

WSR 22-07-021  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 22-39—Filed March 8, 2022, 3:07 p.m., effective March 8, 2022, 3:07 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to open recreational sturgeon retention seasons in the Columbia River's John Day Pool.

Citation of Rules Affected by this Order: Repealing WAC 220-312-06000J; and amending WAC 220-312-060.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: This rule is needed to close the season for sturgeon sport harvest in John Day 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 hearing on December 15, 2021, January 25, 2022, and March 1, 2022. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: March 8, 2022.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-312-06000K 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) It is permissible to retain white sturgeon on the following dates only: March 9 and March 16, 2022. All other days are closed to the retention of sturgeon.

(b) The daily limit of white sturgeon is one fish between 38 inches minimum and 54 inches maximum fork length.

(c) Catch and release angling for sturgeon is permissible on all days, including days closed to the retention of sturgeon.

**(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 9, 12, 14, 16, 19, 21, 23, 26, 28, and 30, 2022. All other days are closed to the retention of sturgeon.

(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 the retention of sturgeon.

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

(a) Effective March 10 through April 30, 2022, sturgeon retention is prohibited.

(b) Catch and release angling for sturgeon is permissible on all days, including days closed to the retention of sturgeon.

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REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:

WAC 220-312-06000J Freshwater exceptions to statewide rules—Columbia River. (22-34)