

**WSR 21-19-070
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 21-189—Filed September 14, 2021, 4:15 p.m., effective September 14, 2021, 4:15 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to open an additional day of recreational halibut fishing in Marine Areas 1 and 2.

Citation of Rules Affected by this Order: Repealing WAC 220-314-03000G; and amending WAC 220-314-030.

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: There is sufficient Washington sport allocation to proceed with planned fishing days in Puget Sound (Marine Areas 5 - 10), Neah Bay (Marine Area 4) and La Push (Marine Area 3) to recreational fishing for Pacific halibut. There is also sufficient sport allocation to open one additional day in Ilwaco (Marine Area 1) and Westport (Marine Area 2) without exceeding the overall statewide sport allocation. State regulations will conform to rules adopted by the National Marine Fisheries Service. Halibut catch will continue to be closely monitored by the Washington department of fish and wildlife staff, the season will close after September 25 or earlier if quotas are achieved.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 14, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-314-03000H Halibut—Seasons—Daily and possession limits. Notwithstanding the provisions of WAC 220-314-040, and 220-314-010, effective immediately through September 25, 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 Areas 1 and 2:**

Open September 24, 2021.

(2) **Catch Record Card Areas 3 and 4:**

Open September 16, 17, 18, 23, 24, and 25, 2021. (Open Thursdays through Saturdays through September 25, 2021.)

(3) **Catch Record Card Areas 5 through 10:**

Open September 16, 17, 18, 23, 24, and 25, 2021. (Open Thursdays through Saturdays through September 25, 2021.)

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

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REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:

WAC 220-314-03000G Halibut—Seasons—Daily and possession limits. (21-134)