

WSR 21-07-130  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 21-37—Filed March 23, 2021, 4:13 p.m., effective March 24, 2021]

Effective Date of Rule: March 24, 2021.

Purpose: The purpose of this emergency rule is to open white sturgeon retention seasons in the Columbia River estuary.

Citation of Rules Affected by this Order: Repealing WAC 220-312-06000I; and amending WAC 220-3112-060 [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. The legal-size population is large enough to allow for a retention fishery within the lower Columbia River. This action is consistent with decisions made by the states of Washington and Oregon on March 23, 2021. There is insufficient time to adopt permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 23, 2021.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-312-06000J Freshwater exceptions to statewide rules—Columbia River.** Effective March 24, 2021, until further notice, the provisions of WAC 220-312-060 and WAC 220-316-110 regarding white sturgeon retention seasons from Buoy 10 upstream to McNary Dam are as follows. All other provisions of WAC 220-312-060 not addressed herein remain in effect unless otherwise amended by emergency rule:

(1) **From Buoy 10 upstream to Wauna Powerlines, including Youngs Bay, and all adjacent Washington tributaries:**

a. It is permissible to retain white sturgeon on the following dates: May 10, 12, 15, 17, 19, 22, 24, 26, 29, 31, and June 2, 5, 2021.

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 2:00pm daily on dates open to sturgeon retention.

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

(2) **From Bonneville Dam to McNary Dam:** Sturgeon retention is prohibited.

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REPEALER

The following section of Washington Administrative Code is repealed, effective March 24, 2021:

WAC 220-312-06000I Freshwater exceptions to statewide rules—Columbia River. (21-35)