



**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 26, 2018

TIME: 1:57 PM

WSR 18-04-015

**Agency:** Washington Department of Fish and Wildlife (18-10)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) February 1, 2018

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

- Yes  No If Yes, explain:

**Purpose:** Amends freshwater fishing rules for the Snake and Tucannon rivers.

**Citation of rules affected by this order:**

New:  
 Repealed: WAC 220-312-05000X, WAC 220-312-05000A  
 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 needed to extend the fishery and increase the daily limit of hatchery steelhead in the Tucannon River to remove more hatchery-origin steelhead. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**The number of sections adopted on the agency's own initiative:**


New 1 Amended \_\_\_\_ Repealed 2

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**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	____

<b>Date Adopted:</b> January 26, 2018	<b>Signature:</b> 
<b>Name:</b> J W Unsworth	
<b>Title:</b> Director	

## NEW SECTION

**WAC 220-312-05000A Freshwater exceptions to statewide rules—Eastside.** Notwithstanding the provisions of WAC 220-312-050, effective February 1 through April 15, 2018, the following rules apply: Unless otherwise amended, all permanent rules remain in effect.

- (1) **Snake River** – through March 31, 2018, 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 of two hatchery steelhead.
  - (b) Release all steelhead 28 inches or greater in length.
- (2) **Snake River** – through March 31, 2018, from the Idaho/Washington state line at (Clarkston Washington) upstream to the Couse Creek Boat Ramp.
  - (a) Daily limit of two hatchery steelhead.
  - (b) Release all steelhead 28 inches or greater in length.
- (3) **Snake River** – through March 31, 2018, from Couse Creek Boat Ramp upstream to the Idaho/Oregon state line.
  - (a) Daily limit of two hatchery steelhead.
  - (b) No maximum size limit for hatchery steelhead.
- (4) **Tucannon River**
  - (a) Daily limit of three hatchery steelhead.
  - (b) Mandatory hatchery steelhead retention is required.
  - (c) Barbless hooks are required while fishing for steelhead.
  - (d) Release all other species.
  - (e) The area from Tucannon Hatchery Road Bridge upstream is closed to fishing.

## REPEALERS

The following section of the Washington Administrative Code is repealed effective February 1, 2018:

WAC 220-312-05000X Freshwater exceptions to statewide rules-Eastside. (17-317)

The following section of the Washington Administrative Code is repealed effective April 16, 2018:

WAC 220-312-05000A Freshwater exceptions to statewide rules—Eastside.