



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: April 23, 2018

TIME: 1:39 PM

WSR 18-10-019

Agency: Washington Department of Fish and Wildlife (18-73)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) May 5, 2018

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

- Yes No If Yes, explain:

Purpose: Amends recreational harvest rules for Puget Sound shrimp

Citation of rules affected by this order:

New:
Repealed: WAC 220-330-07000H
Amended: WAC 220-330-070
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.

Reasons for this finding: This regulation is needed to ensure an orderly fishery, manage the fishery within court-ordered sharing requirements, and ensure conservation. Harvestable amounts of spot shrimp are available, but only enough recreational shares exist for a limited number of open days in the Marine Areas listed in this section. In addition, this emergency regulation opens the Marine Area 4, 5, 6 and 7 seasons one hour before sunrise (at 4:40 a.m.), which is the default daily start time for those areas the remainder of the season. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	1	Amended	___	Repealed	1
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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: April 23, 2018

Name: Amy Windrope for Joe Stohr

Title: Director

Signature:



NEW SECTION

WAC 220-330-07000H Shrimp--Areas and Seasons.

Notwithstanding the provisions of WAC 220-330-070, effective immediately through May 31, 2018, it is unlawful to fish for or possess shrimp taken for personal use in all waters of Marine Areas 4 (east of the Bonilla-Tatoosh line), 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, 13 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 7 West: Open 4:40 a.m. May 5 through May 31.
- (2) Marine Areas 7 East and 7 South:
 - (a) Open 4:40 a.m. May 5; and
 - (b) Open May 9 through May 12;
 - (c) Open May 23 through May 26.
- (3) Marine Areas 8-1 and 8-2:
 - (a) Open May 5 from 7:00 a.m. through 1:00 p.m., and May 9 from 8:00 a.m. through 2:00 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 9: Open May 5 from 7:00 a.m. through 11:00 a.m., and May 9 from 9:00 a.m. through 1:00 p.m.
- (5) Marine Area 10 west of a line from West Point to Alki Point: Open May 5 from 7:00 a.m. through 11:00 a.m.
- (6) Marine Area 10 east of a line from West Point to Alki Point: Open May 5 from 7:00 a.m. through 1:00 p.m.
- (7) Marine Area 11: Open May 5 from 7:00 a.m. through 11:00 a.m.
- (8) Marine Area 12: Open May 5, 9, 12 and 23 from 9:00 a.m. through 1:00 p.m.
- (9) Marine Area 13: Open May 5 from 7:00 a.m. through 11:00 a.m., and May 9 from 9:00 a.m. through 1:00 p.m.
- (10) Discovery Bay Shrimp District: Open May 5, 9, 12 and 23 from 7:00 a.m. through 3:00 p.m.

REPEALER

The following section of the Washington Administrative Code is repealed effective June 1, 2018:

WAC 220-330-07000H Shrimp—Areas and Seasons.

