



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: May 14, 2025

TIME: 9:01 AM

WSR 25-11-031

Agency: Department of Fish and Wildlife (Order 25-79)

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: This emergency rule:

WAC 220-340-52000D

- (1) Closes sub-area 23A-E to commercial spot shrimp harvest effective one hour after sunset on May 15, 2025.
- (2) Maintains areas open to commercial spot shrimp harvest in Puget Sound.
- (3) Designates the commercial spot shrimp catch accounting periods and catch limits.
- (4) Implements a reduced pot limit in Region 5 concurrent with RCW 77.50.100.
- (5) Maintains areas open to commercial non-spot shrimp harvest effective in Puget Sound.
- (6) Designates the commercial non-spot shrimp catch accounting periods and bi-weekly catch limit for harvest from Region 1 and 2E.

WAC 220-340-53000I

- (1) Maintains areas open to commercial shrimp trawl harvest in Puget Sound.
- (2) Designates hard opening for Puget Sound beam trawl areas.
- (3) Designates early opening dates for select areas contingent on observer coverage.

Citation of rules affected by this order:

New:

Repealed: WAC 220-340-52000E; WAC 220-340-53000I

Amended: WAC 220-340-520; WAC 220-340-530,

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: Permanent rules regulating state commercial shrimp harvest in Puget Sound and the Strait of Juan de Fuca require the adoption of harvest seasons contained in this emergency rule. This emergency rule is necessary to ensure that state commercial harvest stays within the State's share of harvestable quota agreed to with treaty co-managers. This rule allows harvesters to respond to dynamic changes in market conditions and promotes full utilization of both the commercial spot and non-spot shares. These rules are in congruence with co-manager agreements. 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	2
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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 14, 2025

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-340-52000F Commercial shrimp pot fishery – Puget Sound.

Notwithstanding the provisions of WAC 220-340-520, effective immediately, until further notice, it is unlawful to fish for shrimp for commercial purposes using pot gear in Puget Sound except as provided for in this section:

(1) Spot Shrimp Pot Harvest:

- (a) Spot shrimp harvest is permitted as indicated in the following table opening one hour before official sunrise on the first day of the open period. Any closures take effect one hour after official sunset on the closing day.

Geographical Management Unit (WAC 220-320-140; WAC 220-320-120)	Open Period
Subregion 1A	Closed.
Subregion 1B	Open until further notice.
Subregion 1C	Open until further notice.
Region 2E	Closed.
Region 2W	Closed
Subarea 23A-E	Open through May 15, 2025.
Subarea 23A-W	Open until further notice.
Subarea 23A-C and MSFS Catch Area 23B	Open until further notice.
Subarea 23A-S and MSFS Catch Area 23D	Open until further notice.
MFSF Catch Area 23C	Open until further notice.
MFSF Catch Area 25A, excluding the Discovery Bay Shrimp District	Open until further notice.
Discovery Bay Shrimp District	Closed.
MFSF Catch Area 29 (Straits - Neah Bay)	Open until further notice.
Subarea 26B-1 and MFSF Catch Area 26C	Closed.
Subarea 26B-2	Closed.
Region 5	Closed.
MFSF Catch Area 26D	Closed.
MFSF Catch Areas 28A, 28B, 28C, and 28D	Closed.

- (b) The first spot shrimp catch accounting period starts one hour before official sunrise on May 1, 2025, and proceeds until one hour after official sunset on July 29, 2025.
- (c) It is unlawful for the combined total harvest during the first spot shrimp accounting period to have exceeded 5,000 pounds of spot shrimp per license from all Geographical Management Units combined, except for MFSF Catch Area 29.

Catch from MFSF Catch Area 29 does not contribute towards a license's catch accounting period harvest limit.

- (d) The second spot shrimp catch accounting period will start one hour before official sunrise on July 30, 2025, and proceed until one hour after official sunset on August 19, 2025.

- (e) Harvesters may deploy no more than 50 spot shrimp pots per license in Shrimp Management Region 5.
- (f) Spot shrimp harvested from different geographical management units (as noted in subsection (1)(a)) on the same day must be kept physically separate and labeled with the MFSF Catch Area of harvest.
- (g) It is lawful to possess deactivated non-spot shrimp pots on-board a commercial vessel that is listed on a Puget Sound shrimp pot license while fishing for spot shrimp.

A deactivated pot is un-baited, has the drawstring or door fastened open, and/or is unable to be readily fished.

(2) Non-spot shrimp pot harvests:

- (a) Non-spot shrimp pot harvest is permitted as indicated in the following table opening one hour before official sunrise on the first day of the open period. Any closures take effect one hour after official sunset on the closing day.

