



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: July 02, 2021

TIME: 4:06 PM

WSR 21-14-072

Agency: Department of Fish and Wildlife (Order 21-110)

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: The purpose of this emergency rule is to open spot shrimp fisheries in Marine Areas 6, 7 West, 7 East, 8-1 and 8-2.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-330-07000H
 Amended: WAC 220-330-070; WAC 220-330-020
 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 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 days in the Marine Areas 6, 7 West, 7 East, 8-1 and 8-2. Marine areas 8-1 and 8-2 will open with a reduced pot limit to stay within the remaining share. In addition, this emergency regulation opens the Marine Area 5, 6, 7 West and 7 East 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 7 East, 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 ____

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


New 2 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: July 2, 2021	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Notwithstanding the provisions of WAC 220-330-070, effective immediately through October 15, 2021, 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):
 - (a) Open July 14 through July 17 for all shrimp species
 - (b) Open July 28 through July 31 for all shrimp species
- (3) Marine Area 7 West:
 - (a) Open July 14 through July 17 for all shrimp species
 - (b) Open July 28 through July 31 for all shrimp species
- (4) Marine Area 7 South:
Open July 14 through July 17 for all shrimp species
- (5) Marine Area 7 East:
 - (a) Open July 14 through July 17 for all shrimp species.
 - (b) Open June 20 through July 13 and July 18 through October 15 for shrimp species other than spot shrimp with a 200-foot maximum fishing depth restriction. During these times 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.
- (6) Marine Areas 8-1 and 8-2:
 - (a) Open from 7:00 am through 11:00 am on July 14 for all shrimp species.
 - (b) Divers may take shrimp by hand or hand-held device from 7:00 p.m. until midnight on July 14 in Marine Area 8-2.
 - (c) Open June 3 through July 13 and July 15 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 9:
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 11:

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.

(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.

NEW SECTION

WAC 220-330-02000A Shrimp—Gear and gear-related unlawful acts..

Notwithstanding the provisions of WAC 220-330-020, it is unlawful for the operator of any boat from which shrimp pots are set, fished, or pulled to have on board or to fish more than 2 shrimp pots in Marine Areas 8-1 and 8-2 on July 14.

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:
WAC 220-330-07000H Shrimp—Areas and Seasons. (21-100)