



# 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: March 09, 2020

TIME: 4:36 PM

WSR 20-07-037

**Agency:** Department of Fish and Wildlife (Order20-45)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) 11:59 p.m. March 10, 2020

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

- Yes  No If Yes, explain:

**Purpose:** Amends recreational fishing rules for the Columbia River.

**Citation of rules affected by this order:**

New:  
 Repealed: WAC 220-312-06000H  
 Amended: WAC 220-312-060  
 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 needed to close white sturgeon retention in John Day Pool. Unexpectedly high catch rates over the past weekend have caused us to surpass the harvest guideline and risks overharvesting the population. 24 hours' notice is needed to inform anglers of the closure. This action is consistent with decisions made by the States of Washington and Oregon on March 9, 2020.

This rule also carries forward existing emergency rules previously placed on the Columbia River. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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	____

<b>Date Adopted:</b> March 9, 2020	<b>Signature:</b> 
<b>Name:</b> Amy Windrope for Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-312-06000I Freshwater exceptions to statewide rules—Columbia**

Notwithstanding the provisions of WAC 220-312-060:

- (1) From a true north-south line through Buoy 10, upstream to a line from the Warrior Rock lighthouse on the Oregon shore to red USCG buoy #4, then to the piling dolphin on the lower end of Bachelor Island (Warrior Rock line):** Salmon and steelhead: Effective immediately until further notice: Closed.
- (2) From a line from the Warrior Rock lighthouse on the Oregon shore to red USCG buoy #4, then to the piling dolphin on the lower end of Bachelor Island (Warrior Rock line) to A deadline marker on the Oregon bank (approximately four miles downstream from Bonneville Dam Powerhouse One) in a straight line through the western tip of Pierce Island to a deadline marker on the Washington bank at Beacon Rock:**

  - a. Salmon and steelhead:
    - i. Effective immediately through March 31, 2020: Daily limit is 6, no more than 2 adults may be retained of which no more than 1 may be an adult Chinook. Release all wild Chinook and wild coho.
    - ii. Effective April 1 until further notice:
      - A. Open Thursday through Saturday each week: Daily limit is 6, no more than 2 adults may be retained of which no more than 1 may be an adult Chinook. Release all wild Chinook and wild coho.
      - B. Closed Sunday through Wednesday each week.
  - b. Shad: Effective April 1, 2020 until further notice:
    - i. No minimum size. No daily limit.
    - ii. Open days when salmon and steelhead are open.
- (3) From a deadline marker on the Oregon bank (approximately four miles downstream from Bonneville Dam Powerhouse One) in a straight line through the western tip of Pierce Island to a deadline marker on the Washington bank at Beacon Rock to Bonneville Dam:**

  - a. Effective immediately until further notice: Closed to angling from a floating device or by any method except hand-cast lines from shore.
  - b. Salmon and steelhead:
    - i. Effective immediately through March 31, 2020: Daily limit is 6, no more than 2 adults may be retained of which no more than 1 may be an adult Chinook. Release all wild Chinook and wild coho.
    - ii. Effective April 2 until further notice:
      - A. Open Thursday through Saturday each week: Daily limit is 6, no more than 2 adults may be retained of which no more than 1 may be an adult Chinook. Release all wild Chinook and wild coho.
      - B. Closed Sunday through Wednesday each week.
  - c. Shad: Effective April 1, 2020 until further notice:

- i. No minimum size. No daily limit.
- ii. Open days when salmon and steelhead are open.

**(4) From Bonneville Dam to John Day Dam:**

- a. Salmon and steelhead: Effective April 1 through May 5, 2020: Daily limit is 6, no more than 2 adults may be retained of which no more than 1 may be an adult Chinook. Release all wild Chinook and wild coho.
- b. Sturgeon: Effective immediately through April 30, 2020: Retention is prohibited.

**(5) Adjacent tributaries From Bonneville Dam to McNary Dam:** Sturgeon: Effective immediately through April 30, 2020: Retention is prohibited.

**(6) From John Day Dam to McNary Dam:**

- a. Salmon and steelhead: Effective April 1 through May 5, 2020: Daily limit is 6, no more than 2 adults may be retained of which no more than 1 may be an adult Chinook. Release all wild Chinook and wild coho.
- b. Sturgeon: Effective 11:59PM March 10 through April 30, 2020: Retention is prohibited.

**(7) From McNary Dam upstream to Hwy. 730 at the Washington/Oregon border:**

- a. Steelhead: Effective immediately through March 31, 2020: Closed to angling for and retention of steelhead.
- b. Salmon and steelhead: Effective April 1 through May 5, 2020: Daily limit is 6, no more than 2 adults may be retained of which no more than 1 may be an adult Chinook. Release all wild Chinook and wild coho.

**(8) From the Washington/Oregon border to the Hwy. 395 Bridge (Pasco/Kennewick):** Steelhead: Effective immediately through March 31, 2020: Closed to angling for and retention of steelhead.

**(9) From the Hwy. 395 Bridge (Pasco/Kennewick) to Old Hanford townsite powerline crossing:** Steelhead: Effective immediately through April 15, 2020: Closed to angling for and retention of steelhead.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective March 11, 2020:

WAC 220-312-06000H Freshwater exceptions to statewide rules—Columbia (20-36)

