

**Concise Explanatory Statement (CES)
Amending Recreational Bottomfish and Halibut Rules**

Rules amended as part of this rule making:

WAC 220-314-010 Bottomfish and halibut – Closed areas
WAC 220-314-020 Possession limits – Bottomfish
WAC 220-314-030 Halibut – Seasons – Daily and possession limits
WAC 220-314-040 Lingcod – Areas and Seasons

Public Comment:

This rule making went through the expedited rule making process which eliminated the need for the agency to hold a public hearing. No objections to this rule making were received.

Reasons for adopting the rules:

The overarching purpose of this rule change is to adopt Washington Administrative Code for recreational bottomfish and halibut fisheries that are consistent with regulations adopted by the Pacific Fishery Management Council (Council). Through the Delegation of Authority provided by the Fish and Wildlife Commission to the Director, WDFW regulatory changes for consistency with PFMC actions may be approved by the Director via expedited rulemaking.

Coastal bottomfish regulations, including specific management measures such as seasons, bag limits, size limits, and possession limits are developed through the Council's groundfish management process. The Council process includes stakeholder input, which is facilitated by the Washington Department of Fish and Wildlife (WDFW) to get direct input from Washington stakeholders. Management measures are analyzed to regulate bottomfish catch so that it meets, but does not exceed, specific harvest limits established in federal regulation for Washington State. Harvest limits and regulations are often different in each state managed by the Council (Washington, Oregon and California).

Recreational fisheries off the Washington coast are primarily constrained by measures implemented to avoid yelloweye rockfish. Closed areas, depth restrictions, and limiting bottomfish retention when anglers are targeting halibut have been effective tools for minimizing encounters with yelloweye rockfish and keeping catch within state specific harvest guidelines (HG). Largely influenced by the most recent stock assessment for yelloweye rockfish which indicated significant progress toward rebuilding and resulted in a higher annual federal catch limit for yelloweye rockfish, regulatory changes focus on relaxing the timing of depth restrictions and need for area restrictions. The regulatory changes also consider reducing restrictions on the retention of healthy flatfish rockfish species.

WAC 220-314-010 Bottomfish and halibut – Closed areas

Regulatory changes would open the Westport Offshore Recreational Yelloweye Rockfish Conservation Area (YRCA) and the South Coast YRCA to fishing for, retaining, and possessing bottomfish or halibut.

WAC 220-314-020 Possession limits – Bottomfish

This regulatory change allows anglers to retain five flatfish species in addition to the nine fish daily bottomfish limit. Flatfish species off the Washington coast are healthy and this change provides additional fishing opportunity without negative impacts to the resource.

WAC 220-314-030 Halibut – Seasons – Daily and possession limits

Federal harvest limits for yelloweye rockfish are sufficient to allow relaxation of depth restrictions, the following proposed regulatory changes would provide access to healthy lingcod resources and increased bottomfish retention when fishing for halibut. Regulatory changes would revise depth restrictions in Marine Areas 1 through 4 by reducing the time when these restrictions are in place allowing for the retention of healthy bottomfish species when anglers are fishing for halibut.

The 20-fathom depth restriction in Marine Areas 3 and 4, west of the Bonilla-Tatoosh line would be in place from June 1 through July 31. Yellowtail and widow rockfish retention would be allowed, seaward of the 120-foot depth restriction in Marine Area 4, east of the Bonilla-Tatoosh line in July and August, and seaward of the 20-fathom depth restriction in Marine Areas 3 and 4 west of the Bonilla-Tatoosh line in the month of July.

In Marine Areas 3 and 4, anglers will be allowed to retain lingcod, sablefish, Pacific cod, bocaccio, silvergray, canary, widow, and yellowtail rockfish when fishing for halibut seaward of the 20-fathom depth restriction.

In Marine Area 2, the 30-fathom depth restriction would be in place from May 1 to May 31, 2021.

In Marine Area 1, anglers would be allowed to retain the following bottomfish when halibut is on board: sablefish, Pacific cod, flatfish, yellowtail, widow, canary, redstriped, greenstriped, silvergray, chilipepper, bocaccio, blue and deacon rockfish, as well as lingcod north of the Washington-Oregon.

WAC 220-314-040 Lingcod – Areas and Seasons

To minimize encounters with yelloweye rockfish, a deepwater area in Marine Area 1 and Marine Area 2 is closed to fishing for, and retention of lingcod; this rule change would allow lingcod retention in these areas each year from June 1 through June 15 and September 1 through September 30.