



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 04, 2024
TIME: 8:43 AM

WSR 24-03-010

Agency: Department of Fish and Wildlife (Order 24-03)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) January 4, 2024

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: The purpose of this emergency rule is to close retention of recreationally caught white sturgeon in Bonneville and The Dalles pools.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-06000A
- Amended: WAC 220-312-060
- Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 and 77.12.047

Other authority:

EMERGENCY RULE

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.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: This rule is needed to close recreational sturgeon retention in Bonneville and The Dalles reservoirs. Catch rates in Bonneville Pool and The Dalles Pool have been higher than preseason expectations. For Bonneville Pool the projected total catch through January 3, 2024, is 650 fish as compared to the harvest guideline of 675 fish. For The Dalles Pool the projected total catch through January 3, 2024, is 181 fish as compared to the harvest guideline of 190 fish. Therefore, not enough fish remain under the guidelines to allow for additional retention opportunities in these areas. This rule is necessary to remain within allowable harvest guidelines for non-treaty recreational fisheries for each of these pools. These populations are managed under sustainable harvest guidelines. This action is consistent with decisions made by the States of Washington and Oregon during the Columbia River compact hearing on October 31, 2023, and January 3, 2024. There is insufficient time to adopt permanent rules.

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 220-312-06000C Freshwater exceptions to statewide rules—Columbia River.

Effective January 4, through April 30, 2024, 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 are 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 upstream to John Day Dam, including adjacent tributaries:

White sturgeon: Closed to retention. Catch and release fishing only.

REPEALER

The following section of Washington Administrative code is repealed, effective January 4, 2024:
WAC 220-312-06000A Freshwater exceptions to statewide rules—Columbia River. (23-247)