



# RULE-MAKING ORDER

**CR-103E (July 2011)**  
**(Implements RCW 34.05.350)**

**Agency:** Washington Department of Fish and Wildlife

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules 15-153**

- Immediately upon filing.
- Later (specify) June 4, 2015

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:** Amend recreational fishing rules

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

Repealed: WAC 220-310-19500S  
 Amended:  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.020, 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.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: Based on a May 26 in-season run update, and a recent upstream shift of harvest allocation from the lower Columbia River, spring Chinook fisheries can reopen in the Snake River on a 3 day rotating schedule (three days per week per location). An enhanced daily limit for Chinook will be in place for this fishery to allow anglers opportunity to harvest available hatchery fish prior to warmer water temperatures anticipated by mid-June. Chinook possession limits for this fishery have been increased to three daily limits in fresh form, in an effort to promote this fishery as a destination based opportunity. There is insufficient time to adopt permanent rules.

**Date adopted:** June 2, 2015

**NAME (TYPE OR PRINT)**

J W Unsworth

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: June 02, 2015**

**TIME: 4:00 PM**

**WSR 15-12-105**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	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 in the agency's own initiative:**

New	<u>1</u>	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:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

## NEW SECTION

### **WAC 220-310-19500X Freshwater exceptions to statewide rules—Snake River.**

Notwithstanding the provisions of WAC 220-310-195 and WAC 220-56-180:

- (1) Effective June 4, 2015, until further notice, it is permissible to fish for and possess salmon in the following waters of the Snake River from Texas Rapids boat launch (south side of the river approximately 3.5 miles upstream of the mouth of Tucannon River) to the fishing restriction boundary below Little Goose Dam. This zone includes the area between the juvenile bypass return pipe and Little Goose Dam along the south shoreline of the facility (includes the walkway area locally known as “the wall” in front of the juvenile collection facility).
  - (a) Open Thursday through Saturday each week.
  - (b) Daily limit of six hatchery Chinook, of which not more than two may be an adult Chinook. Minimum size for Chinook is 12 inches in length.
  - (c) All Chinook with the adipose fin intact, and all steelhead, must be released immediately, unharmed. Except, beginning June 16, up to three hatchery steelhead may be retained.
  - (d) Hooks must be barbless when fishing for all species during times and in locations open for salmon fishing and retention, and only single barbless hooks are allowed when fishing for sturgeon.
  - (e) It is unlawful to use any hook larger than 5/8-inch (point of hook to shank) for all species except sturgeon.
  - (f) Night closure is in effect for salmon and sturgeon.
  - (g) For all areas open for Chinook, anglers must cease fishing for Chinook when the adult limit has been retained for the day.
  - (h) Anglers may possess one daily limit in fresh form in addition to the two daily limits in fresh form allowed by permanent rule.
- (2) Effective June 4, 2015, until further notice, it is permissible to fish for and possess salmon in the following waters of the Snake River from the downstream edge of the large power lines crossing the Snake River (just upstream from the West Evans Road on the south shore) upstream about 3.5 miles to the Washington state line (from the east levee of the Greenbelt boat launch in Clarkston northwest across the Snake River to the WA/ID boundary waters marker on the Whitman County shore).
  - (a) Open Thursday through Saturday each week.
  - (b) Daily limit of six hatchery Chinook, of which not more than two may be an adult Chinook. Minimum size for Chinook is 12 inches in length.
  - (c) All Chinook with the adipose fin intact, and all steelhead, must be released immediately, unharmed. Except, beginning June 16, up to three hatchery steelhead may be retained.
  - (d) Hooks must be barbless when fishing for all species during times and in locations open for salmon fishing and retention, and only single barbless hooks are allowed when fishing for sturgeon.
  - (e) It is unlawful to use any hook larger than 5/8-inch (point of hook to shank) for all species except sturgeon.
  - (f) Night closure is in effect for salmon and sturgeon.
  - (g) For all areas open for Chinook, anglers must cease fishing for Chinook when the adult limit has been retained for the day.
  - (f) Anglers may possess one daily limit in fresh form in addition to the two daily limits in fresh form allowed by permanent rule.

- (3) Effective June 7, 2015, until further notice, It is permissible to fish for and possess salmon in waters of the Snake River from the South Bound Highway 12 Bridge at Pasco upstream about 7 miles to the fishing restriction boundary below Ice Harbor Dam.
- (a) Open Sunday through Tuesday each week.
  - (b) Daily limit of six hatchery Chinook, of which not more than two may be an adult Chinook. Minimum size for Chinook is 12 inches in length.
  - (c) All Chinook with the adipose fin intact, and all steelhead, must be released immediately, unharmed. Except, beginning June 16, up to three hatchery steelhead may be retained.
  - (d) Hooks must be barbless when fishing for all species during times and in locations open for salmon fishing and retention, and only single barbless hooks are allowed when fishing for sturgeon.
  - (e) It is unlawful to use any hook larger than 5/8-inch (point of hook to shank) for all species except sturgeon.
  - (f) Night closure is in effect for salmon and sturgeon.
  - (g) For all areas open for Chinook, anglers must cease fishing for Chinook when the adult limit has been retained for the day.
  - (h) Anglers may possess one daily limit in fresh form in addition to the two daily limits in fresh form allowed by permanent rule.

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**EMERGENCY RULE ONLY**

Under RCW 34.05.350 the agency for good cause finds:

(x) 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.

( ) That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, 2011, 2012 or 2013 which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

**Reasons for this finding:** Based on a May 26 in-season run update, and a recent upstream shift of harvest allocation from the lower Columbia River, spring Chinook fisheries can reopen in the Snake River on a 3 day rotating schedule (three days per week per location). An enhanced daily limit for Chinook will be in place for this fishery to allow anglers opportunity to harvest available hatchery fish prior to warmer water temperatures anticipated by mid-June. Chinook possession limits for this fishery have been increased to three daily limits in fresh form, in an effort to promote this fishery as a destination based opportunity. There is insufficient time to adopt permanent rules.