

WAC 220-355-130 Commercial Pacific halibut fishery—Seasons, gear, possession, and landing requirements. (1) The commercial Pacific halibut fishery is jointly managed by the Washington department of fish and wildlife (WDFW), the National Marine Fisheries Service (NMFS), and the International Pacific Halibut Commission (IPHC). The Code of Federal Regulations (C.F.R.) 50 C.F.R. § 300, Subpart E provide federal requirements for this fishery including, but not limited to, the time, place, and manner of taking Pacific halibut. This section adopts the federal regulations on Pacific halibut imposed by 50 C.F.R. § 300, Subpart E and the Federal Register, and it incorporates those federal regulations by reference. A copy of the federal regulations may be obtained by contacting the department at 360-902-2200, or accessing a copy online at the National Marine Fisheries Service West Coast Region Pacific Halibut page.

(a) It is unlawful to take, fish for, possess, transport through the waters of the state, or land in any Washington state port Pacific halibut taken for commercial purposes in violation of the requirements published in 50 C.F.R. § 300, Subpart E.

(b) Where the federal regulations refer to the fishery management area, that area is extended to include Washington state waters adjacent to the Exclusive Economic Zone.

(c) If state rules are more restrictive than federal regulations, the Washington Administrative Code takes precedence over the federal regulations.

(d) Additional regulations on Pacific halibut may be listed in the Federal Register. Other regulations on Pacific halibut in the Federal Register take precedence over the Pacific halibut fishery regulations in 50 C.F.R. § 300.60-300.67 if the regulations conflict. The department recommends that a person consult the Federal Register and the C.F.R. prior to participating in the commercial Pacific halibut fishery.

(2) Violation of reporting requirements under this section is punishable under RCW 77.15.280.

(3) Violation of possession requirements under this section is punishable under RCW 77.15.550.

(4) Violation of gear requirements under this section is punishable under RCW 77.15.520.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 17-18-037 (Order 17-223), § 220-355-130, filed 8/29/17, effective 9/29/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-355-130, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.020, 77.12.045, 77.12.047 and 50 C.F.R. § 300.60-300.67. WSR 13-06-029 (Order 13-26), § 220-20-130, filed 2/28/13, effective 3/31/13.]