



**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: April 10, 2018

TIME: 9:39 AM

WSR 18-09-016

Agency: Department of Fish and Wildlife (Order 18-59)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) 4:48 a.m. April 29, 2018

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 sturgeon fishing rules in the Columbia River.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-06000X
- 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 because hatchery-origin white sturgeon residing in Priest Rapids and Wanapum reservoirs since the early 2000s are abundant and have grown to a harvestable size. Removal of these hatchery-origin fish is consistent with ongoing actions to rebuild depressed populations of wild-origin white sturgeon in Priest Rapids and Wanapum reservoirs. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1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: April 10, 2018	Signature: 
Name: James B Scott for Joe Stohr	
Title: Director	

NEW SECTION

WAC 220-312-06000E Freshwater exceptions to statewide rules—Columbia River.

Notwithstanding the provisions of WAC 220-312-06000C, WAC 220-312-060, WAC 220-316-010, and WAC 220-220-160, the following rules apply effective 4:48 a.m. April 29, 2018, until further notice:

- (1) Retention of white sturgeon is prohibited in the Dalles Pool. Catch and release continues to be allowed in the Dalles Pool.
- (2) Retention of white sturgeon is prohibited in Bonneville Pool. Catch and release continues to be allowed in Bonneville Pool.
- (3) Retention of white sturgeon is prohibited in John Day Pool. Catch and release continues to be allowed in John Day Pool.
- (4) From Priest Rapids Dam to Rock Island Dam:
 - (a) Daily limit 2 white sturgeon between 38 and 72 inches fork length.
 - (b) No annual harvest limit of white sturgeon.
 - (c) Anglers are not required to record sturgeon on a catch record card.
 - (d) Catch and release fishing is allowed after the daily limit has been retained.
 - (e) Anglers who possess a valid two-pole endorsement may fish for sturgeon with two lines.

REPEALER

The following section of the Washington Administrative Code is repealed effective 4:48 a.m. April 29, 2018:

WAC 220-312-06000X Freshwater exceptions to statewide rules—Columbia River. (18-16)

