



**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: January 25, 2022

TIME: 3:42 PM

WSR 22-04-035

**Agency:** Department of Fish and Wildlife (Order 22-10))

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) January 26, 2022

**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 extend the season for sturgeon sport harvest in The Dalles Reservoir and close the retention of sturgeon in Bonneville Reservoir.

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

- New:
- Repealed: 220-312-06000G
- 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:** These populations are managed under a sustainable harvest guidelines and these actions are taken to keep harvest within that guideline. This action is consistent with decisions made by the States of Washington and Oregon during the Columbia River compact hearing on December 15, 2021 and January 25, 2022. The general public welfare is protected with the immediate and limited duration opening of recreational sturgeon fishing in The Dalles and the closure of retention to recreational sturgeon fishing in Bonneville. These limited harvest opportunities allow for public use of the resource as well as the maintenance of a sustainable fish population. 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:** January 25, 2022

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-312-06000H Freshwater exceptions to statewide rules—Columbia River.**

Effective January 26 through April 30, 2022 the provisions of WAC 220-312-060, WAC 220-312-030, and WAC 220-316-010 regarding white sturgeon retention seasons from Bonneville Dam to John Day Dam shall be modified as follows. All other provisions of WAC 220-312-060, WAC 220-316-010, and WAC 220-312-030 not addressed herein remain in effect unless otherwise amended by emergency rule:

#### **(1) From Bonneville Dam to The Dalles Dam, including adjacent tributaries:**

Effective January 30, 2021, sturgeon retention is prohibited.

#### **(2) From The Dalles Dam to John Day Dam, including adjacent tributaries:**

- (a) It is permissible to retain white sturgeon on the following dates: January 26, 29, 31, and February 2, 5, 7, 9, 12, 14, 16, 19, 21, 23, 26, 28, 2022.
- (b) The daily limit of white sturgeon is one fish between 43 inches minimum and 54 inches maximum fork length.
- (c) Catch and release angling for sturgeon is permissible on days not open to sturgeon retention.

## REPEALER

The following section of Washington Administrative Code is repealed, effective January 26, 2022:

WAC 220-312-06000G Freshwater exceptions to statewide rules—Columbia River. (21-276)