



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 23, 2019

TIME: 8:44 AM

WSR 19-15-113

Agency: Department of Fish and Wildlife (Order 19-159)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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 sturgeon fishing rules for Lake Roosevelt.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-05000C
 Amended: WAC 220-312-050
 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.

Reasons for this finding: This rule is necessary to open a harvest fishery for white sturgeon in Lake Roosevelt from the China Bend Boat Ramp upstream to the Canadian Border. Fishery managers in Washington state and British Columbia began sturgeon hatchery programs in the early 2000s in response to a decades-long decline in the white sturgeon population in Lake Roosevelt. Survival rates for those hatchery-produced juvenile sturgeon were much higher than was anticipated. As a result, there is a surplus of these fish available for harvest from Lake Roosevelt. The portion of Lake Roosevelt between China Bend and the Canadian border is managed as a spawning sanctuary for white sturgeon. Sturgeon spawning is completed by September 1st, so a 1-month harvest fishery will be opened in this area. The previously opened section of Lake Roosevelt from Grand Coulee Dam to China Bend boat launch will remain open during this time, as well. There is insufficient time to adopt permanent rules.

**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 on the agency's own initiative:


New 1 Amended ____ Repealed 1

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	____

Date Adopted: July 23, 2019	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-05000L Freshwater exceptions to statewide rules—Eastside.

Notwithstanding the provisions of WAC 220-312-050:

- (1) Effective immediately through September 30, 2019, it is permissible to fish for sturgeon in waters of Lake Roosevelt from Grand Coulee Dam upstream to the China Bend Boat Ramp (including the Spokane River from Highway 25 Bridge upstream to 400' below Little Falls Dam, Colville River upstream to Meyers Falls and the Kettle River upstream to Barstow Bridge):
 - (a) Daily limit: 1 sturgeon; minimum fork length 53 inches, maximum fork length 63 inches. Annual limit 2 sturgeon. Anglers are allowed to continue catch and release fishing for sturgeon after the daily limit is retained and after the annual limit is retained.
 - (b) Anglers may fish for sturgeon with two poles with the purchase of a Two-pole endorsement.
 - (c) Night closure is in effect for sturgeon.
 - (d) All other statewide rules for white sturgeon apply.

- (2) Effective September 1 through September 30, 2019, it is permissible to fish for sturgeon in waters of Lake Roosevelt from the China Bend Boat Ramp upstream to the Canadian Border:
 - (a) Daily limit: 1 sturgeon; minimum fork length 53 inches, maximum fork length 63 inches. Annual limit 2 sturgeon. Anglers are allowed to continue catch and release fishing for sturgeon after the daily limit is retained and after the annual limit is retained.
 - (b) Anglers may fish for sturgeon with two poles with the purchase of a Two-pole endorsement.
 - (c) Night closure is in effect for sturgeon.
 - (d) All other statewide rules for white sturgeon apply.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-312-05000C Freshwater exceptions to statewide rules—Eastside. (19-58)

