



**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: September 14, 2021
TIME: 4:15 PM

WSR 21-19-070

Agency: Department of Fish and Wildlife (Order 21-189)

Effective date of rule:

Emergency Rules

- 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: The purpose of this emergency rule is to open an additional day of recreational halibut fishing in Marine Areas 1 and 2.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-314-03000G
- 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: There is sufficient Washington sport allocation to proceed with planned fishing days in Puget Sound (Marine Areas 5 -10), Neah Bay (Marine Area 4) and La Push (Marine Area 3) to recreational fishing for Pacific halibut. There is also sufficient sport allocation to open one additional day in Ilwaco (Marine Area 1) and Westport (Marine Area 2) without exceeding the overall statewide sport allocation. State regulations will conform to rules adopted by the National Marine Fisheries Service. Halibut catch will continue to be closely monitored by WDFW staff, the season will close after September 25 or earlier if quotas are achieved.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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: September 14, 2021
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-314-040, and 220-314-010, effective immediately through September 25, 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 Areas 1 and 2:

Open September 24, 2021.

(2) Catch Record Card Areas 3 and 4:

Open September 16, 17, 18, 23, 24, and 25, 2021. (Open Thursdays through Saturdays through September 25, 2021.)

(3) Catch Record Card Areas 5 through 10:

Open September 16, 17, 18, 23, 24, and 25, 2021. (Open Thursdays through Saturdays through September 25, 2021.)

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

REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:

WAC 220-314-03000G Halibut—Seasons—Daily and possession limits. (21-134)