



# 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: April 13, 2023

TIME: 4:57 PM

WSR 23-09-035

**Agency:** Department of Fish and Wildlife (Order No. 23-51)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify) May 25, 2023

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

- Yes  No If Yes, explain:

**Purpose:** Opens Puget Sound recreational shrimp season

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

New:  
Repealed:  
Amended: WAC 220-330-070  
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 meet conservation objectives. 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 seasons in Marine Areas 4 east of the Bonilla-Tatoosh line, 5, 6 and 7 one hour before sunrise to one hour after sunset, which is the default daily start time and end time for those areas. Marine Area 13 will remain closed to spot shrimp harvest for conservation reasons. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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	___
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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 13, 2023

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

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

Notwithstanding the provisions of WAC 220-330-070, effective May 25, 2023, until further notice, 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) and 5: Open May 25 each day, from 1 hour before official sunrise to 1 hour after official sunset, until further notice for all shrimp species.
- (2) Marine Area 6 (excluding the Discovery Bay Shrimp District): Open from 1 hour before official sunrise to 1 hour after official sunset on May 25 through 28, June 8 through 10, June 22 through 24, July 7 through 10, and July 21 through 23 for all shrimp species.
- (3) Discovery Bay Shrimp District: Open May 26 from 9:00 a.m. through 1:00 p.m. for all shrimp species.
- (4) Marine Areas 7 South and 7 East: Open from 1 hour before official sunrise to 1 hour after official sunset on May 25 through 28 and June 8 through 10 for all shrimp species.
- (5) Marine Area 7 West: Open from 1 hour before official sunrise to 1 hour after official sunset on May 25 through 28, June 8 through 10, June 22 through 24, and July 7 through 10 for all shrimp species.
- (6) Marine Areas 8-1 and 8-2:
  - (a) Open May 25 and June 9 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 May 25 and June 9 in Marine Area 8-2.
- (7) Marine Area 9: Open May 25 from 9:00 a.m. through 1:00 p.m. for all shrimp species.
- (8) Marine Area 10: Open May 25 from 9:00 a.m. through 1:00 p.m. for all shrimp species.
- (9) Marine Area 11: Open May 25 from 9:00 a.m. through 1:00 p.m. for all shrimp species.
- (10) Marine Area 12: Open May 26, June 9, June 11, June 24, and June 28 from 9:00 a.m. through 1:00 p.m. for all shrimp species.