



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: August 29, 2018

TIME: 12:04 PM

WSR 18-18-045

Agency: Department of Fish and Wildlife (Order 18-219)

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 sturgeon fishing rules for sturgeon in the Columbia River estuary.

Citation of rules affected by this order:

New:
 Repealed:
 Amended: 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 because increased legal-size population of white sturgeon is sufficient to allow a limited harvest of sturgeon from Wauna powerlines to Bonneville Dam. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____

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New ____ Amended ____ Repealed ____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: August 29, 2018
Name: Jim Scott for Kelly Susewind
Title: Director

Signature:



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) From Wauna powerlines upstream to Bonneville Dam including and all adjacent Washington tributaries:
 - (a) It is permissible to retain white sturgeon on the following dates: September 15 and September 22, 2018.
 - (i) The daily limit of white sturgeon is one fish between 44-inches minimum and 50-inches maximum fork length.
 - (b) Catch and release angling is permissible on days not open to sturgeon retention.