



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 07, 2021

TIME: 12:09 PM

WSR 21-09-001

Agency: Department of Fish and Wildlife (Order 21-49)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) April 22, 2021

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

- Yes No If Yes, explain:

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

Citation of rules affected by this order:

New:
 Repealed:
 Amended: WAC 220-314-030
 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.

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 WDFW staff, the season could close earlier if quotas are achieved. There is insufficient time to adopt permanent rules.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:


New 1 Amended ____ Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

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	____

Date Adopted: April 7, 2021	Signature: 
Name: Kelly Susewind	
Title: 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.