



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: June 23, 2020

TIME: 1:09 PM

WSR 20-14-027

Agency: Department of Fish and Wildlife (Order 20-114)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) July 1, 2020

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 rule is to close recreational steelhead fisheries in the Snake River, beginning July 1, 2020, as a matter of conservation due to concerns of low forecasted returns.

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Repealed: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 needed to close steelhead seasons in the Snake River, effective July 1, 2020.

The 2020 Columbia River forecasted return for upriver steelhead is 95,500 (85,900 A-index and 9,600 B-index).

Similar to the last couple of years, steelhead returns are predicted to be low in 2020. Previous closures have been focused on B-index steelhead, but in 2020, there is also an extremely low forecast for A-index steelhead. Pre-season concerns for both A-index and B-index groups of fish (wild and hatchery origin) have led WDFW to close this fishery until further notice.

WDFW will continue to monitor steelhead returns and will make decisions in late summer or early fall on how to proceed with Snake River steelhead fisheries as fish begin to return through the lower Columbia River.

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	1	Amended	___	Repealed	___
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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: June 23, 2020	Signature: 
Name: Kelly Sussewind	
Title: Director	

NEW SECTION

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

Effective July 1, 2020 and until further notice or until this rule expires on October 21, 2020 the following provisions of WAC 220-312-050 regarding steelhead seasons for the Snake River shall be as described below. All other provisions of WAC 220-312-050 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Snake River (Franklin/Walla Walla Counties):

From the Burbank to Pasco railroad bridge at Snake River mile 1.25 to the Oregon/Idaho border:

Steelhead: Closed to fishing for or retaining.