

WSR 21-02-010
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 20-267—Filed December 23, 2020, 5:12 p.m., effective December 30, 2020]

Effective Date of Rule: December 30, 2020.

Purpose: The purpose of this emergency rule is to reduce steel-head limits in the Snake River and its tributaries.

Citation of Rules Affected by this Order: Repealing WAC 220-312-05000M; and amending WAC 220-312-050.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: The 2020 Columbia River return through October 22 (Fall Fact Sheet No. 13) lists a current return of upriver steelhead at 107,341 and an updated forecast of 109,500 (77,200 Group A and 32,300 Group B). This is an overall increase within the steelhead return from the preseason forecast of 95,500 (85,900 Group A and 9,600 Group B). The revised forecast includes a decrease to Group A steelhead and large increase in Group B steelhead. The Washington department of fish and wildlife (WDFW) has concerns with tributary stocks (Group A stocks), in particular the Tucannon and Touchet River stocks, thus necessitating lower limits in the mainstem Snake River downstream of the Lower Granite Dam. PIT tag estimates indicate that numbers of steelhead returning to the Touchet River, Tucannon River and Walla Walla River are lower than expected; concerns for broodstock needs and impacts to wild fish; it is important to reduce daily limits to 1 hatchery steelhead in order to protect steelhead within these waters. Grande Ronde River returns for Washington and Oregon stocks are healthy enough to continue to allow a daily limit of 2 hatchery fish through the end of the season. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: December 23, 2020.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-05000M Freshwater exceptions to statewide rules—
Eastside. Effective December 30, 2020 through April 15, 2021 the following provisions of WAC 220-312-050 regarding steelhead daily limits and handling rules for steelhead and salmon regarding the Snake River and its tributaries, the Grande Ronde, Touchet, Tucannon, and Walla Walla rivers shall be modified as 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 the mouth to the Washington/Oregon border: Effective December 30, 2020 through April 15, 2021: Steelhead:

(a) Daily limit 2 hatchery steelhead.

(b) Anglers may not continue to fish for steelhead once their daily limit of steelhead has been retained.

(c) 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: Effective December 30 through March 31, 2021: Steelhead:

(i) Daily limit 1 hatchery steelhead.

(ii) Anglers may not continue to fish for steelhead once their daily limit of steelhead has been retained.

(iii) 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.

(b) From Lower Granite Dam to the Idaho/Oregon state line: Effective January 1 through March 31, 2021: Steelhead:

(i) Daily limit 2 hatchery steelhead.

(ii) Anglers may not continue to fish for steelhead once their daily limit of steelhead has been retained.

(iii) 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:** Effective December 30, 2020 through April 15: Steelhead:

(a) Daily limit 1 hatchery steelhead.

(b) Anglers may not continue to fish for steelhead once their daily limit of steelhead has been retained.

(c) 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.

(4) **Tucannon River (Columbia/Garfield Counties):** from the mouth to the Tucannon Hatchery Road Bridge: Effective December 30, 2020 through April 15, 2021: Steelhead:

(a) Daily limit 1 hatchery steelhead.

(b) Anglers may not continue to fish for steelhead once their daily limit of steelhead has been retained.

(c) 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.

(5) **Walla Walla River (Walla Walla County):** from the mouth to the Washington/Oregon border: Effective December 30, 2020 through April 15, 2021: Steelhead:

(a) Daily limit 1 hatchery steelhead.

(b) Anglers may not continue to fish for steelhead once their daily limit of steelhead has been retained.

(c) 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.

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Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington Administrative Code is repealed, effective April 16, 2021:

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