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 13-281
☐ Immediately upon filing.
☒ Later (specify) November 12, 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Repealed: WAC 232-28-61900B, WAC 232-28-61900S
Amended: WAC 232-28-619
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: Closes The Dalles pool for retention of white sturgeon. The catch guideline for the Dalles Pool is expected to be reached. The regulation is consistent with Washington State Action of September 12 and October 31, 2013. There is insufficient time to adopt permanent rules.

Date adopted: November 5, 2013

NAME (TYPE OR PRINT)
Philip Anderson

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 05, 2013
TIME: 3:20 PM

WSR 13-22-075

(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Federal statute:	New	_____	Amended	_____	Repealed	_____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 1 Amended _____ Repealed 2

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	_____

N E W S E C T I O N

WAC 232-28-61900S Exceptions to statewide rules—Columbia River sturgeon. Notwithstanding the provisions of WAC 232-28-619:

(1) Effective November 12 through December 31, 2013: It is unlawful to retain white sturgeon caught in those waters of the Columbia River and the adjacent tributaries from The Dalles Dam upstream to John Day Dam. Catch and release is allowed.

(2) Effective immediately through December 31, 2013: It is unlawful to retain white sturgeon caught in those waters of the Columbia River and the adjacent tributaries from the Wauna powerline crossing at river mile 40 near Cathlamet upstream to the sturgeon deadline at Bonneville Dam. Catch and release is allowed.

R E P E A L E R S

The following section of the Washington Administrative Code is repealed effective November 12, 2013:

WAC 232-28-61900B Exceptions to statewide rules—Columbia River sturgeon. (13-261)

The following section of the Washington Administrative Code is repealed effective January 1, 2014:

WAC 232-28-61900S Exceptions to statewide rules—Columbia River sturgeon.

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

(x) 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 years 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: Closes The Dalles pool for retention of white sturgeon. The catch guideline for the Dalles Pool is expected to be reached. The regulation is consistent with Washington State Action of September 12 and October 31, 2013. There is insufficient time to adopt permanent rules.

(13-281, 11/5/2013)