



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 13, 2018

TIME: 3:57 PM

WSR 18-09-056

Agency: Department of Fish and Wildlife (Order 18-68)

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 fishing rules for white sturgeon on the Columbia River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-06000X; WAC 220-312-06000E
 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 emergency rule is needed to allow a limited harvest of sturgeon in the estuary and to allow the summer sturgeon retention season in the Bonneville Pool, The Dalles Pool, and adjacent tributaries. This rule will provide for additional angling opportunity. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 2

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 13, 2018	Signature: 
Name: Joe Stohr	
Title: Director	

NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-06000C and WAC 220-312-060, it is unlawful to violate the provisions, provided that unless otherwise amended, all permanent rules remain in effect:

- (1) From Buoy 10 upstream to Wauna powerlines, including Youngs Bay, and all adjacent Washington tributaries:
 - (a) It is permissible to retain white sturgeon on the following dates: May 14, May 16, May 19, May 21, May 23, May 26, May 28, May 30, June 2, and June 4, 2018.
 - (i) The daily limit of white sturgeon is one fish between 44-inches minimum and 50-inches maximum fork length.
 - (ii) Closed to angling for sturgeon at 2:00 p.m. daily on dates open to sturgeon retention.
 - (b) Catch and release angling is permissible on days not open to sturgeon retention.
- (2) From Bonneville Dam to Dalles Dam, including adjacent tributaries:
 - (a) Retention of white sturgeon is prohibited, except it is permissible to retain white sturgeon from 1 hour before official sunrise to 1 hour after official sunset June 15, 2018.
 - (i) On days open for sturgeon retention the daily limit of white sturgeon is one fish between 38-inches minimum and 54-inches maximum fork length.
 - (ii) Catch and release angling is permissible on days not open to sturgeon retention.
- (3) From The Dalles Dam to John Day Dam, including adjacent tributaries:
 - (a) Retention of white sturgeon is prohibited, except it is permissible to retain white sturgeon from 1 hour before official sunrise to 1 hour after official sunset June 15, 2018.
 - (i) On days open for sturgeon retention the daily limit of white sturgeon is one fish between 44-inches minimum and 54-inches maximum fork length.
 - (ii) Catch and release angling is permissible on days not open to sturgeon retention.
- (4) From John Day Dam to McNary Dam:
 - (a) Retention of white sturgeon is prohibited.
 - (b) Catch and release angling is permissible on days not open to sturgeon retention.
- (5) From Priest Rapids Dam to Rock Island Dam; effective 4:48 a.m. April 29, 2018 until further notice:
 - (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.
- (6) 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.

REPEALERS

The following sections of the Washington Administrative Code are repealed:

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

WAC 220-312-06000E Freshwater exceptions to statewide rules—Columbia River.
(18-59)

