



# 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 22, 2020

TIME: 9:59 AM

WSR 20-03-175

**Agency:** Department of Fish and Wildlife (Order 20-11)

**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 the Columbia and Snake Rivers.

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

New:  
 Repealed: WAC 220-312-05000V; WAC 220-312-06000D  
 Amended: WAC 220-312-050; 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 necessary to close retention of white sturgeon in the McNary Pool on the Columbia River and from the mouth to Ice Harbor Dam on the Snake River. These rules are currently in process of becoming permanent and were approved at the December 2019 commission meeting. This rule also carries forward emergency rules regarding steelhead already in place for the Columbia and Snake Rivers. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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 2 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	____

**Date Adopted:** January 22, 2020

**Name:** Amy Windrope for Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-312-06000E Freshwater exceptions to statewide rules—Columbia**

Notwithstanding the provisions of WAC 220-312-060:

- (1) From McNary Dam upstream to the Hwy. 395 Bridge (Pasco/Kennewick):**
  - (a) Effective immediately through March 31, 2020: Closed to angling for and retention of steelhead.
  - (b) Effective February 1, 2020 until further notice: Closed to retention of white sturgeon.
- (2) From the Hwy. 395 Bridge (Pasco/Kennewick) to Old Hanford townsite powerline crossing:**
  - (a) Effective immediately through April 15, 2020: Closed to angling for and retention of steelhead.
  - (b) Effective February 1, 2020 until further notice: Closed to retention of white sturgeon.
- (3) From the Old Hanford townsite powerline crossing to boundary markers 650 feet downstream of the fish ladders Priest Rapids Dam:** Effective February 1, 2020 until further notice: Closed to retention of white sturgeon.

## NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-050:

- (1) Grande Ronde River (Asotin County): from the mouth to the Washington/Oregon boundary:** Effective immediately through April 15, 2020: Steelhead daily limit is 1 hatchery steelhead, anglers must stop fishing for steelhead after their daily limit has been retained.
- (2) Snake River (Franklin/Walla Wall Counties):**
  - (a) From the mouth (Burbank-to-Pasco railroad bridge at river mile 1.25) to Ice Harbor Dam:**
    - (i) Effective immediately through March 31, 2020: Closed to fishing for and retaining steelhead.
    - (ii) Effective February 1, 2020 until further notice: Closed to retention of white sturgeon.
  - (b) From Ice Harbor Dam to Couse Creek Boat Ramp:** Effective Immediately through March 31, 2020: Closed to fishing for and retaining steelhead.
  - (c) From Couse Creek Boat Ramp to ID / OR border:** Effective immediately through March 31, 2019: Steelhead daily limit is 1 hatchery steelhead, anglers must stop fishing for steelhead after their daily limit has been retained.

- (3) **Touchet River (Walla Walla County): from mouth to the confluence of North and South Forks:** Effective immediately through April 15, 2020: Steelhead daily limit is 1 hatchery steelhead, anglers must stop fishing for steelhead after their daily limit has been retained.
- (4) **Tucannon River (Columbia/Garfield Counties): from mouth to the Tucannon Hatchery Road Bridge:** Effective immediately through April 15, 2020: Steelhead daily limit is 1 hatchery steelhead, anglers must stop fishing for steelhead after their daily limit has been retained.
- (5) **Walla Walla River (Walla Walla County): from mouth to the Washington/Oregon border:** Effective immediately through April 15, 2020: Steelhead daily limit is 1 hatchery steelhead, anglers must stop fishing for steelhead after their daily limit has been retained.

## REPEALERS

The following sections of the Washington Administrative Code are repealed:

WAC 220-312-06000D Freshwater exceptions to statewide rules—Columbia (19-312)

WAC 220-312-05000V Freshwater exceptions to statewide rules—Eastside (19-313)