



**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 06, 2021

TIME: 12:12 PM

WSR 21-17-024

Agency: Department of Fish and Wildlife (Order 21-143)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 1, 2021

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

- Yes No If Yes, explain:

Purpose: The purpose of this emergency rule is to additional white sturgeon retention seasons in Lake Roosevelt.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-05000R
 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. White Sturgeon hatchery programs began in 2001 in British Columbia (BC) and 2004 in Washington. Stocking ranged from 2,000-12,000 juvenile sturgeon per year from 2001 to 2010 (including both Washington and BC releases). Survival of hatchery-produced juvenile sturgeon was higher than anticipated, resulting in a surplus of hatchery-origin sturgeon 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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	____

Date Adopted: August 6, 2021	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective September 1 through September 20, 2021, the following provisions of WAC 220-312-050 regarding recreational sturgeon seasons and harvest rules for Lake Roosevelt 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 immediately through September 30, 2021, 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, 2021, it is permissible to fish for sturgeon in waters of Lake Roosevelt from 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 Washington Administrative Code is repealed, effective September 1, 2021:

WAC 220-312-05000R Freshwater exceptions to statewide rules—Eastside. (21-36)