

**WSR 21-17-024
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 21-143—Filed August 6, 2021, 12:12 p.m., effective September 1, 2021]

Effective Date of Rule: September 1, 2021.

Purpose: The purpose of this emergency rule is additional white sturgeon retention seasons in Lake Roosevelt.

Citation of Rules Affected by this Order: Repealing WAC 220-312-05000R; and amending WAC 220-312-050.

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 necessary to open a harvest fishery for white sturgeon in Lake Roosevelt. White sturgeon hatchery programs began in 2001 in British Columbia (BC) and 2004 in Washington. Stocking ranged from 2,000-12,000 juvenile sturgeon per year from 2001 to 2010 (including both Washington and BC releases). Survival of hatchery-produced juvenile sturgeon was higher than anticipated, resulting in a surplus of hatchery-origin sturgeon available for harvest from Lake Roosevelt. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: August 6, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-05000X Freshwater exceptions to statewide rules—Eastside. Effective September 1 through September 20, 2021, the following provisions of WAC 220-312-050 regarding recreational sturgeon seasons and harvest rules for Lake Roosevelt shall be as described below. All other provisions of WAC 220-312-050 not addressed herein, or unless otherwise amended, remain in effect:

(1) Effective immediately through September 30, 2021, it is permissible to fish for sturgeon in waters of Lake Roosevelt from Grand Coulee Dam upstream to the China Bend Boat Ramp (including the Spokane River from Highway 25 Bridge upstream to 400' below Little Falls Dam, Colville River upstream to Meyers Falls and the Kettle River upstream to Barstow Bridge):

(a) Daily limit: 1 sturgeon; minimum fork length 50 inches, maximum fork length 63 inches. Annual limit 2 sturgeon. Anglers may continue catch and release fishing for sturgeon after the daily limit is retained only if the annual limit has not been retained.

(b) It is unlawful to fish for sturgeon after the annual limit has been retained.

(c) Anglers may fish for sturgeon with two poles with the purchase of a Two-pole endorsement.

(d) Night closure is in effect for sturgeon.

(e) All other statewide rules for white sturgeon apply.

(2) Effective September 1 through September 30, 2021, it is permissible to fish for sturgeon in waters of Lake Roosevelt from China Bend Boat Ramp upstream to the Canadian Border:

(a) Daily limit: 1 sturgeon; minimum fork length 50 inches, maximum fork length 63 inches. Annual limit 2 sturgeon. Anglers may continue catch and release fishing for sturgeon after the daily limit is retained only if the annual limit has not been retained.

(b) It is unlawful to fish for sturgeon after the annual limit has been retained.

(c) Anglers may fish for sturgeon with two poles with the purchase of a Two-pole endorsement.

(d) Night closure is in effect for sturgeon.

(e) All other statewide rules for white sturgeon apply.

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REPEALER

The following section of Washington Administrative Code is repealed, effective September 1, 2021:

WAC 220-312-05000R Freshwater exceptions to statewide rules—Eastside. (21-36)