



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: September 16, 2022

TIME: 12:45 PM

WSR 22-19-061

Agency: Department of Fish and Wildlife (Order 22-207)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 17, 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 open coho retention seasons in the Snake River from the large power line crossing near West Evans Rd. to the Oregon border line.

Citation of rules affected by this order:

- New:
- Repealed: WAC 220-312-05000S
- 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 Nez Perce Tribe predicts that 12,250 Coho salmon will reach Lower Granite Dam in 2022. This return of Coho from the Nez Perce Tribe's hatchery program to reintroduce Coho in the Snake basin is large enough to meet broodstock needs, allow natural spawning, and provide harvest opportunities.

This rule also carries forward Chinook retention seasons originally set in WSR 22-17-042, filed August 10, 2022.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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 ____

The number of sections adopted on the agency's own initiative:

New 1 Amended ____ Repealed 1

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: September 16, 2022

Name: Amy Windrope for Kelly Susewind

Title: Director

Signature:



NEW SECTION

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

Effective September 17 through December 31, 2022, the following provisions of WAC 220-312-050, regarding salmon seasons in the Snake River, shall be modified as described in areas and during times as described herein. 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:**

Effective immediately, through October 31, 2022: 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 Idaho Border at Clarkston:**

Effective September 17 through October 31, 2022: Salmon:

- (a) Daily limit 5 adults, including no more than 3 adult Chinook and no more than 2 adult coho. No daily limit for jack Chinook and jack coho. Release all salmon other than Chinook and coho.
- (b) Barbless hooks required.
- (c) Salmon may not be removed from the water unless retained as part of the daily limit.

- (3) **Snake River (Franklin/Walla Walla Counties): From the Idaho Border at Clarkston to the Oregon state line:**

(a) Effective September 17 through October 31, 2022: Salmon:

- (i) Daily limit 5 adults, including no more than 3 adult Chinook and no more than 2 adult coho. No daily limit for jack Chinook and jack coho. Release all salmon other than Chinook and coho.
- (ii) Barbless hooks required.
- (iii) Salmon may not be removed from the water unless retained as part of the daily limit.

(b) Effective November 1 through December 31, 2022: Salmon:

- (i) Daily limit 2 adult coho, no daily limit for jack coho. Release all salmon other than coho.
- (ii) Barbless hooks required.
- (iii) Salmon may not be removed from the water unless retained as part of the daily limit.

REPEALER

The following section of Washington Administrative Code is repealed, effective September 17, 2022:

WAC 220-312-05000S Freshwater exceptions to statewide rules—Eastside. (22-163)