



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 03, 2022

TIME: 5:05 PM

WSR 22-02-052

Agency: Department of Fish and Wildlife (Order 22-01)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) January 4, 2022

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 close steelhead fishing in portions of the Snake River from the mouth to Lower Granite Dam, as well as the Touchet, Tucannon, and Walla Walla rivers. This rule will also reduce the steelhead daily limit to 1 fish and require anglers stop fishing after their steelhead daily limit has been retained in the Snake River upstream of Lower Granite Dam and the Grand Ronde River.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-312-030
- 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: These measures are consistent with the discussions and actions taken from North of Falcon pre-season season setting process due to a low forecast. The 2021 Columbia River preseason forecasted return for upriver steelhead was 89,200. Steelhead passage at Bonneville dam remains the lowest count on record. WDFW has coordinated with comanagers, due to the low overall return, it is necessary to close the Snake River downstream of Lower Granite dam, and the Touchet, Tucannon, and Walla rivers to all steelhead fishing. Current estimates of natural and hatchery origin fish returning to the Upper Snake River and Grande Ronde are sufficient to allow for limited recreational fisheries to continue with reduced daily limits.

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: January 3, 2022	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective immediately, 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):** Effective January 4 through April 15, 2022:

From the mouth to the Washington/Oregon border: Steelhead:

- (a) Daily limit is 1 hatchery steelhead.
- (b) Anglers may not continue to fish after the steelhead daily limit has been retained.

- (2) **Snake River (Franklin/Walla Walla Counties):** Effective January 4 through March 31, 2022:

(a) From the Burbank to Pasco railroad bridge at Snake River mile 1.25 to the Lower Granite Dam: Steelhead: Closed to fishing for or retaining.

(b) From the Lower Granite Dam to the Idaho/Oregon Border: Steelhead:

- (i) Daily limit is 1 hatchery steelhead.
- (ii) Anglers may not continue to fish after the steelhead daily limit has been retained.

- (3) **Touchet River (Walla Walla County):** Effective January 4 through April 15, 2022:

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):** Effective January 4 through April 15, 2022:

From the mouth to the Tucannon Hatchery Road Bridge: Steelhead: Closed to fishing for or retaining.

- (5) **Walla Walla River (Walla Walla County):** Effective January 4 through April 15, 2022:

From the mouth to the Washington/Oregon border: Steelhead: Closed to fishing for or retaining.