



# 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 14-211**

- Immediately upon filing.
- Later (specify) August 30, 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Repealed: WAC 220-310-19500A  
 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: There is a large run of upriver bright hatchery fall Chinook expected to return to the Snake River. Significant steelhead fisheries also occur in the area, and some hatchery fall Chinook are expected to be caught during steelhead fishing. Retention of hatchery fall Chinook is not expected to increase impacts to Endangered Species Act listed wild fall Chinook. Allowing adipose clipped hatchery fall Chinook that are caught to be retained in the Snake River will provide additional angling opportunity. There is insufficient time to adopt permanent rules.

**Date adopted:** August 22, 2014

**NAME (TYPE OR PRINT)**

Philip Anderson

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: August 22, 2014**

**TIME: 4:27 PM**

**WSR 14-18-017**

(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:**

<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	<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:**

<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 220-310-19500A Freshwater exceptions to statewide rules—Snake River.**

Notwithstanding the provisions of WAC 220-310-195, effective August 30 through October 31, 2014, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

- (1) It is permissible to fish for salmon in waters of the Columbia River from the railroad bridge between Burbank and Kennewick upstream to the first power line crossing upstream of the navigation light on the point of Sacajawea State Park (Snake River Confluence Protection Area) and on the Snake River from the Columbia River confluence to the Oregon State line.
- (2) Daily limit of six hatchery Chinook adults (24 inches in length and larger), and six hatchery jack Chinook (less than 24 inches). Minimum size for Chinook that are permissible to retain is 12 inches.
- (3) Barbless hooks are required, and anglers must cease fishing for salmon for the day once they have retained 3 hatchery steelhead, regardless of whether the salmon daily limit has been retained.
- (4) All Chinook and steelhead with unclipped adipose fins must be immediately released unharmed. It is unlawful to remove any Chinook or steelhead from the water unless it is retained as part of the daily bag limit.
- (5) Retained adipose fin-clipped fish must have a healed scar at the location of the missing fin.

REPEALER

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

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

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- ( ) 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, or 2011, 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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**(14-211, 8/22/2014)**

