

**WSR 21-12-073
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 21-81—Filed May 28, 2021, 10:47 a.m., effective May 28, 2021, 10:47 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amends recreational harvest rules for Puget Sound shrimp.

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

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 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 ensure conservation. 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 end time for those areas. This regulation opens the recreational nonspot shrimp fisheries on the dates listed for Marine Areas 8-1, 8-2, 9, 11, and 13 only. The non-spot shrimp fisheries have maximum depth restrictions specific to each area to limit capture and handling of spot shrimp. Spot shrimp must be immediately released unharmed during nonspot shrimp seasons. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 28, 2021.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-330-07000G Shrimp—Areas and seasons. Notwithstanding the provisions of WAC 220-330-070, effective immediately it is unlawful to fish for or possess shrimp taken for personal use in all waters of Marine Areas 4 (east of the Bonilla-Tatoosh 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 through Sept 15 for all shrimp species.

(2) Marine Areas 6 (excluding the Discovery Bay Shrimp District) and 7 West:

a. Open June 2 through June 5 for all shrimp species.

b. Open June 16 through June 19 for all shrimp species.

(3) Marine Area 7 South:

Open June 2 through June 5 for all shrimp species.

(4) Marine Area 7 East:

a. Open June 2 through June 5 for all shrimp species.

b. Open June 16 through June 19 for all shrimp species.

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

a. Open June 2 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 2 in Marine Area 8-2.

c. Open June 3 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.

(6) Marine Area 9:

a. Open June 2 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

b. Open June 3 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:

a. Open June 2 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

b. Open June 3 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.

(8) Marine Area 12:

Open on June 2, June 5, and June 16 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(9) Marine Area 13:

Open June 1 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 immediately:

WAC 220-330-07000F Shrimp—Areas and seasons. (21-51)