



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: May 28, 2021

TIME: 10:47 AM

WSR 21-12-073

Agency: Washington Department of Fish and Wildlife (21-81)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify)

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Repealed: WAC 220-330-07000F

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 recreational shares will only support a limited number of open days in the Marine Areas listed in this section. In addition, this emergency regulation opens the Marine Area 5, 6 and 7 seasons one hour before sunrise to one hour after sunset, which is the default daily start time and end time for those areas. This regulation opens the recreational non-spot shrimp fisheries on the dates listed for Marine Areas 8-1, 8-2, 9, 11 and 13 only. The non-spot shrimp fisheries have maximum depth restrictions specific to each area to limit capture and handling of spot shrimp. Spot shrimp must be immediately released unharmed during non-spot shrimp seasons. 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: May 28, 2021

Name: Amy Windrope for Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-330-070, effective immediately 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 Area 5:
 - Open through Sept 15 for all shrimp species.
- (2) Marine Areas 6 (excluding the Discovery Bay Shrimp District) and 7 West:
 - a. Open June 2 through June 5 for all shrimp species.
 - b. Open June 16 through June 19 for all shrimp species.
- (3) Marine Area 7 South:
 - Open June 2 through June 5 for all shrimp species.
- (4) Marine Area 7 East:
 - a. Open June 2 through June 5 for all shrimp species.
 - b. Open June 16 through June 19 for all shrimp species.
- (5) Marine Areas 8-1 and 8-2:
 - a. Open June 2 from 9:00 a.m. through 1:00 p.m. for all shrimp species.
 - b. Divers may take shrimp by hand or hand-held device from 7:00 p.m. until midnight on June 2 in Marine Area 8-2.
 - c. Open June 3 through October 15 for shrimp species other than spot shrimp with a 150-foot maximum fishing depth restriction. During this time it is unlawful to set or pull shrimp gear in waters greater than 150 feet deep. All spot shrimp caught must be immediately returned to the water unharmed.
- (6) Marine Area 9:
 - a. Open June 2 from 9:00 a.m. through 1:00 p.m. for all shrimp species.
 - b. Open June 3 through October 15 for shrimp species other than spot shrimp with a 150-foot maximum fishing depth restriction. During this time it is unlawful to set or pull shrimp gear in waters greater than 150 feet deep. All spot shrimp caught must be immediately returned to the water unharmed.
- (7) Marine Area 11:
 - a. Open June 2 from 9:00 a.m. through 1:00 p.m. for all shrimp species.
 - b. Open June 3 through October 15 for shrimp species other than spot shrimp with a 150-foot maximum fishing depth restriction. During this time it is unlawful to set or pull shrimp gear in waters greater than 150 feet deep. All spot shrimp caught must be immediately returned to the water unharmed.

- (8) Marine Area 12:
Open on June 2, June 5, and June 16 from 9:00 a.m. through 1:00 p.m. for all shrimp species.
- (9) Marine Area 13:
Open June 1 through October 15 for shrimp species other than spot shrimp with a 200-foot maximum fishing depth restriction. During this time it is unlawful to set or pull shrimp gear in waters greater than 200 feet deep. All spot shrimp caught must be immediately returned to the water unharmed.

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 220-330-07000F Shrimp—Areas and Seasons. (21-51)