



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: July 24, 2024

TIME: 4:49 PM

WSR 24-16-006

Agency: Department of Fish and Wildlife (Order 24-138)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 1, 2024

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

- Yes No If Yes, explain:

Purpose: This emergency rule is needed to close retention and possession of copper, quillback, and vermilion rockfish in Marine Areas 1, 2, 3, and 4 (west of the Bonilla-Tatoosh line).

Citation of rules affected by this order:

- New:
- Repealed:
- 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.

Reasons for this finding: This rule closes copper rockfish, quillback rockfish, and vermilion rockfish retention and possession in coastal Marine Areas. It is necessary because preliminary in-season estimates through mid-July indicate total mortality is likely to exceed the state-specific federal annual limit set for these species. The populations of these rockfish species are likely healthy but smaller than previously understood, allowing retention in August, September and through the third Saturday in October was intended to provide access to fish for biological sampling. However, this action is required to reduce catch to stay within state-specific federal annual limits. 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Federal statute:	New	___	Amended	___	Repealed	___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: July 24, 2024
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

WAC 220-314-02000I Possession limits—Bottomfish.

Effective August 1, 2024, until further notice, the following provisions of WAC 220-314-020, regarding copper rockfish, quillback rockfish, and vermillion rockfish in Marine Areas 1, 2, 3, and 4 (West of the Bonilla-Tatoosh line) shall be modified as described herein. All other provisions of WAC 220-314-020 not addressed herein, or unless otherwise amended, remain in effect:

Marine Areas 1, 2, 3, and 4 (West of the Bonilla-Tatoosh line): It is unlawful to retain or possess copper rockfish, quillback rockfish, and vermillion rockfish.