

**WSR 23-17-052
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-158—Filed August 10, 2023, 1:02 p.m., effective August 18, 2023]

Effective Date of Rule: August 18, 2023.

Purpose: The purpose of this emergency rule is to open 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 2023 Columbia River forecasted return of upriver bright adults is 272,400, 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 Endangered Species Act component in this section of the Columbia River, and Washington has its own fishery 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-05000I Freshwater exceptions to statewide rules—Eastside. Effective August 18, 2023, until further notice, 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 red river marker (Marker 28) on the south shore of the Snake River upstream to the Highway 261 bridge (approx. 1.4 mi.):

Salmon: Effective September 7, 2023, until further notice:

(a) Open Thursdays through Sundays each week. Closed Mondays through Wednesdays each week.

(b) Daily limit 2 adult Chinook including no more than 1 wild adult Chinook. No daily limit for jack Chinook. Release all salmon other than Chinook.

(c) Barbless hooks required.

(d) Salmon may not be removed from the water unless to be 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: Effective August 18 through October 31, 2023:

(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 to be retained as part of the daily limit.