

WSR 22-08-040
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-50—Filed March 30, 2022, 4:13 p.m., effective May 11, 2022]

Effective Date of Rule: May 11, 2022.

Purpose: The purpose of this emergency rule is to open recreational white sturgeon retention season downstream of the Wauna powerline crossing on the Columbia River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-06000M; 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 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. This action is consistent with decisions made by the states of Washington and Oregon during the Columbia River compact hearings on March 30, 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 30, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-06000P Freshwater exceptions to statewide rules—Columbia River. Effective May 11 through June 4, 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 Wau-na powerline crossing, including Youngs Bay, and all adjacent Washington tributaries:

(a) It is permissible to retain white sturgeon on the following dates: May 11, 14, 18, 21, 25, 28, 30, and June 1, 4, 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 2:00 pm daily on dates open to sturgeon retention.

(d) Catch and release angling is permissible on days not open to sturgeon retention.

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REPEALER

The following section of Washington Administrative Code is repealed, effective May 1, 2022:

WAC 220-312-06000M Freshwater exceptions to statewide rules—Columbia River. (22-46)