

WSR 24-13-035
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-93—Filed June 10, 2024, 10:51 a.m., effective June 10, 2024, 10:51 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to open recreational shrimp seasons in Puget Sound.

Citation of Rules Affected by this Order: Repealing WAC 220-330-07000X; 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 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 to recreational seasons previously scheduled in WSR 24-09-024 (filed April 9, 2024) and 24-12-030 (filed May 28, 2024), this emergency rule opens all-species seasons in Marine Area 8-1, Marine Area 8-2 [on] June 13, and in a portion of Marine Area 7 South from June 13 through 15. This rule also opens the nonspot shrimp only fishery in Marine Area 7 East with a maximum depth restriction. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: June 7, 2024.

Kelly Susewind
Director

NEW SECTION

WAC 220-330-07000Y Shrimp—Areas and seasons. Notwithstanding the provisions of WAC 220-330-070, effective immediately, 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 13 through 16, June 28 through June 30, and July 12 through July 15 for all shrimp species.

(3) Marine Area 7 South: Only that portion of Marine Area 7 South that is west of a line projected due south from Point Colville on Lopez Island and east of a line projected due south from Cattle Point on San Juan Island will open from 1 hour before official sunrise to 1 hour after official sunset on June 13 through June 15 for all shrimp species. The remaining portion of 7 South will stay closed.

(4) Marine Area 7 East: 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.

(5) Marine Area 7 West: Open from 1 hour before official sunrise to 1 hour after official sunset on June 13 through 15, June 28 through 30, and July 12 through 14 for all shrimp species.

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

(a) Open June 13 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 13 in Marine Area 8-2.

(7) Marine Area 9: Open June 13 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(8) Marine Area 10 (inside Elliott Bay): Open June 13 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(9) Marine Area 10 (outside Elliott Bay): Open June 13 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(10) Marine Area 11: 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.

(11) Marine Area 12: Open June 15 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(12) 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.

REPEALER

The following section of Washington Administrative Code is repealed, effective immediately, 2024:

WAC 220-330-07000X Shrimp—Areas and seasons. (24-79)