

TEXAS PARKS AND WILDLIFE DEPARTMENT

EXECUTIVE DIRECTOR ORDER NO. 021-005

Under the provisions of Parks and Wildlife Code, §12.027, if the Texas Parks and Wildlife Commission (the Commission) or the Executive Director of the Texas Parks and Wildlife Department (Executive Director) finds that there is an immediate danger to a species authorized to be regulated by the Department, the Commission or the Executive Director may adopt emergency rules as provided by Government Code, §2001.034.

Spotted Seatrout (*Cynoscion nebulosus*) is a fish species indigenous to Texas and subject to regulation by the Commission under the provisions of Parks and Wildlife Code, Chapters 47 and 66.

On March 25, 2021, the Executive Director and the Commission found that a severe winter storm event in February of 2021 had created an immediate danger to spotted seatrout populations, making it necessary to promulgate rules on an emergency basis to protect spotted seatrout populations. New 31 TAC §57.983 implemented harvest regulations affecting the waters of the upper and lower Laguna Madre from the John F. Kennedy Causeway in Nueces County southward to the Brownsville Ship Channel and South Bay in Cameron County, and the waters of the Gulf of Mexico associated with the beachfront from the Packery Channel South Jetty to the Rio Grande in Cameron County. The rule imposed a slot limit of 17-23 inches and a daily bag limit of three spotted seatrout, which was intended to reduce the harvest of mature female fish and thus preserve reproductive potential while maintaining some opportunity for harvest.

The emergency rule was filed on April 1, 2021 for an initial period of effectiveness of 120 days and was published in the April 16, 2021, issue of the *Texas Register* (46 TexReg 2528). Under the provisions of Government Code, §2001.034, a state agency may extend the effectiveness of an emergency rule for an additional 60 days. The Executive Director finds that an extension of the emergency rules is necessary to continue their effectiveness in protecting spotted seatrout populations.

Therefore, finding that the immediate danger to spotted seatrout populations continues to exist, the Executive Director hereby ORDERS a 60-day extension of new 31 TAC §57.983. This order is effective immediately upon filing, and authorizes publication of a Notice of Extension of Emergency Adoption in the *Texas Register*.

This order is issued pursuant to §12.027 of the Texas Parks and Wildlife Code and §2001.034 of the Texas Government Code and is effective immediately.

Signed this the 27th day of July, 2021.



Carter Smith
Executive Director
Texas Parks and Wildlife Department