



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: April 17, 2018

TIME: 2:12 PM

WSR 18-09-081

Agency: Washington Department of Fish and Wildlife (18-70)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) April 20, 2018

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: Amends recreational fishing 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 Repealed: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: Based on the pre-season prediction for a relatively good return of spring chinook and angler input requesting an emphasis for a longer fishery season, Snake River fisheries in each of these zones are open for only two days per week with a daily limit of only one adult hatchery chinook. The restrictions on the fishery help prolong the duration of the season, ensure sharing of fishing opportunities with upriver fishery zones, and enables managers to ensure that the fisheries comply with Endangered Species Act (ESA) restrictions and harvest allocations available for the Snake River.

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____

Recently enacted state statutes: New ____ Amended ____ Repealed ____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: April 17, 2018

Name: Amy Windrope for Joe Stohr

Title: Director

Signature:



NEW SECTION

WAC 220-312-05000F Freshwater exceptions to statewide rules—Snake River.

Notwithstanding the provisions of WAC 220-312-05000B, WAC 220-312-050 and WAC 220-313-010:

(1) Effective April 20, 2018, until further notice, a person may fish for and possess salmon in waters of the Snake River from the South Bound Highway 12 Bridge at Pasco upstream about 7 miles to the fishing restriction boundary below Ice Harbor Dam. Open Friday and Saturday each week. Daily limit of six hatchery Chinook, of which not more than one may be an adult Chinook. Minimum size for Chinook is 12 inches in length.

- (a) All Chinook with the adipose fin intact, and all steelhead, must be released immediately, unharmed.
- (b) Hooks must be barbless when fishing for all species during times and in locations open for salmon fishing and retention, and only single barbless hooks are allowed when fishing for sturgeon.
- (c) It is unlawful to use any hook larger than 5/8-inch (point of hook to shank) for all species except sturgeon.
- (d) Night closure is in effect for salmon and sturgeon.
- (e) For all areas open for Chinook, anglers must cease fishing for Chinook when the adult limit has been retained for the day.

(2) Effective April 22, 2018, until further notice, a person may fish for and possess salmon in the following waters of the Snake River 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. Minimum size for Chinook is 12 inches in length. This zone includes 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). Open Sunday and Monday each week. Daily limit of six hatchery Chinook, of which not more than one may be an adult Chinook.

- (a) All Chinook with the adipose fin intact, and all steelhead, must be released immediately, unharmed.
- (b) Hooks must be barbless when fishing for all species during times and in locations open for salmon fishing and retention, and only single barbless hooks are allowed when fishing for sturgeon.
- (c) It is unlawful to use any hook larger than 5/8-inch (point of hook to shank) for all species except sturgeon.
- (d) Night closure is in effect for salmon and sturgeon.
- (e) For all areas open for Chinook, anglers must cease fishing for Chinook when the adult limit has been retained for the day.

(3) Effective April 22, 2018, until further notice, a person may fish for and possess salmon in the following waters of the Snake River 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). Open Sunday and Monday each week. Daily limit of six hatchery Chinook, of which not more than one may be an adult Chinook. Minimum size for Chinook is 12 inches in length.

- (a) All Chinook with the adipose fin intact, and all steelhead, must be released immediately, unharmed.
- (b) Hooks must be barbless when fishing for all species during times and in locations open for salmon fishing and retention, and only single barbless hooks are allowed when fishing for sturgeon.
- (c) It is unlawful to use any hook larger than 5/8-inch (point of hook to shank) for all species except sturgeon.
- (d) Night closure is in effect for salmon and sturgeon.
- (e) For all areas open for Chinook, anglers must cease fishing for Chinook when the adult limit has been retained for the day.
- (f) Anglers may possess 1 daily limit in fresh form in addition to the 2 daily limits in fresh form allowed by permanent rule.