

WSR 22-04-035
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-10—Filed January 25, 2022, 3:42 p.m., effective January 26, 2022]

Effective Date of Rule: January 26, 2022.

Purpose: This rule is needed to extend the season for sturgeon sport harvest in The Dalles Reservoir and close the retention of sturgeon in Bonneville Reservoir.

Citation of Rules Affected by this Order: Repealing WAC 220-312-06000G; 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: 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, and January 25, 2022. The general public welfare is protected with the immediate and limited duration opening of recreational sturgeon fishing in The Dalles and the closure of retention to recreational sturgeon fishing in Bonneville. These limited harvest opportunities allow for public use of the resource as well as the maintenance of a sustainable fish population. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: January 25, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-06000H Freshwater exceptions to statewide rules—Columbia River. Effective January 26 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:

Effective January 30, 2021, sturgeon retention is prohibited.

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

(a) It is permissible to retain white sturgeon on the following dates: January 26, 29, 31, and February 2, 5, 7, 9, 12, 14, 16, 19, 21, 23, 26, 28, 2022.

(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 days not open to sturgeon retention.

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REPEALER

The following section of Washington Administrative Code is repealed, effective January 26, 2022:

WAC 220-312-06000G Freshwater exceptions to statewide rules—Columbia River. (21-276)