



# 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: August 15, 2018

TIME: 2:26 PM

WSR 18-17-104

**Agency:** Department of Fish and Wildlife (Order 18-199)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify) August 21, 2018

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

- Yes  No If Yes, explain:

**Purpose:** Amend recreational shrimping rules in Puget Sound

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

New:  
Repealed: WAC 220-330-07000K  
Amended: WAC 220-330-070, WAC 220-330-010  
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:** This emergency rule is needed to ensure an orderly fishery, manage the fishery within court-ordered sharing requirements, and ensure conservation. Sufficient amounts of spot shrimp remain available in Marine Area 12 to raise the daily limit on a trial basis. In Marine Area 12 sufficient amounts of spot shrimp remain to allow two more days of fishing. In addition, harvestable amounts of non-spot shrimp are available in several Marine Areas, and the depth restrictions and area closures are in effect to protect spot shrimp. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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	2	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	___

<b>Date Adopted:</b> August 15, 2018	<b>Signature:</b> 
<b>Name:</b> Joe Stohr for Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-330-07000L Shrimp--Areas and Seasons.**

Notwithstanding the provisions of WAC 220-330-070, effective 12:00 p.m. August 21, 2018, 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, 13 and the Discovery Bay Shrimp District, except as provided for in this section:

- (1) Marine Areas 4 (east of the Bonilla-Tatoosh line) and 5 are open to the harvest of all shrimp species.
- (2) All waters equal to or less than 200 feet in depth in Marine Areas 6 (excluding the Discovery Bay Shrimp District) and 7 East are open to the harvest of all shrimp species except spot shrimp. All spot shrimp caught must be immediately returned to the water unharmed. It is unlawful to set or pull shrimp gear in waters greater than 200 feet deep.
- (3) All waters equal to or less than 150 feet in depth in Marine Areas 8-1, 8-2, 9 and 11 are open to the harvest of all shrimp species except spot shrimp. All spot shrimp caught must be immediately returned to the water unharmed. It is unlawful to set or pull shrimp gear in waters greater than 150 feet deep.
- (4) All waters equal to or less than 250 feet in depth in Marine Area 13 are open to the harvest of all shrimp species except spot shrimp. All spot shrimp caught must be immediately returned to the water unharmed. It is unlawful to set or pull shrimp gear in waters greater than 250 feet deep.
- (5) Marine Area 12 will be open to the harvest of all shrimp species on August 21, 2018 from 12:00 p.m. through 4:00 p.m. and on August 22, 2018 from 12:00 p.m. through 4:00 p.m.

## NEW SECTION

### **WAC 220-330-01000E Shellfish—Daily limits.**

Notwithstanding the provisions of WAC 220-330-010, effective August 21, 2018 and August 22, 2018 in Marine Area 12 only it is permissible for any one person to take up to 100 shrimp for personal use in any one day.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective August 21, 2018:

WAC 220-330-07000K Shrimp—Areas and Seasons. (18-151)