



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: February 11, 2020

TIME: 4:15 PM

WSR 20-05-035

Agency: Department of Fish and Wildlife (Order 20-26)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) February 14, 2020

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 fishing rules for the Columbia River.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-06000E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 rule is needed to close white sturgeon retention in Bonneville and The Dalles pools. At current rates it is likely that if retention is allowed in Bonneville Pool after February 13, and The Dalles Pool after February 17, that harvest guidelines will be exceeded. This measure is necessary to minimize the risk of exceeding the catch guidelines and over-harvesting the population. This action is consistent with decisions made by the States of Washington and Oregon on February 11, 2020.

This rule also carries forward existing emergency rules for the Columbia River and puts an effective end date on emergency sturgeon rules from Hwy 395 Bridge to Priest Rapids as those rules will become permanent effective March 9.

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Federal statute:	New	_____	Amended	_____	Repealed	_____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: February 11, 2020

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-312-06000F Freshwater exceptions to statewide rules—Columbia

Notwithstanding the provisions of WAC 220-312-060:

- (1) From Bonneville Dam to The Dalles Dam including adjacent tributaries:** Effective February 14 through April 30, 2020: Retention of white sturgeon is prohibited.
- (2) From The Dalles Dam to John Day Dam including adjacent tributaries:** Effective February 18 April 30, 2020: Retention of white sturgeon is prohibited.
- (3) From McNary Dam upstream to the Hwy. 395 Bridge (Pasco/Kennewick):**
 - (a) Effective immediately through March 31, 2020: Closed to angling for and retention of steelhead.
 - (b) Effective immediately through March 8, 2020: Closed to retention of white sturgeon.
- (4) From the Hwy. 395 Bridge (Pasco/Kennewick) to Old Hanford townsite powerline crossing:**
 - (a) Effective immediately through April 15, 2020: Closed to angling for and retention of steelhead.
 - (b) Effective immediately through March 8, 2020: Closed to retention of white sturgeon.
- (5) From the Old Hanford townsite powerline crossing to boundary markers 650 feet downstream of the fish ladders Priest Rapids Dam:** Effective February 1, 2020 through March 8, 2020: Closed to retention of white sturgeon.

REPEALER

The following section of the Washington Administrative Code is repealed effective February 14, 2020:

WAC 220-312-06000E Freshwater exceptions to statewide rules—Columbia (20-11)

