



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 14-132

- Immediately upon filing.
- Later (specify) June 1, 2014

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Repealed: WAC 220-310-19500M
 Amended: WAC 220-310-195
 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: Re-opens the recreational Chinook fishery in four geographic areas of the Snake River on a days-per-week basis with an increased daily bag limit for adult hatchery Chinook. Based on the current (May 27) in-season forecast of 230,000 adult upriver spring Chinook, harvestable fish remain available on the overall recreational catch balance guideline. The Lower Columbia River (LCR) sport fishery is not expected to use all of the fish allocated, so 1,250 fish from the LCR sport allocation have been shifted to sport fisheries occurring from Bonneville Dam upstream to the Washington State line and in the Snake River. A range of 500-850 additional fish are expected to be available for the Snake River sport fishery. The fishery is expected to remain within ESA limits allocated to this area. The fishery is consistent with the *U.S. v Oregon* Management Agreement and the associated Biological Opinion. There is insufficient time to adopt permanent rules.

Date adopted: May 30, 2014

NAME (TYPE OR PRINT)

Philip Anderson

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: May 30, 2014

TIME: 2:17 PM

WSR 14-12-061

(COMPLETE REVERSE SIDE)

**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	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
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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:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 220-310-19500M Freshwater exceptions to statewide rules—Snake River.

Notwithstanding the provisions of WAC 220-310-195, effective June 1 through June 30, 2014:

- (1) Open Sunday through Tuesday each week for fishing for hatchery Chinook from the South Bound Highway 12 Bridge at Pasco upstream about 7 miles to the fishing restriction boundary below Ice Harbor Dam.
- (2) Open Thursday through Saturday each week for fishing for hatchery Chinook 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, including 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).
- (3) Open Sunday through Tuesday each week for fishing for hatchery Chinook from the south shore boat launch (Ilia boat launch) across to the mouth of Almoda Creek upstream about four miles to the restricted fishing area below Lower Granite Dam
- (4) Open Thursday through Saturday each week for fishing for hatchery Chinook 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).
- (5) **For all subsections listed above the following applies:**
 - (a) Daily limit is 6 hatchery Chinook and no more than 2 may be an adults. Immediately release all wild (non-adipose fin clipped) Chinook and all steelhead with care. Chinook minimum size is 12 inches.
 - (b) Anglers must cease fishing for Chinook when the adult daily limit has been retained.
 - (c) Barbless hooks only when fishing for all species during times and in locations open for salmon fishing and retention.
 - (d) It is unlawful to use any hook larger than 5/8-inch (point of hook to shank) for all species except sturgeon.
 - (e) Night closure is in effect for salmon and sturgeon.

REPEALER

The following section of the Washington Administrative Code is repealed effective July 1, 2014:

WAC 220-310-19500M Freshwater exceptions to statewide rules—Snake River.

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.

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(14-132, 5/30/2014)