



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:

Emergency Rules 13-53

- Immediately upon filing.
- Later (specify) April 1, 2013

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

- Yes
 - No
- If Yes, explain:

Purpose: Amend recreational fishing rules.

Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 220-56-282
 Suspended:

Statutory authority for adoption: RCW 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.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: The two-fish annual personal-use limit rule for white sturgeon, adopted at the March 15, 2013, Washington Fish and Wildlife Commission conference call, is scheduled to take affect May 1, 2013. The Oregon Department of Fish and Wildlife (ODFW) adopted a two-fish annual personal-use limit for white sturgeon on March 21, 2013, effective April 1, 2013. This emergency rule change is needed to: 1) promote orderly fisheries and maintain concurrent rules with ODFW in adjacent boundary waters of the Columbia River until the permanent statewide rule takes effect; and 2) align the change in the annual personal-use limit with the WDFW license year and the annual personal-use limit catch-reporting period of April 1 through March 31.

Date adopted: March 22, 2013

NAME (TYPE OR PRINT)
Philip Anderson

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 22, 2013

TIME: 4:37 PM

WSR 13-08-012

(COMPLETE REVERSE SIDE)

**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 in the agency's own initiative:

| | | | | | |
|-----|----------|---------|-------|----------|-------|
| New | <u>1</u> | 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 | _____ |

ORDER NO. 13-53

NEW SECTION

WAC 220-56-28200M Sturgeon,--Areas, seasons, limits and unlawful acts.

Notwithstanding the provisions of WAC 220-56-282, effective April 1, 2013, until further notice, there is an annual personal-use limit of two white sturgeon, regardless of where the sturgeon were taken.

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

: (a) 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.

9 (b) That state or federal law or federal rule a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: The two-fish annual personal-use limit rule for white sturgeon, adopted at the March 15, 2013 Washington Fish and Wildlife Commission conference call, is scheduled to take affect May 1, 2013. The Oregon Department of Fish and Wildlife (ODFW) adopted a two-fish annual personal-use limit for white sturgeon on March 21, 2013, effective April 1, 2013. This emergency rule change is needed to: 1) promote orderly fisheries and maintain concurrent rules with ODFW in adjacent boundary waters of the Columbia River until the permanent statewide rule takes effect and 2) align the change in the annual personal-use limit with the WDFW license-year and annual personal-use limit catch reporting period of April 1 through March 31.

(13-53, 3/21/2013)

