

WSR 21-09-001
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 21-49—Filed April 7, 2021, 12:09 p.m., effective April 22, 2021]

Effective Date of Rule: April 22, 2021.

Purpose: The purpose of this emergency rule is [to] set recreational halibut seasons in Marine Areas 1 through 10.

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: The National Marine Fisheries Service has adopted final regulations for Pacific halibut fisheries in 2021 including the season dates described in this rule. This emergency rule revises state rules so they conform to federal rules. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: April 7, 2021.

Kelly Susewind
Director

NEW SECTION

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

Notwithstanding the provisions of WAC 220-314-040, and 220-314-010, April 22 through June 30, 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 May 6, 9, 13, 16, 20, 23, 27; June 3, 6, 10, 13, 17, 20, 24, and 27, 2021. (Thursdays and Sundays, May 6 through 23. Thursday, May 27. Thursdays and Sundays June 3 through 27.)

(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 May 10, 11, 12, 17, 18, 19, 24, 25, 26, 31; June 1, 2, 7, 8, 9, 14, 15, 16, 21, 22, 23, 28, 29, and 30, 2021. (Mondays through Wednesdays May 10 through June 30.)

(3) **Catch Record Card Area 2:**

Open May 6, 9, 13, 16, 20, 23, 27; June 17, 20, 24, and 27, 2021. (Thursdays and Sundays May 6 through 23. Thursday, May 27. Thursdays and Sundays June 17 through 27.)

(4) **Card Areas 3 and 4:**

Open May 6, 8, 13, 15, 20, 22, 28, 30; June 3, 5, 10, 12, 17, 19, 24, and 26, 2021.

(Thursdays and Saturdays, May 6 through May 22. Friday May 28 and Sunday May 30. Thursdays and Saturdays June 3 through 26.)

(5) **Catch Record Card Area 5:**

Open May 6, 8, 13, 15, 20, 22, 28, 29, 30; June 3, 4, 5, 10, 11, 12, 17, 18, 19, 24, 25, 26. (Thursdays and Saturdays, May 6 through May 22. Friday through Sunday, May 28 through 30. Thursdays, Fridays, Saturdays, June 3 through 26.)

(6) **Catch Record Card Area 6 through 10:**

Open May April 22, 23, 24, 29, 30; May 1, 6, 7, 8, 13, 14, 15, 20, 21, 22, 28, 29, 30; June 3, 4, 5, 10, 11, 12, 17, 18, 19, 24, 25, and 26, 2021 (Thursdays through Saturdays, April 22 through May 22. Friday through Sunday May 28 through 30. Thursdays through Saturdays June 3 through 26.)

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

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Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.