

WSR 22-15-085
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-140—Filed July 18, 2022, 4:56 p.m., effective July 18, 2022, 4:56 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to open additional coastal and Puget Sound recreational halibut seasons.

Citation of Rules Affected by this Order: 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: This emergency rule is needed to open additional all-depth recreational halibut retention days in Marine Areas 1 through 10. Severe inclement weather on previously scheduled halibut days precluded or significantly reduced fishing effort. Substantial quota remains and adding dates in August and September supports progress towards attaining the Washington sport quota. The National Marine Fisheries Service has adopted regulations for Pacific halibut fisheries in 2022 including the additional season dates described here. This emergency rules revises state rules to conform to federal regulations. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: July 18, 2022.

Kelly Susewind
Director

NEW SECTION

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

Notwithstanding the provisions of WAC 220-314-040, and 220-314-010, effective immediately, through September 30, 2022, 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, including Southern Near Shore Fishery area:

Open August 19, 25, and 28; September 3, 4, and 23, 2022.

(2) Catch Record Card Area 1 Southern Near Shore 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 immediately, through September 28, 2022; Mondays through Wednesdays only, except as described in subsection (1) of this rule.

(3) Catch Record Card Area 2 All Depth Fishery, including Northern Near Shore Fishery area:

Open August 19, 25, and 28; September 3, 4, and 23, 2022.

(4) Card Record Areas 3 and 4:

(a) Open August 11 through September 5, 2022; Thursdays through Mondays only.

(b) Open September 6 through September 30, seven days per week.

(5) Catch Record Card Area 5 through 10:

Open August 4 through September 30, 2022, seven days per week.

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

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