

WSR 22-07-083
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-46—Filed March 21, 2022, 1:51 p.m., effective March 22, 2022]

Effective Date of Rule: March 22, 2022.

Purpose: The purpose of this emergency rule is to [prohibit] recreational sturgeon retention in The Dalles Pool of the Columbia River.

Citation of Rules Affected by this Order: Repealing WAC 220-312-06000L; 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 The Dalles Reservoir. Creel data indicates that the 190 fish guideline is projected to be met as of March 21, 2022; and therefore, there is not enough fish remaining on the guideline to support the previously scheduled openings through March 30 in The Dalles Pool. These populations are managed under sustainable harvest guidelines and these actions are taken to keep harvest within each pool's allowed levels. This action is consistent with decisions made by the states of Washington and Oregon during the Columbia River compact hearings 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 21, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-06000M Freshwater exceptions to statewide rules—Columbia River. Effective March 22, 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:

From Bonneville Dam to McNary Dam, including adjacent tributaries:

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

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REPEALER

The following section of the Washington Administrative Code is repealed, effective March 22, 2022:

WAC 220-312-06000L Freshwater exceptions to statewide rules—Columbia River. (22-42)