



**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 01, 2019

TIME: 4:14 PM

WSR 19-08-069

Agency: Department of Fish and Wildlife (Order 19-64)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) 12:01 a.m. April 3, 2019

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 for the Columbia River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-06000G
 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 close white sturgeon retention in John Day Pool. Harvest estimates indicate the quota of 105 white sturgeon was reached over this past weekend due to a substantial increase in fishing effort. This measure is necessary to limit over-harvest on the population. This action is consistent with decisions made by the States of Washington and Oregon on January 4, 2019, March 28, 2019, and April 1, 2019. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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 1, 2019	Signature: 
Name: Joe Stohr for Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-06000H 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 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 13, May 15, May 18, May 20, May 22, May 25, May 27, May 29, June 1, June 3, and June 5, 2019.

(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 The Dalles Dam to John Day Dam, including adjacent tributaries:

(a) Retention of white sturgeon is prohibited.

(b) Catch and release angling is permissible on days not open to sturgeon retention.

(3) Effective 12:01 a.m. April 3, 2019, from John Day Dam to McNary Dam, including adjacent tributaries:

(a) Retention of white sturgeon is prohibited.

(b) Catch and release angling is permissible on days not open to sturgeon retention.

REPEALER

The following section of the Washington Administrative Code is repealed:

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

(19-60)