



# 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: June 03, 2020

TIME: 8:41 AM

WSR 20-12-100

**Agency:** Department of Fish and Wildlife (Order 20-78)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) June 15, 2020

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** This rule is needed to open a harvest fishery for white sturgeon in Lake Roosevelt.

**Citation of rules affected by this order:**

New:  
 Repealed: WAC 220-312-05000A  
 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:** This rule is necessary to open a harvest fishery for white sturgeon in Lake Roosevelt. 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. 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| Federal statute:                 | New | ___ | Amended | ___ | Repealed | ___ |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 | ____ |

|                                   |   |
|-----------------------------------|---|
| <b>Date Adopted:</b> June 3, 2020 | <b>Signature:</b><br> |
| <b>Name:</b> Kelly Susewind       |   |
| <b>Title:</b> Director            |   |

## NEW SECTION

### **WAC 220-312-05000A Freshwater exceptions to statewide rules—Eastside.**

Effective June 15 through September 30, 2020, the following provisions of WAC 220-312-050 regarding recreational sturgeon seasons and harvest rules shall be as described below. All other provisions of WAC 220-312-050 not addressed herein, or unless otherwise amended, remain in effect:

1. Effective June 15 through September 30, 2020, it is permissible to fish for sturgeon in waters of Lake Roosevelt from Grand Coulee Dam upstream to the China Bend Boat Ramp (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: 1 sturgeon; minimum fork length 50 inches, maximum fork length 63 inches. Annual limit 2 sturgeon. Anglers may continue catch and release fishing for sturgeon after the daily limit is retained only if the annual limit has not been retained.
  - (b) It is unlawful to fish for sturgeon after the annual limit has been retained.
  - (c) Anglers may fish for sturgeon with two poles with the purchase of a Two-pole endorsement.
  - (d) Night closure is in effect for sturgeon.
  - (e) All other statewide rules for white sturgeon apply.
  
2. Effective September 1 through September 30, 2020, it is permissible to fish for sturgeon in waters of Lake Roosevelt from the China Bend Boat Ramp upstream to the Canadian Border:
  - (a) Daily limit: 1 sturgeon; minimum fork length 50 inches, maximum fork length 63 inches. Annual limit 2 sturgeon. Anglers may continue catch and release fishing for sturgeon after the daily limit is retained only if the annual limit has not been retained.
  - (b) It is unlawful to fish for sturgeon after the annual limit has been retained.
  - (c) Anglers may fish for sturgeon with two poles with the purchase of a Two-pole endorsement.
  - (d) Night closure is in effect for sturgeon.
  - (e) All other statewide rules for white sturgeon apply.

## REPEALER

The following section of the Washington Administrative Code is repealed effective October 1, 2020:

WAC 220-312-05000A Freshwater exceptions to statewide rules—Puget Sound.

