

**WSR 24-17-129  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 24-160—Filed August 20, 2024, 10:45 a.m., effective August 20, 2024, 10:45 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: This emergency rule:

- (1) Implements the hardclosure dates agreed to with comanagers for commercial shrimp harvest in Puget Sound by management area.
- (2) Designates the commercial spot shrimp catch accounting periods and catch limits.
- (3) Implements a reduced pot limit in Region 5 congruent with RCW 77.50.100.
- (4) Designates the commercial nonspot shrimp catch accounting periods and biweekly catch limit for harvest from Subregions 1B and 1C and Region 2E.

Citation of Rules Affected by this Order: Repealing WAC 220-340-52000Z and 220-340-53000C; and amending WAC 220-340-520 and 220-340-530.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

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 prosecute state commercial shrimp pot fisheries in Puget Sound. This rule closes a quota area to commercial harvest following the projected attainment of the available harvest. This rule allows harvesters to respond to dynamic changes in market conditions and promotes full utilization of both the commercial spot and nonspot shares. These rules are in congruence with comanager agreements. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: August 20, 2024.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-340-52000A 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 of the open period.

<b>Geographical Management Unit (WAC 220-320-140; WAC 220-320-120)</b>	<b>Open Period</b>
Subregion 1A	Closed.
Subregion 1B	Closed.
Subregion 1C	Closed.
Region 2E	Closed.
Region 2W	Immediately, through September 15, 2024.
Subarea 23A-E	Closed.
Subarea 23A-W	Closed.
Subarea 23A-C and MSFS Catch Area 23B	Closed.
Subarea 23A-S and MSFS Catch Area 23D	Immediately, through September 15, 2024.
MFSF Catch Area 23C	Immediately, through September 15, 2024.
MFSF Catch Area 25A, excluding the Discovery Bay Shrimp District	Closed.
Discovery Bay Shrimp District	Closed.
MFSF 29 (Straits - Neah Bay)	Immediately, through September 15, 2024.
Subarea 26B-1 and MFSF Catch Area 26C	Immediately, through September 15, 2024.
Subarea 26B-2	Immediately, through September 15, 2024.
Region 5	Immediately, through August 31, 2024.
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, 2024, through one hour after official sunset on July 30, 2024.

(c) It is unlawful for the combined total harvest during the first spot shrimp accounting period to have exceeded 4,800 pounds of spot shrimp per license from all Puget Sound shrimp management regions combined.

(d) The second spot shrimp catch accounting period starts one hour before official sunrise on July 31, 2024, through one hour after official sunset on August 20, 2024.

(e) It is unlawful for the combined total harvest during the first and second spot shrimp accounting periods to have exceeded 5,300 pounds of spot shrimp per license from all Puget Sound shrimp management regions combined.

(f) Harvesters may deploy no more than 50 spot shrimp pots per license in Shrimp Management Region 5.

(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 of the open period.

Geographical Management Unit (WAC 220-320-140; WAC 220-320-120)	Open Period
Subregion 1A	Immediately, through October 15, 2024.
Subregion 1B	Closed.
Subregion 1C	Closed.
Region 2E	Closed.
Region 2W	Immediately, through October 15, 2024.
Region 3, not including Discovery Bay Shrimp District	Immediately, through October 15, 2024.
Discovery Bay Shrimp District	Immediately, through October 15, 2024.
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	5/1/2024	5/14/2024
2	5/15/2024	5/28/2024
3	5/29/2024	6/11/2024
4	6/12/2024	6/25/2024
5	6/26/2024	7/9/2024
6	7/10/2024	7/23/2024
7	7/24/2024	8/6/2024
8	8/7/2024	8/20/2024
9	8/21/2024	9/3/2024
10	9/4/2024	9/17/2024
11	9/18/2024	10/1/2024
12	10/2/2024	10/15/2024

(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 subregion 1A, Region 2W, Region 3, or the Discovery Bay Shrimp District.

(e) Harvest of non-spot shrimp is not permitted deeper than 175 feet in Catch Area 23A and all of its subareas (23AE, 23AW, 23AC, 23AS).

(f) Harvest of non-spot shrimp is not permitted deeper than 175 feet in subregion 1A.

(g) It is unlawful to harvest non-spot shrimp in more than one geographical management unit listed in subsection 3(a) in a single day with the following exceptions:

(i) Non-spot shrimp may be harvested from more than one subregion of Region 1 on the same day.

(ii) Non-spot shrimp may be harvested from Discovery Bay Shrimp District and Region 3 on the same day.

(h) 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.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

**WAC 220-340-53000D Commercial shrimp trawl fishery—Puget Sound.**

Notwithstanding the provisions of WAC 220-340-530, effective immediately 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 Tables a, b, and c of 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 below.

<b>Geographic Area Description (WAC 220-320-140(3); WAC 220-320-120)</b>	<b>Open period</b>
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°)	Immediately, through October 15, 2024.
Those waters within the Lummi-Sinclair Triangle.	Immediately, through October 15, 2024.
Those waters of South Lopez Sound.	Immediately, through October 15, 2024.
All waters within subregion 1B, excluding those waters of South Lopez Sound, the Lummi-Sinclair Triangle, and Catch Area 20B.	Immediately, through October 15, 2024.
Subarea 23A East, MFSF Catch Areas 23B, and MFSF Catch Area 25A outside of the Discovery Bay Shrimp District.	Immediately, through September 30, 2024.
Subarea 23A West	Immediately, through September 30, 2024.
MFSF Catch Area 23C	Immediately, through September 30, 2024.
MFSF Catch Area 29	Immediately, through September 30, 2024.

(b) Non-spot shrimp beam trawl harvest is permitted starting one hour before official sunrise in the areas detailed below contingent on the harvester bringing a WDFW on-board observer on the first trip of the area. If by-catch sampling criteria are not met these areas will open on the later dates described in WAC 220-340-530 (5) (d) and (5) (e) .

<b>Geographic Area Description (WAC 220-320-140(3); WAC 220-320-120)</b>	<b>Open period</b>
Those waters within the Rosario Box.	Immediately, through October 15, 2024.
Those waters of Catch Area 22A within subregion 1B, excluding the Rosario Box and South Lopez Sound.	Immediately, through October 15, 2024.
Those waters of Catch Area 20B within subregion 1B.	Closed.

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

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

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

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

- WAC 220-340-52000Z Commercial shrimp pot fishery—Puget Sound. (24-148)
- WAC 220-340-53000C Commercial shrimp trawl fishery—Puget Sound. (24-110)

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.