



**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: September 02, 2021

TIME: 3:32 PM

WSR 21-19-007

Agency: Department of Fish and Wildlife (Order 21-171)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 3, 2021

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 emergency rule is to lower daily steelhead limits or close steelhead fisheries in the Snake River and tributaries, the Grande Ronde, 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- Repealed: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 needed to lower steelhead daily limits or close steelhead angling all together for portions of the Snake River and its tributaries, the Grande Ronde, Touchet, Tucannon, and Walla Walla rivers. These measures regarding steelhead in the Snake River and its tributaries are needed to ensure that broodstock needs are met and to limit impacts on wild steelhead. The 2021 Columbia River forecasted return for upriver steelhead was 89,200. Steelhead passage at Bonneville dam of steelhead from July 1 through August 29 is 33,906 and is the lowest count on record and tracking behind the preseason forecast. 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Federal statute:	New	___	Amended	___	Repealed	___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	____

Date Adopted: September 2, 2021	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective September 3, 2021, until further notice, the following provisions of WAC 220-312-050 regarding steelhead seasons for the Snake River and its tributaries, the Grande Ronde, Touchet, Tucannon, and Walla Walla rivers shall be as described below. All other provisions of WAC 220-312-050 not addressed herein, or otherwise amended by emergency rule, remain in effect:

- (1) **Grande Ronde River (Asotin County):** from County Road Bridge (approximately 2.5 miles upstream of the mouth) to the Washington/Oregon border: Steelhead:
 - (a) Daily limit 1 hatchery steelhead.
 - (b) Barbless hooks required.
 - (c) Anglers may not continue to fish for steelhead once their daily limit of steelhead has been retained.
 - (d) Anglers may not remove any Chinook, Coho, or steelhead from the water if it is not to be retained as part of the daily limit.

- (2) **Snake River (Franklin/Walla Walla Counties):**
 - (a) From the Burbank to Pasco railroad bridge at Snake River mile 1.25 to Lower Granite Dam: Steelhead: Closed to fishing for or retaining.

 - (b) From Lower Granite Dam to the Idaho/Oregon Border: Steelhead:
 - (i) Daily limit 1 hatchery steelhead.
 - (ii) Barbless hooks required.
 - (iii) Anglers may not continue to fish for steelhead once their daily limit of steelhead has been retained.
 - (iv) Anglers may not remove any Chinook, Coho, or steelhead from the water if it is not to be retained as part of the daily limit.

- (3) **Touchet River (Walla Walla County): from the mouth to the confluence of the North and South Forks:** Steelhead: Closed to fishing for or retaining.

- (4) **Tucannon River (Columbia/Garfield Counties):** from the mouth to the Tucannon Hatchery Road Bridge: Steelhead: Closed to fishing for or retaining.

- (5) **Walla Walla River (Walla Walla County):** from the mouth to the Washington/Oregon border: Steelhead: Closed to fishing for or retaining.