

WSR 21-13-036
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-88—Filed June 10, 2021, 2:47 p.m., effective June 10, 2021]

Effective Date of Rule: June 10, 2021.

Purpose: The purpose of this emergency rule is to modify recreational Pacific halibut seasons.

Citation of Rules Affected by this Order: Repealing WAC 220-314-03000A; and amending WAC 220-312-050.

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: Prior to the start of the recreational halibut season, additional days were identified that could be opened if recreational catch in Marine Area 2 (Westport) was tracking slower than expected. Those days were June 17, 20, 24, and 27. Quota remaining in the Marine Area 2 quota is sufficient to cover much of the expected catch through June 24. Similarly, in Marine Area 1 (Ilwaco/Chinook), there is quota remaining to support keeping the all depth and nearshore areas open through June 24. Washington sport allocation will be used to ensure that the fishery can remain open in these areas through June 24 without exceeding the overall statewide sport allocation. This approach provides some certainty relative to expected fishing days and allows recreational anglers to make plans to participate in the remaining June fishing dates.

The National Marine Fisheries Service has approved these rules for Pacific halibut fisheries. Halibut catch will continue to be closely monitored by Washington department of fish and wildlife staff, the season could close earlier if quotas are achieved. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.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 10, 2021.

Kelly Susewind
Director

NEW SECTION**WAC 220-314-03000E Halibut—Seasons—Daily possession limits.**

Notwithstanding the provisions of WAC 220-314-040, and 220-314-010, June 10 through September 24, 2021, it is unlawful to fish for or possess halibut taken for personal use, except as provided in this section. All other provisions of WAC 220-314-040, and 220-314-010, including Yelloweye Rockfish Conservation Areas (YRCA), not addressed herein, remain in effect unless otherwise amended by emergency rule:

(1) Catch Record Card Area 1 (All depth fishery):

Open June 10, 13, 17, 20, and 24, 2021. (Thursdays and Sundays June 10 through 24.)

(2) Catch Record Card Area 1 (Nearshore fishery); Those waters shoreward from 46°38.17'N. lat., 124°15.88'W. long., to the WA/OR border at 46°16.00'N. lat., 24°15.88'W. long. (then connecting to the 40 fathom depth contour in Oregon):

Open June 14, 15, 16, 21, 22, and 23, 2021. (Mondays through Wednesdays through June 23.)

(3) Catch Record Card Area 2:

Open June 17, 20, and 24, 2021. (Thursdays and Sundays June 17 through 24.)

(4) Card Areas 3 and 4:

Open June 10, 12, 17, 19, 24, 26. (Thursdays and Saturdays June 10 through 26, 2021.)

(5) Catch Record Card Areas 5 through 10:

Open June 10, 11, 12, 17, 18, 19, 24, 25, 26. (Thursdays, Fridays, Saturdays, June 10 through 26, 2021.)

(6) Catch Record Card Areas 11, 12 and 13: Closed.

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REPEALER

The following section of Washington Administrative Code is repealed, effective June 10, 2021:

WAC 220-314-03000A Halibut—Seasons—Daily and possession limits.