



**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 10, 2022

TIME: 1:57 PM

WSR 22-17-042

**Agency:** Department of Fish and Wildlife (Order 22-163)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) August 18, 2022

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

- Yes  No If Yes, explain:

**Purpose:** The purpose of this emergency rule is to fall Chinook seasons in portions of 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- Repealed: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:** The 2022 Columbia River forecasted return of upriver bright adults is 230,400, with a significant portion of these fish expected to return to the Snake River. This forecast is large enough to allow for Chinook harvest in the Snake River. The Upriver Bright stock primarily returns to the Hanford Reach and Snake River sections of the Columbia River and the US v. OR Management Agreement reaches only to the confluence of the Snake River. There is no ESA component in this section of the Columbia River, and Washington has its own FMEP with Idaho for the Snake River itself. Because of these factors, the opening of this fishery by emergency rule is needed maintain concurrency with Idaho's salmon rules and season openings 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:** August 10, 2022

**Name:** Amy Windrope for Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

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

Effective August 18 through October 31, 2022, the following provisions of WAC 220-312-050, regarding salmon seasons in the Snake River shall be open as follows. All other provisions of WAC 220-312-050 remain in effect unless modified by emergency rule:

- (1) **Snake River (Franklin/Walla Walla Counties): From the mouth (Burbank to Pasco railroad bridge at Snake River mile 1.25) to Lower Granite dam:**

Salmon:

- (a) Daily limit 3 adult hatchery Chinook, no daily limit for jack Chinook. Release all salmon other than jack Chinook and adult hatchery Chinook.
- (b) Barbless hooks required.
- (c) Salmon may not be removed from the water unless retained as part of the daily limit.

- (2) **Snake River (Franklin/Walla Walla Counties): From the downstream edge of the large power lines crossing the Snake River (just upstream from West Evans Road on the south shore, approximately 3 miles below Clarkston) upstream to the Oregon state line:**

Salmon:

- (a) Daily limit 3 adult Chinook, no daily limit for jack Chinook. Release all salmon other than Chinook.
- (b) Barbless hooks required.
- (c) Salmon may not be removed from the water unless retained as part of the daily limit.