



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: March 11, 2022

TIME: 4:04 PM

WSR 22-07-036

Agency: Washington Department of Fish and Wildlife (22-42)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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

- Yes
 - No
- If Yes, explain:

Purpose: Amends freshwater fishing rules for Columbia River sturgeon

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-0600K
- 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 the season for sturgeon sport harvest in Bonneville Reservoir. These populations are managed under 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 hearings on December 15, 2021, January 25, 2022, and March 1, 2022. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	<u>1</u>	Amended	___	Repealed	1
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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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: March 11, 2022

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective immediately, 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:

- (a) Effective immediately through April 30, 2022, sturgeon retention is prohibited.
- (b) Catch and release angling for sturgeon is permissible on all days, including days closed to sturgeon retention.

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

- (a) It is permissible to retain white sturgeon only on the following dates: March 12, 14, 16, 19, 21, 23, 26, 28, and 30, 2022. All other days are closed to sturgeon retention.
- (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 all days, including days closed to sturgeon retention

(3) From John Day Dam to McNary Dam, including adjacent tributaries:

- (a) Effective immediately through April 30, 2022, sturgeon retention is prohibited.
- (b) Catch and release angling for sturgeon is permissible on all days, including days closed to sturgeon retention

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-312-06000K Freshwater exceptions to statewide rules—Columbia River. (22-39)