

TEXAS PARKS AND WILDLIFE DEPARTMENT

EXECUTIVE DIRECTOR ORDER NO. 019-008

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.

Alligator gar are a nongame fish subject to regulation by the Commission under the provisions of Parks and Wildlife Code, Chapter 67. Under the provisions of agency rules at 31 TAC §57.977, the Executive Director of the department may temporarily prohibit the take of alligator gar in places where they are spawning or are about to spawn. On May 6, 2019, the Executive Director found that heavy rainfall in the upper Trinity River watershed created environmental conditions conducive for alligator gar spawning, and that the vulnerability of alligator gar to harvest during spawning events, coupled with the infrequent occurrence of suitable spawning conditions, created an immediate danger to alligator gar resources in the river extent from the U.S. Highway 287 bridge in Anderson and Freestone counties downstream to the State Highway 7 bridge in Leon and Houston counties. The Executive Director therefore authorized the emergency adoption of an amendment to 31 TAC §57.977 to protect alligator gar during spawning activity.

The Executive Director hereby finds that the necessity to engage in emergency rulemaking to protect alligator gar no longer exists due to greatly diminished spawning activity and changes in necessary environmental conditions and authorizes staff to withdraw the emergency rule, effective 12:00 a.m. on Friday, May 24, 2019.

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

Signed this the 23rd day of May, 2019.



Carter Smith
Executive Director
Texas Parks and Wildlife Department