



RULE-MAKING ORDER EMERGENCY RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 15, 2017

TIME: 11:16 AM

WSR 17-23-095

Agency: Department of Fish and Wildlife (Order 17-317)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) November 18, 2017

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

- Yes No If Yes, explain:

Purpose: Amends recreational fishing rules for the Snake River.

Citation of rules affected by this order:

New:
Repealed: WAC 220-312-05000W
Amended: WAC 220-312-050
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 emergency rule is necessary because there are enough hatchery Group A steelhead in the basin to allow for increasing daily limits, while also reaching hatchery broodstock needs at all Group A steelhead hatcheries, including those in Oregon, Idaho and Washington. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	<u>1</u>	Amended	___	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date adopted: November 15, 2017

Name: J W Unsworth

Title: Director

Signature:



NEW SECTION

WAC 220-312-05000X Freshwater exceptions to statewide rules—Eastside. Notwithstanding the provisions of WAC 220-312-050, effective November 18, 2017, until further notice, the following rules apply: Unless otherwise amended, all permanent rules remain in effect.

(1) Grande Ronde River - from the County Road Bridge (about 2.5 miles upstream from the mouth) to the Oregon State line.

(a) Daily limit of two hatchery steelhead.

(b) Rescinds mandatory hatchery steelhead retention rule.

(c) It is unlawful to fish for or possess steelhead in those waters of all tributaries of the Grande Ronde River.

(2) Snake River – from the mouth of the Snake River (Burbank to Pasco railroad bridge at Snake River mile 1.25) to the Washington/Idaho State line, at Clarkston Washington.

(a) Daily limit two hatchery steelhead.

(b) Release all steelhead 28 inches or greater in length.

(3) Snake River - from the Idaho/Washington state line at (Clarkston Washington) upstream to the Couse Creek Boat Ramp.

(a) Daily limit two hatchery steelhead.

(b) Release all steelhead 28 inches or greater in length.

(4) Snake River – from Couse Creek Boat Ramp upstream to the Idaho/Oregon state line.

(a) Daily limit two hatchery steelhead.

(b) No maximum size limit for hatchery steelhead.

(5) Touchet River – from the mouth to the confluence of the North and South Fork Touchet Rivers.

(a) Daily limit of two hatchery steelhead.

(b) Rescinds mandatory hatchery steelhead retention rule.

(c) It is unlawful to fish for or possess steelhead in those waters of all tributaries of the Touchet River.

(6) Tucannon River – from the mouth to the Tucannon Hatchery Road Bridge.

(a) Daily limit of two hatchery steelhead.

(b) Rescinds mandatory hatchery steelhead retention rule.

(7) Walla Walla River – from the mouth to the Oregon State line.

(a) Daily limit of two hatchery steelhead.

(b) Rescinds mandatory hatchery steelhead retention rule.

REPEALER

The following section of the Washington Administrative Code is repealed effective November 18, 2017:

WAC 220-312-05000W Freshwater exceptions to statewide rules-Eastside. (17-274)