



**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 21, 2022

TIME: 1:51 PM

WSR 22-07-083

Agency: Department of Fish and Wildlife (Order 22-46))

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) March 22, 2022

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 recreational sturgeon retention in the Dalles Pool of the Columbia River.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-06000L
- 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 The Dalles Reservoir. Creel data indicates that the 190 fish guideline is projected to be met as of March 21, 2022; and therefore, there is not enough fish remaining on the guideline to support the previously scheduled openings through March 30 in The Dalles Pool. These populations are managed under sustainable harvest guidelines and these actions are taken to keep harvest within each pool's allowed levels. 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Federal statute:	New	___	Amended	___	Repealed	___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 ____

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: March 21, 2022
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Effective March 22, 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:

From Bonneville Dam to McNary Dam, including adjacent tributaries:

- (a) Retention of sturgeon 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, effective March 22, 2022:

WAC 220-312-06000L Freshwater exceptions to statewide rules—Columbia River. (22-42)