



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 16-262

- Immediately upon filing.
- Later (specify) October 1, 2016

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

- Yes
 - No
- If Yes, explain:

Purpose: Amend Columbia River recreational fishing rules for sturgeon

Citation of existing rules affected by this order:

Repealed: WAC 220-310-20000F
 Amended: WAC 220-310-200
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 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: Harvestable surplus of hatchery-origin white sturgeon still remain in both reservoirs. Removal of these hatchery-origin fish is consistent with ongoing actions to rebuild depressed populations of wild-origin white sturgeon in Wanapum and Priest Rapids reservoirs. Extending the season and increasing the sturgeon daily limit will provide additional angling opportunity. There is insufficient time to adopt permanent rules.

Date adopted: September 28, 2016

NAME (TYPE OR PRINT)
J W Unsworth

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 28, 2016

TIME: 9:22 AM

WSR 16-20-036

**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	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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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	_____

NEW SECTION

WAC 220-310-20000F Freshwater exceptions to statewide rules—Columbia River.

Notwithstanding the provisions of WAC 220-310-200, effective October 1 through November 30, 2016, it is permissible to fish for sturgeon in waters of Priest Rapids Reservoir (from Priest Rapids Dam to Wanapum Dam) and Wanapum Reservoir (from Wanapum Dam to Rock Island Dam).

- (1) Daily limit of three (3) sturgeon between 38 and 72 inches fork length may be harvested from Wanapum and Priest Rapids reservoirs only.
- (2) No annual harvest limit of sturgeon between 38 and 72 inches fork length from Wanapum and Priest Rapids reservoirs only.
- (3) Anglers are not required to record sturgeon harvested from Wanapum and Priest Rapids reservoirs on a Catch Record Card. Catch-and-release fishing is allowed in Wanapum and Priest Rapids reservoirs after the daily limit is harvested.
- (4) Any sturgeon not to be harvested must be released immediately. Oversized sturgeon cannot be removed totally or in part from the water.
- (5) Night fishing for sturgeon is prohibited. Only one single-point barbless hook and bait is allowed while fishing for sturgeon.

REPEALER

The following section of the Washington Administrative Code is repealed effective December 1, 2016:

WAC 220-310-20000F Freshwater exceptions to statewide rules—Columbia River.