

**WSR 24-16-006
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 24-138—Filed July 24, 2024, 4:49 p.m., effective August 1, 2024]

Effective Date of Rule: August 1, 2024.

Purpose: This emergency rule is needed to close retention and possession of copper, quillback, and vermillion rockfish in Marine Areas 1, 2, 3, and 4 (west of the Bonilla-Tatoosh line).

Citation of Rules Affected by this Order: Amending WAC 220-314-020.

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 closes copper rockfish, quillback rockfish, and vermillion rockfish retention and possession in coastal Marine Areas. It is necessary because preliminary in-season estimates through mid-July indicate total mortality is likely to exceed the state-specific federal annual limit set for these species. The populations of these rockfish species are likely healthy but smaller than previously understood. Allowing retention in August, September, and through the third Saturday in October was intended to provide access to fish for biological sampling. However, this action is required to reduce catch to stay within state-specific federal annual limits. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 24, 2024.

Kelly Susewind
Director

NEW SECTION

WAC 220-314-02000I Possession limits—Bottomfish. Effective August 1, 2024, until further notice, the following provisions of WAC 220-314-020, regarding copper rockfish, quillback rockfish, and vermillion rockfish in Marine Areas 1, 2, 3, and 4 (West of the Bonilla-

Tatoosh line) shall be modified as described herein. All other provisions of WAC 220-314-020 not addressed herein, or unless otherwise amended, remain in effect:

Marine Areas 1, 2, 3, and 4 (West of the Bonilla-Tatoosh line):
It is unlawful to retain or possess copper rockfish, quillback rockfish, and vermillion rockfish.