

WSR 22-17-042
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-163—Filed August 10, 2022, 1:57 p.m., effective August 18, 2022]

Effective Date of Rule: August 18, 2022.

Purpose: The purpose of this emergency rule is to [update] fall Chinook seasons in portions of the Snake River.

Citation of Rules Affected by this Order: Amending WAC 220-312-050.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

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 *United States v. Oregon* Management Agreement reaches only to the confluence of the Snake River. There is no Endangered Species Act component in this section of the Columbia River, and Washington has its own fish management and evaluation plan with Idaho for the Snake River itself. Because of these factors, the opening of this fishery by emergency rule is needed [to] maintain concurrency with Idaho's salmon rules and season openings for the Snake River.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: August 10, 2022.

Amy H. Windrope
for Kelly Susewind
Director

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.

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