

WSR 21-09-018
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-51—Filed April 9, 2021, 3:22 p.m., effective May 19, 2021]

Effective Date of Rule: May 19, 2021.

Purpose: The purpose of this emergency rule is to set recreational shrimp seasons in Marine Areas 4 east of the Bonilla-Tatoosh line through 13.

Citation of Rules Affected by this Order: 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 regulation 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, this emergency regulation opens the Marine Area 5, 6 and 7 seasons one hour before sunrise to one hour after sunset, which is the default daily start time and times for those areas. Marine Area 13 will remain closed for spot shrimp for conservation reasons. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: April 9, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-330-07000F Shrimp—Areas and seasons. Notwithstanding the provisions of WAC 220-330-070, effective May 19, 2021, 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 Area 5: Open May 19 each day, until further notice for all shrimp species.

(2) Marine Areas 6 (excluding the Discovery Bay Shrimp District), 7 West, and 7 East: Open May 19 through 22, June 2 through 5, and June 16 through 19 for all shrimp species.

(3) Marine Area 7 South: Open May 19 through 22 and June 2 through 5 for all shrimp species.

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

a. Open May 19 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 May 19 in Marine Area 8-2.

(5) Marine Area 9: Open May 19 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(6) Marine Area 10 west of a line from West Point to Alki Point: Open May 19 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(7) Marine Area 10 east of a line from West Point to Alki Point: Open May 19 from 9:00 a.m. through 12:00 p.m. for all shrimp species.

(8) Marine Area 11: Open May 19 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(9) Marine Area 12: Open May 19, May 22, June 2, June 5, and June 16 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(10) Discovery Bay Shrimp District: Open May 19 and May 22 from 9:00 a.m. through 3:00 p.m. for all shrimp species.

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