



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: February 22, 2024

TIME: 9:18 AM

WSR 24-06-003

Agency: Department of Fish and Wildlife (Order 24-26)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) February 24, 2024

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 open two days for white sturgeon retention in The Dalles Pool.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-06000C
 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 sets two recreational sturgeon retention days in The Dalles Pool and maintains the previously adopted Bonneville Pool recreational sturgeon retention closure. The U.S. v. OR Sturgeon Management Task Force, a joint state/tribal body, met on January 18, 2024, and recommended increasing the harvest guidelines for 2024–2026 in The Dalles Pool (1,100 fish total guideline: 825 for treaty commercial fisheries and 275 for recreational fisheries). Given the prior harvest and new harvest guideline there are 86 sturgeon now available for harvest. These populations are managed under sustainable harvest guidelines. This action is consistent with decisions made by the States of Washington and Oregon during the Columbia River compact hearing on January 3, and February 21, 2024. 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: February 22, 2024	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective February 24 through April 30, 2024, 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 are 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 upstream to The Dalles Dam, including adjacent tributaries:

White sturgeon: Closed to retention. Catch and release fishing only.

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

- (a) February 24, 2024: It is permissible to retain white sturgeon: Daily limit 1. Minimum fork length 43 inches. Maximum fork length 54 inches.
- (b) February 25 through February 27, 2024: White sturgeon: Closed to retention. Catch and release fishing only.
- (c) February 28, 2024: It is permissible to retain white sturgeon: Daily limit 1. Minimum fork length 43 inches. Maximum fork length 54 inches.
- (d) February 29 through April 30, 2024: White sturgeon: Closed to retention. Catch and release fishing only.

REPEALER

The following section of Washington Administrative code is repealed, effective February 24, 2024:

WAC 220-312-06000C Freshwater exceptions to statewide rules—Columbia River. (24-03)