



# 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: January 31, 2018  
TIME: 2:53 PM

WSR 18-04-045

**Agency:** Washington Department of Fish and Wildlife (18-16)

**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:** Amends Columbia River recreational sturgeon rules

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

New:  
 Repealed: WAC 220-312-06000W  
 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 preserve recreational sturgeon harvest opportunities for a summer fishery in Bonneville Pool and also to avoid recreational sturgeon harvest exceeding current guidelines of 105 fish in John Day Pool. This action is consistent with decisions made by the States of Washington and Oregon on January 30, 2018. There is insufficient time to adopt permanent regulations.

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____

Recently enacted state statutes: New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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> January 30, 2018	<b>Signature:</b> 
<b>Name:</b> J W Unsworth	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-312-06000X Freshwater exceptions to statewide rules—Columbia River.**

Notwithstanding the provisions of WAC 220-312-060, the following rules apply:

- (1) Effective immediately until further notice, retention of white sturgeon is prohibited in the Dalles Pool. Catch and release continues to be allowed in the Dalles Pool.
- (2) Effective February 4, 2018, until further notice, retention of white sturgeon is prohibited in Bonneville Pool. Catch and release continues to be allowed in Bonneville Pool.
- (3) Effective February 12, 2018, until further notice, retention of white sturgeon is prohibited in John Day Pool. Catch and release continues to be allowed in John Day Pool.

## REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-312-06000W Freshwater exceptions to statewide rules—Columbia River. (18-09)