



RULE-MAKING ORDER EMERGENCY RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 26, 2017

TIME: 2:56 PM

WSR 17-20-023

Agency: Department of Fish and Wildlife (17-262)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) 6:00 p.m. September 30, 2017

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 rules in Puget Sound.

Citation of rules affected by this order:

New:
Repealed: WAC 220-340-52000L, WAC 220-340-52000M
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 2017 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) closes the shrimp trawl fishery in Shrimp Management Area 3; and (2) closes the remaining shrimp pot and trawl fisheries in all areas for the 2017 season on October 16. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	<u>1</u>	Amended	___	Repealed	2
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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:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date adopted: September 26, 2017

Name: J W Unsworth

Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-340-520, effective immediately 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 2W and 3 are open to the harvest of all shrimp species except spot shrimp, effective immediately until further notice, except as provided for in this section:
 - (i) All waters of the Discovery Bay Shrimp District are closed.
 - (b) It is unlawful to pull shellfish pots in more than one catch area per day.
- (2) Shrimp trawl gear:
 - (a) That portion of Catch Area 22A within SMA 1B is open.
 - (b) That portion of Catch Area 20B within SMA 1B is open.
 - (c) That portion of Catch Area 21A within SMA 1B is open.
 - (d) Catch Area 20A is open.
- (3) All shrimp taken under this section must be sold to licensed Washington wholesale fish dealers.

REPEALERS

The following section of the Washington Administrative Code is repealed effective 6:00 p.m. September 30, 2017:

WAC 220-340-52000L Puget Sound Shrimp pot and beam trawl fishery-season.
(17-243)

The following section of the Washington Administrative Code is repealed effective October 16, 2017:

WAC 220-340-52000M Puget Sound Shrimp pot and beam trawl fishery-season.