



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 17-135

- Immediately upon filing.
- Later (specify)

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 bottomfish rules in coastal marine areas 1-4

Citation of existing rules affected by this order:

Repealed: WAC 220-56-23500H; 220-314-02000A
 Amended: WAC 220-314-020
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 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:

These emergency rules are necessary to keep recreational catch within federal harvest limits and to conform to rules already approved by the National Marine Fisheries Service (NMFS). The Pacific Fishery Management Council adopted changes to the recreational bottomfish harvest limits and fishing regulations for the Washington coast as part of its management process for the 2017 and 2018 bottomfish seasons. There is insufficient time to adopt permanent rules.

Date adopted:

June 22, 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: 3:29 PM

WSR 17-14-013

**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 220-314-02000B Possession limits—Bottomfish.

Notwithstanding the provisions of WAC 220-314-020, effective immediately until further notice, it is unlawful to violate the following provisions below. Unless otherwise amended, all permanent rules remain in effect.

(1) Coastal (Marine Areas 1 through 3 and Marine Area 4 (west of the Bonilla-Tatoosh line): Limit 9 fish total, except surf perch not included in bottomfish daily limit; all species and species groups of bottomfish may include no more than:

(a) Lingcod: 2 fish limit with no minimum size in Marine Areas 1 through 3 and Marine Area 4 (west of the Bonilla-Tatoosh line).

(b) Rockfish: 7 fish in aggregate which can include up to one canary rockfish in Marine Areas 1 and 2.

(2) The daily limit for surfperch is 12.

REPEALERS

The following sections of the Washington Administrative Code are repealed:

WAC 220-56-23500H Possession limits—Bottomfish. (17-42)

WAC 220-314-02000A Possession limits—Bottomfish. (17-113)

