



# RULE-MAKING ORDER EMERGENCY RULE ONLY

## CR-103E (August 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 10, 2017

TIME: 2:36 PM

WSR 17-17-046

**Agency:** Department of Fish and Wildlife (17-192)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.  
 Later (specify) August 18, 2017

**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 on the Snake River.

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

New:  
Repealed: WAC 220-312-05000K  
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 emergency rule is necessary because the 2017 Columbia River forecasted return of upriver bright adults is 260,000, with a significant portion of these fish expected to return to the Snake River. Retention of hatchery fall Chinook is not expected to increase impacts to ESA listed wild fall Chinook. Therefore, adipose clipped hatchery fall Chinook and all jack Chinook can be retained in the Snake River. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___
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**The number of sections adopted on 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	___

**Date adopted:** August 10, 2017

**Name:** J W Unsworth

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-312-05000K Freshwater exceptions to statewide rules—Eastside.**

Notwithstanding the provisions of WAC 220-312-050,

(1) **Snake River** – Effective August 18, 2017 through October 31, 2017, open for salmon from the Burbank-to-Pasco railroad bridge at Snake River mile 1.25 upstream to the Oregon State line:

(a) Daily limit of six adipose fin clipped Chinook adults (24 inches in length and larger), and 6 jack Chinook (less than 24 inches). Minimum size for Chinook is 12 inches.

(b) Anglers must cease fishing for salmon and steelhead once either the daily limit for adult salmon or steelhead has been retained.

(c) Release all wild adult Chinook.

(d) Barbless hooks are required when fishing for Chinook or steelhead.

(e) It is unlawful to remove any Chinook or steelhead from the water unless it is retained as part of the daily limit.

## REPEALER

The following section of the Washington Administrative Code is repealed effective November 1, 2017:

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

