



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: May 15, 2019

TIME: 10:45 AM

WSR 19-11-064

Agency: Department of Fish and Wildlife (Order 19-103)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

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 for the Snake River.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-05000G
 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 rule is needed to close salmon fishing in a portion of the Snake River. Spring chinook salmon returns to the Clearwater River are lower than predicted in preseason estimates. In order to protect hatchery brood stock within the Clearwater it is necessary to close this section of the Snake River, as it is adjacent to the mouth of the Clearwater. 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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1

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: May 14, 2019
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-050 and WAC 220-313-010:

(1) Snake River from Texas Rapids boat launch (south side of the river upstream of the mouth of Tucannon River) to the fishing restriction boundary below Little Goose Dam. This zone includes the rock and concrete 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); effective immediately until further notice:

- (a) Hooks must be barbless when fishing for all species during times and in locations open for salmon.
- (b) Salmon:
 - (i) Open Saturdays and Sundays each week.
 - (ii) Daily limit 4 of which up to 1 may be an adult; minimum length 12 inches.
 - (iii) Release all salmon other than hatchery Chinook.
 - (iv) Anglers may not continue to fish for salmon or steelhead once the adult salmon daily limit has been retained.
 - (v) Night closure.

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 220-312-05000G Freshwater exceptions to statewide rules—Eastside. (19-96)