



**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: August 22, 2019

TIME: 4:45 PM

WSR 19-18-005

Agency: Department of Fish and Wildlife (Order 19-199)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 24, 2019

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 salmon and steelhead rules for the Snake River.

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- Repealed: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 rule is needed to open salmon fishing in portions of the Snake River. The 2019 Columbia River forecasted return of upriver bright adults is 158,400, with a significant portion of these fish expected to return to the Snake River. Forecasts indicate sufficient returns of adult hatchery fall Chinook and jack Chinook exist to allow for this fishery. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____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: August 22, 2019
Name: Kelly Susewind
Title: Director

Signature:



NEW SECTION

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

Notwithstanding the provisions of WAC 220-312-050: Snake River; effective August 24 through October 31, 2019:

(a) From the mouth (Burbank to Pasco Railroad Bridge at Snake River mile 1.25) to Lower Granite dam:

- (i) Hooks must be barbless when fishing for salmon or steelhead.
- (ii) Anglers may not continue to fish for salmon or steelhead after the adult salmon daily limit or steelhead daily limit has been retained.
- (iii) Salmon: Daily limit 6 hatchery adult Chinook, no daily limit for any jack Chinook. Release all other salmon.

(b) From the downstream edge of the large power lines crossing the Snake River (just upstream from West Evans Road on the south shore) upstream to the ID/OR border.

- (i) Hooks must be barbless when fishing for salmon or steelhead.
- (ii) Anglers may not continue to fish for salmon or steelhead after the adult salmon daily limit or steelhead daily limit has been retained.
- (iii) Salmon: Daily limit 6 hatchery adult Chinook, no daily limit for any jack Chinook. Release all other salmon.