-C and the Discovery Bay Shrimp District are closed.
- (ii) All waters of Shrimp Management Area 1A, 1B and 1C are closed until further notice.
- (iii) In Catch Area 22A, all waters inside and bounded by a line projected from Blakely Marina on the northwest corner of Blakely Island to Upright Head on Lopez Island, following the shoreline southerly on Lopez Island to intersect a line projected due west from Bald Bluff on Blakely Island, are closed until 6:00 a.m. June 16, 2019.

(b) Effective immediately, until further notice, it is unlawful for the combined total harvest of non-spot shrimp by a fisher or the fisher's alternate operator to exceed 600 pounds per week from Shrimp Management Areas 2E and 2W combined.

(c) Effective immediately, until further notice, the shrimp catch accounting week is Wednesday through Tuesday.

(d) It is unlawful to pull shellfish pots in more than one catch area per day.

(2) Shrimp trawl gear:

- (a) Shrimp Management Area (SMA) 3 (outside of the Discovery Bay Shrimp District, Sequim Bay and Catch Area 23D) is open, effective immediately, until further notice. Sequim Bay includes those waters of Catch Area 25A south of a line projected west from Travis Spit on the Miller Peninsula.
- (b) That portion of Catch Area 22A within SMA 1B east of a line projected 122.47°W longitude and west of a line projected 122.43°W longitude in Rosario Strait is open.
- (c) The remaining portion of Catch Area 22A within SMA 1B will open immediately, until further notice.

(3) All shrimp taken under this section must be sold to licensed Washington State wholesale fish dealers.

R E P E A L E R

The following section of the Washington Administrative Code is repealed effective at 5:00 AM, June 12, 2019:

WAC 220-340-52000B Puget Sound shrimp pot and trawl fishery—season. (19-109)