



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (August 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, 2022

TIME: 11:42 AM

WSR 22-13-023

Agency: Washington Department of Fish and Wildlife (22-93)

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: Two days added to the recreational sturgeon retention season in the Columbia River estuary downstream of Wauna powerlines

Citation of rules affected by this order:

New:
Repealed: WAC 220-312-06000P
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 allow a limited harvest of white sturgeon in the Columbia River estuary. This population is managed under sustainable harvest guidelines and the legal-size population is large enough to allow for a limited retention fishery within the lower Columbia River. Sufficient room remains on the guideline to allow for additional harvest opportunity. This action is consistent with decisions made by the States of Washington and Oregon during the Columbia River compact hearings on March 30 and June 2, 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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: June 3, 2022

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective immediately through June 11, 2022, the provisions of WAC 220-312-060, WAC 220-312-030, and WAC 220-316-010 regarding white sturgeon retention seasons for the Columbia River, from a true north-south line through Buoy 10 (the mouth) upstream to the Wauna powerline crossing, including Youngs Bay and all adjacent Washington tributaries, 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 a true north-south line through Buoy 10 upstream to the Wauna powerline crossing, including Youngs Bay, and all adjacent Washington tributaries:

- (a) It is permissible to retain white sturgeon on the following dates: June 4, 8, 11 2022.
- (b) On days open to white sturgeon retention the daily limit of white sturgeon is one fish between 44-inches minimum and 50-inches maximum fork length.
- (c) Closed to angling for sturgeon at 2:00pm daily on dates open to sturgeon retention.
- (d) Catch and release angling is permissible on days not open to sturgeon retention.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-312-06000P Freshwater exceptions to statewide rules—Columbia River. (22-50)