



**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: September 07, 2022

TIME: 9:05 AM

WSR 22-18-096

Agency: Department of Fish and Wildlife (Order 22-190)

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: The purpose of this emergency rule is to set closure date for the 2022 white sturgeon fishery in Lake Roosevelt.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-05000L; WAC 220-312-05000U
 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 emergency rule is needed to set a closure date for the 2022 Lake Roosevelt white sturgeon fishery. WDFW anticipates harvest and fishery impacts will have been achieved for the season by September 30, 2022. Fishery managers will evaluate the 2022 Lake Roosevelt white sturgeon catch and harvest prior to establishing rules for the 2023 season. 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| Federal statute: | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards: | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | ___ | Repealed | ___ |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 2

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 | ____ |

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| Date Adopted: September 7, 2022 |
| Name: Kelly Susewind |
| Title: Director |

Signature:



NEW SECTION

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

Effective immediately, through September 30, 2022, 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:

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 must cease fishing for the day after obtaining a daily limit and for the season after the annual limit has been taken.
- (b) Anglers may fish for sturgeon with two poles with the purchase of a Two-pole endorsement.
- (c) Only one single-point barbless hook and bait per rod is allowed.
- (d) Night closure is in effect for sturgeon.
- (e) All other statewide rules for white sturgeon apply

REPEALERS

The following section of Washington Administrative Code is repealed, effective immediately:
WAC 220-312-05000L Freshwater exceptions to statewide rules—Eastside. (22-74)

The following section of Washington Administrative Code is repealed, effective October 1, 2022:
WAC 220-312-05000U Freshwater exceptions to statewide rules—Eastside. (22-190)