

WSR 23-12-043
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-88—Filed May 30, 2023, 4:26 p.m., effective June 1, 2023]

Effective Date of Rule: June 1, 2023.

Purpose: This rule opens an additional day for recreational spot shrimp fishing in Marine [Area] 11 on June 9, and opens the recreational nonspot shrimp fishery in Marine Areas 9 and 13 beginning June 1 with associated nonspot shrimp fishing depth restrictions.

Citation of Rules Affected by this Order: Repealing WAC 220-330-07000S; and amending WAC 220-330-070.

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: This rule opens an additional day for recreational spot shrimp fishing in Marine [Area] 11 on June 9, and opens the nonspot shrimp fishery in Marine Areas 9 and 13 beginning June 1, with associated nonspot shrimp fishing depth restrictions. This regulation is needed to ensure an orderly fishery, manage the fishery within court-ordered sharing requirements, and meet conservation objectives. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: May 30, 2023.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-330-07000T Shrimp—Areas and seasons. Notwithstanding the provisions of WAC 220-330-070, effective June 1, 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-Ta-toosh 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 daily, 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 June 8 through 10, June 22 through 24, July 7 through 10, and July 21 through 23 for all shrimp species.

(3) Marine Areas 7 South and 7 East: Open from 1 hour before official sunrise to 1 hour after official sunset on June 8 through 10 for all shrimp species.

(4) Marine Area 7 West: Open from 1 hour before official sunrise to 1 hour after official sunset on June 8 through 10, June 22 through 24, and July 7 through 10 for all shrimp species.

(5) Marine Areas 8-1 and 8-2:

(a) Open 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 June 9 in Marine Area 8-2.

(6) Marine Area 9: Open daily 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: Open June 9 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(8) Marine Area 12: Open June 9, June 11, June 24, and June 28 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(9) Marine Area 13: Open daily 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.

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REPEALER

The following section of the Washington Administrative Code is repealed, effective June 1, 2023:

WAC 220-330-07000S Shrimp—Areas and seasons. (23-51)