

**WAC 220-340-500 Commercial ocean pink shrimp trawl fishery—Coastal waters.** It is unlawful to fish for, possess or deliver ocean pink shrimp taken for commercial purposes from the waters of the Exclusive Economic Zone, except as provided for in this section:

**Area**

(1) It is unlawful to fish for ocean pink shrimp within the territorial boundaries of the state. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

**Season**

(2) It is unlawful to fish for, take, or possess on board a fishing vessel, pink shrimp, except during the following time: The open season for trawl gear is April 1 through October 31 of each year. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

**Gear**

(3) It is unlawful to fish with trawl gear for pink shrimp for commercial purposes unless an approved by-catch reduction device is used in each net. A by-catch reduction device, also known as a finfish excluder, uses a rigid panel or grate of narrowly spaced bars to guide fish out of an escape hole forward of the panel, generally in the top of the net. An approved by-catch reduction device must meet the following criteria:

(a) The exterior circumference of the rigid panel must fit completely within the interior circumference of the trawl net;

(b) None of the openings between the bars in the rigid panel may exceed 0.75 inches;

(c) The escape hole must, when spread open, expose a hole of at least 100 square inches; and

(d) The escape hole must be forward of the rigid panel and must begin within four meshes of the furthest aft point of attachment of the rigid panel to the net.

(4) It is unlawful to modify by-catch reduction devices in any way that interferes with their ability to allow fish to escape from the trawl, except as provided by special gear permit as described in subsection (5) of this section.

(5) Testing of by-catch reduction devices is allowed by special gear permit only, consistent with the terms and conditions of the permit.

(6) It is unlawful to remove trawl gear from the vessel prior to offloading shrimp without advance notification to WDFW enforcement. To provide advance notification, contact 360-902-2936, and then press zero when the recording begins.

(7) It is unlawful to fish with trawl gear for pink shrimp for commercial purposes unless footrope lighting devices that have been approved by the department are used in each net. A list of approved footrope lighting devices is available from the department. Footrope lighting devices must meet the following criteria:

(a) Lighting devices must be operational;

(b) Lighting devices must be securely attached within six inches of the forward leading edge of the bottom panel of trawl netting; and

(c) Each trawl net must have a minimum of five lighting devices, spaced four feet apart in the central sixteen feet of each net.

(8) It is unlawful to modify footrope lighting devices or device placement on the footrope in any way inconsistent with subsection (7)(c) of this section, except as provided by special gear permit as described in subsection (9) of this section.

(9) Testing of footrope lighting devices or placement on the footrope is allowed by special gear permit only, consistent with the terms and conditions of the permit.

(10) A violation of subsections (3) through (6) of this section is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

(11) It is unlawful to land or deliver pink shrimp to an original receiver that exceeds the following count per pound restriction: The count per pound must average no more than 160 shrimp per pound for a minimum of two samples, increasing at a rate of one sample per one thousand pounds landed or in possession, up to a maximum requirement of twenty samples. Such samples shall consist of at least one pound each of whole, unbroken shrimp taken at random from throughout the individual load landed or in possession. This landing restriction shall apply only to loads of 3,000 pounds of shrimp or more. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

#### **Incidental catch**

(12) It is unlawful to take salmon incidental to any shrimp trawl fishery.

(13) It is unlawful to retain any bottomfish species taken incidental to any shrimp trawl fishery, except as provided for in WAC 220-355-100.

(14) It is unlawful to retain any species of shellfish, except that it is permissible to:

(a) Retain up to 50 pounds round weight of other shrimp species taken incidentally in the ocean pink shrimp fishery; and

(b) Retain octopus or squid.

(15) A violation of subsections (12) through (14) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

#### **License**

(16) An ocean pink shrimp delivery license is required to operate the gear provided for in this section, and it allows the operator to retain shrimp taken in the waters of the Exclusive Economic Zone.

A violation of this subsection is punishable under RCW 77.15.500, Commercial fishing without a license—Penalty.

#### **Permit**

(17) It is unlawful to fish for, retain, land, or deliver shrimp taken with trawl gear without a valid shrimp trawl fishery permit.

(18) It is unlawful to take, retain, land, or deliver any shrimp or groundfish taken with trawl gear without complying with all provisions of a shrimp trawl fishery permit.

(19) A violation of subsection (17) or (18) of this section is punishable under RCW 77.15.750.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, and 77.12.047. WSR 18-08-003 (Order 18-46), § 220-340-500, filed 3/21/18, effective 4/21/18. Statutory Authority: RCW 77.04.012, 77.04.013,

77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-340-500, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 12-04-034 (Order 12-11), § 220-52-050, filed 1/27/12, effective 2/27/12. Statutory Authority: RCW 77.12.047. WSR 10-05-059, § 220-52-050, filed 2/11/10, effective 3/14/10; WSR 03-05-060 (Order 03-30), § 220-52-050, filed 2/18/03, effective 3/21/03; WSR 00-17-145 (Order 00-165), § 220-52-050, filed 8/22/00, effective 9/22/00. Statutory Authority: RCW 75.08.080. WSR 99-01-154 (Order 98-257), § 220-52-050, filed 12/22/98, effective 1/22/99; WSR 94-12-009 (Order 94-23), § 220-52-050, filed 5/19/94, effective 6/19/94; WSR 93-15-051, § 220-52-050, filed 7/14/93, effective 8/14/93; WSR 87-23-006 (Order 87-187), § 220-52-050, filed 11/6/87; WSR 84-08-014 (Order 84-24), § 220-52-050, filed 3/27/84; WSR 83-04-025 (Order 83-04), § 220-52-050, filed 1/27/83; WSR 82-03-045 (Order 82-6), § 220-52-050, filed 1/19/82; WSR 80-13-064 (Order 80-123), § 220-52-050, filed 9/17/80; WSR 79-02-053 (Order 79-6), § 220-52-050, filed 1/30/79; Order 76-152, § 220-52-050, filed 12/17/76; Order 76-26, § 220-52-050, filed 1:45 p.m., 4/20/76; Order 1242, § 220-52-050, filed 8/7/75, effective 9/16/75; Order 1179, § 220-52-050, filed 11/19/74; Order 1112, § 220-52-050, filed 4/15/74; Order 945, § 220-52-050, filed 8/16/71; Order 807, § 220-52-050, filed 1/2/69, effective 2/1/69; subsections 1, 5, 6 from Orders 414 and 256, filed 3/1/60; subsection 2 from Orders 420 and 256, filed 3/1/60; subsection 3 from Order 525, filed 5/3/61; Orders 414 and 256, filed 3/1/60; subsection 7 from Order 525, filed 5/3/61.]