

WSR 22-12-089
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-88—Filed June 1, 2022, 8:25 a.m., effective June 1, 2022, 8:25 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to open an additional date for spot shrimp in Marine Areas 9 and 11, as well as the nonspot shrimp fishery in Marine Area 13, with a maximum fishing depth of 200 feet.

Citation of Rules Affected by this Order: Repealing WAC 220-330-07000K; 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, this emergency rule maintains shrimp seasons previously set on April 13, 2022, in WSR 22-09-035 (Order 22-54).

Marine Area 10 Elliott Bay will remain closed for spot shrimp this year due to recreational harvest overages in 2021. Marine Area 13 will also remain closed to spot shrimp harvest 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 1, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-330-07000L Shrimp—Areas and seasons. Notwithstanding the provisions of WAC 220-330-070, effective immediately, until fur-

ther 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-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 Areas 4 (east of the Bonilla-Tatoosh line) and 5: Open each day, 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 9 through 11, June 23 through 25, July 7 through 9, 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 9 through 11 for all shrimp species.

(4) Marine Area 7 West: Open from 1 hour before official sunrise to 1 hour after official sunset on June 9 through 11, June 23 through 25, and July 7 through 9 for all shrimp species.

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

(a) June 9 from 8:00 a.m. through noon 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 June 9 from 8:00 a.m. through noon for all shrimp species.

(7) Marine Area 11: Open June 9 from 8:00 a.m. through noon for all shrimp species.

(8) Marine Area 12: Open June 9, and June 23 from 9:00 a.m. through 1:00 p.m. for all shrimp species.

(9) Marine Area 13: Open immediately, until further notice, 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 Washington Administrative Code is repealed, effective immediately:

WAC 220-330-07000K Shrimp—Areas and seasons. (22-54)