



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: July 27, 2018

TIME: 5:52 PM

WSR 18-16-069

Agency: Department of Fish and Wildlife (Order 18-178)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 1, 2018

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 sturgeon fishing rules for Lake Roosevelt.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-05000G
- Amended: WAC 220-312-050
- 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: Fishery managers in Washington state and British Columbia began sturgeon hatchery programs in the early 2000s in response to a decades-long decline in the white sturgeon population in Lake Roosevelt. Survival rates for those hatchery-produced juvenile sturgeon were much higher than was anticipated. As a result, there is a surplus of these fish available for harvest from Lake Roosevelt. The portion of Lake Roosevelt between China Bend and the Canadian border is managed as a spawning sanctuary for white sturgeon. Sturgeon spawning is completed by August 1st, so a 1-month harvest fishery will be opened in this area. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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: July 27, 2018	Signature: 
Name: Nate Pamplin for Joe Stohr	
Title: Director	

NEW SECTION

WAC 220-312-05000S Freshwater exceptions to statewide rules—Eastside.

Notwithstanding the provisions of WAC 220-312-050:

(1) Effective immediately through August 31, 2018, it is permissible to fish for sturgeon in waters of Lake Roosevelt from Grand Coulee Dam upstream to the Canadian Border (including the Spokane River from Highway 25 Bridge upstream to 400' below Little Falls Dam, Colville River upstream to Meyers Falls and the Kettle River upstream to Barstow Bridge).

(a) Daily limit of one sturgeon between 53 and 63 inches fork length. Annual limit of two sturgeon.

(b) Anglers are required to record harvested sturgeon on a Catch Record Card.

(c) Anglers may fish with two poles with the purchase of a Two-Pole Endorsement license.

(d) Night closure is in effect. All other statewide rules for white sturgeon apply.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 1, 2018:

WAC 220-312-05000G Freshwater exceptions to statewide rules—Eastside. (18-74)