



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 17-126

- 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 Columbia River recreational fishing rules for sturgeon

Citation of existing rules affected by this order:

Repealed: WAC 220-312-06000G
 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.
- 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: This emergency rule is needed to (1) repeal the sturgeon fishery scheduled for June 17, 2017, which was filed in WSR 17-12-041. The harvest guideline of 3,000 fish has been reached. (2) Opens a one-day sturgeon fishery from Bonneville Dam upstream to The Dalles Dam, including adjacent tributaries which will provide additional angling opportunity. There is insufficient time to adopt permanent rules.

Date adopted: June 15, 2017

NAME (TYPE OR PRINT)
James B Scott for J W Unsworth

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 15, 2017

TIME: 9:46 AM

WSR 17-13-050

**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 220-312-06000K Freshwater exceptions to statewide rules—Columbia River.

Notwithstanding the provisions of WAC 220-312-060, it is unlawful to violate the provisions, provided that unless otherwise amended, all permanent rules remain in effect:

(1) Effective June 23, 2017, the Columbia River is open for retention of white sturgeon.

(a) Open to fishing in the mainstem Columbia River from Bonneville Dam upstream to The Dalles Dam, including adjacent tributaries.

(b) The daily limit of white sturgeon is one fish between 38-inches minimum and 54-inches maximum fork length. The yearly limit is two sturgeon.

(c) Catch and release continues to be allowed, except angling for sturgeon prohibited through July 31 from The Dalles Dam downstream 1.8 miles to a line from the east (upstream) dock at the Port of The Dalles boat ramp straight across to a marker on the Washington shore.

(2) Fork length is measured in a straight line from the tip of the nose to the fork in the caudal fin (tail) with the fish laying on its side on a flat surface, with the tape measure/ ruler positioned flat under the fish.

(3) Catch and release is permissible from The Dalles Dam to McNary Dam except in the sturgeon spawning Sanctuary located from John Day Dam downstream 2.4 miles, and in the sturgeon spawning Sanctuary located from McNary Dam downstream 1.5 miles.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-312-06000G Freshwater exceptions to statewide rules—Columbia River. (17-106)