Geographical Management Unit (WAC 220-320-140; WAC 220-320-120)	Open Period
Subregion 1A	Open until further notice.
Subregion 1B	Open until further notice.
Subregion 1C	Open until further notice.
Region 2E	Open until further notice.
Region 2W	Open until further notice.
Region 3, not including Discovery Bay Shrimp District	Open until further notice.
Discovery Bay Shrimp District	Open until further notice.
Region 4	Closed
Region 5	Closed
Region 6	Closed

- (b) The non-spot shrimp catch accounting periods begin one hour before official sunrise and end one hour after official sunset on the date listed in the following table:

Period Number	Start Date	End Date
1	5/1/2025	5/13/2025
2	5/14/2025	5/27/2025
3	5/28/2025	6/10/2025
4	6/11/2025	6/24/2025
5	6/25/2025	7/8/2025
6	7/9/2025	7/22/2025
7	7/23/2025	8/5/2025
8	8/6/2025	8/19/2025

9	8/20/2025	9/2/2025
10	9/3/2025	9/16/2025
11	9/17/2025	9/30/2025
12	10/1/2025	10/15/2025

- (c) It is unlawful for total harvest of non-spot shrimp to exceed 1,400 pounds per non-spot shrimp catch accounting period from subregions 1B, 1C, and Region 2E combined during catch accounting periods 1 through 12.
- (d) There is no weekly harvest limit of non-spot shrimp from sub-region 1A, Region 2W, Region 3, or the Discovery Bay Shrimp District.
- (e) Non-spot shrimp harvested from different geographical management units (as noted in subsection (2)(a)) on the same day must be kept physically separate and labeled with the MFSF Catch Area they were harvested from.
- (f) It is lawful to possess deactivated spot shrimp pots on-board of a commercial vessel that is listed on a Puget Sound shrimp pot license while fishing for non-spot shrimp.

A deactivated pot is un-baited, has the drawstring or door fastened open, and/or is unable to be readily fished.

NEW SECTION

WAC 220-340-53000I Commercial shrimp trawl fishery – Puget Sound.

Notwithstanding the provisions of WAC 220-340-530, effective May 1, 2025, until further notice, it is unlawful to fish for shrimp for commercial purposes using beam trawl gear in Puget Sound except as provided for in this section:

- (a) Non-spot shrimp beam trawl harvest is permitted starting one hour before official sunrise on the hard season opening dates listed for each of the areas detailed in this subsection. Any closures take effect one hour after official sunset on the closing day.

Geographic Area Description ((WAC 220-320-140 (3); WAC 220-320-120)	Open period
Catch Area 20A outside of those waters north and east of a line from Point Roberts Light (48.9716°, -123.0838°) to Sandy Point Light at the Lummi Reservation (48.7868°, -122.7124°)	August 1, 2025, until further notice.
Those waters within the Lummi-Sinclair Triangle.	July 1, 2025, until further notice.
Those waters of South Lopez Sound.	July 10, 2025, until further notice.
All waters within subregion 1B, excluding those waters of South Lopez Sound, the Lummi-Sinclair Triangle.	June 16, 2025, until further notice.
Subarea 23A East, MFSF Catch Areas 23B, and MFSF Catch Area 25A outside of the Discovery Bay Shrimp District.	Open until further notice.
Subarea 23A West	Open until further notice.
MFSF Catch Area 23C	Open until further notice.
MFSF Catch Area 29	Open until further notice.

- (b) Non-spot shrimp beam trawl harvest is permitted starting one hour before official sunrise in the areas detailed in this subsection. To participate in the fisheries listed in this subsection harvesters are required to take a WDFW on-board observer on their first trip to these areas. If by-catch sampling criteria are not met these areas will open on the later dates described in WAC 220-340-530 (7)(d) and (7)(e).

Geographic Area Description (WAC 220-320-140 (3); WAC 220-320-120)	Open period
Those waters within the Rosario Box.	Open until further notice.
Those waters of subregion 1B, not including the Rosario Box, the Lummi-Sinclair Triangle and South Lopez Sound.	Open until further notice.

- (c) Non-spot shrimp beam trawl harvest is not permitted in the areas of Shrimp Management Regions 1 and 3 detailed in this subsection.

Geographic Area Description (WAC 220-320-140 (3); WAC 220-320-120)
Discovery Bay Shrimp District
Sequim Bay CSMA
MFSF Catch Area 23D
Subregion 1A

REPEALERS

The following sections of Washington Administrative Code are repealed, effective immediately:

WAC 220-340-52000E Commercial shrimp pot fishery – Puget Sound. (25-74)

WAC 220-340-53000H Commercial shrimp trawl fishery – Puget Sound. (25-74)