



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:

Emergency Rules 17-134

- Immediately upon filing.
- Later (specify) 11:59 p.m. June 23, 2017

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: Amend recreational fishing rules for the halibut fishery

Citation of existing rules affected by this order:

Repealed: WAC 220-314-03000H
 Amended: WAC 220-314-030
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, and 77.12.047

Other authority :

EMERGENCY RULE

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.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: This emergency rule is needed to close the halibut fishery in the Nearshore Area in Marine Area 1 because the recreational halibut allocation for the Columbia River sub-area has been taken. There is not sufficient quota remaining to allow incidental halibut retention in this area after June 23, 2017. Recreational halibut fishing will remain closed in all other marine areas for the remainder of the season as there is insufficient quota remaining to re-open for another day. These rules conform to action taken by the Pacific Fishery Management Council and the International Pacific Halibut Commission. There is insufficient time to adopt permanent rules.

Date adopted: June 23, 2017

NAME (TYPE OR PRINT)
Joe Stohr for J W Unsworth

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 22, 2017

TIME: 11:14 AM

WSR 17-14-008

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

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

Notwithstanding the provisions of WAC 220-314-030, 220-314-040, and 220-314-010, effective 11:59 p.m. June 23, 2017, until further notice, it is unlawful to fish for or possess halibut taken for personal use in Catch Record Areas 1 through 13.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. June 23, 2017:

WAC 220-314-03000H Halibut—Seasons—Daily and possession limits. (17-128)

