



**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 16, 2019

TIME: 8:52 AM

WSR 19-03-103

**Agency:** Department of Fish and Wildlife (Order 19-09)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) \_\_\_\_\_

**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 Grande Ronde, Snake, Touchet, Tucannon, and Walla Walla Rivers.

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

- New:
- Repealed:
- 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 reduce the steelhead daily limit for the Grande Ronde, Snake, Touchet, Tucannon, and Walla Walla Rivers. The 2018 Columbia River forecasted return for upriver steelhead was 190,350. The U.S. v. Oregon Technical Advisory Committee (TAC) met on August 26 to review the A/B-Index steelhead passage at Bonneville Dam. TAC downgraded the total expected A/B-Index steelhead run size at Bonneville to 96,500. The run was adjusted again on September 25 to a total of 92,800 A/B Index steelhead with 69,500 clipped and 28,300 unclipped fish. With continued concerns between co-managers for A run steelhead and impacts to wild fish it is important to reduce limits to protect steelhead within these systems. 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 \_\_\_\_

**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 15, 2019
<b>Name:</b> Kelly Susewind
<b>Title:</b> Director

**Signature:**



## NEW SECTION

### **WAC 220-312-05000Z Freshwater exceptions to statewide rules—Eastside.**

Notwithstanding the provisions of WAC 220-312-050, effective immediately through April 15, 2019:

- (1) **Grande Ronde River (Asotin County):** from the mouth to the Washington/Oregon boundary: Steelhead daily limit is 1 hatchery steelhead, anglers must stop fishing for steelhead once their daily limit has been retained.
- (2) **Snake River (Franklin/Walla Wall Counties):** effective immediately through March 31, 2019: from the Burbank-to-Pasco railroad bridge at river mile 1.25 upstream to the Oregon State line: Steelhead: daily limit 1 hatchery steelhead, anglers must stop fishing for steelhead once their daily limit has been retained.
- (3) **Touchet River (Walla Walla County):** from mouth to the confluence of North and South Forks: Steelhead daily limit is 1 hatchery steelhead, anglers must stop fishing for steelhead once their daily limit has been retained.
- (4) **Tucannon River (Columbia/Garfield Counties):** from mouth to the Tucannon Hatchery Road Bridge: Steelhead daily limit is 1 hatchery steelhead, anglers must stop fishing for steelhead once their daily limit has been retained.
- (5) **Walla Walla River (Walla Walla County):** from mouth to the Washington/Oregon border: Steelhead daily limit is 1 hatchery steelhead, anglers must stop fishing for steelhead once their daily limit has been retained.

