

WSR 22-13-023
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-93—Filed June 3, 2022, 11:42 a.m., effective June 3, 2022, 11:42 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Two days added to the recreational sturgeon retention season in the Columbia River estuary downstream of Wauna powerlines.

Citation of Rules Affected by this Order: Repealing WAC 220-312-06000P; 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. Sufficient room remains on the guideline to allow for additional harvest opportunity. This action is consistent with decisions made by the states of Washington and Oregon during the Columbia River compact hearings on March 30 and June 2, 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: June 3, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-06000T Freshwater exceptions to statewide rules—Columbia River. Effective immediately through June 11, 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: June 4, 8, 11 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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Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-312-06000P Freshwater exceptions to statewide rules—Columbia River. (22-50)