

WSR 23-21-047
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-228—Filed October 10, 2023, 11:35 a.m., effective October 10, 2023, 11:35 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to require release of wild adult Chinook in the Lyons Ferry Bubble Fishery area. This rule maintains other previously announced Snake River salmon fisheries.

Citation of Rules Affected by this Order: Repealing WAC 220-312-05000L; and 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: Allowed impacts to wild adult Chinook in Lyons Ferry Bubble Fishery area are nearing the agreed-to limit; therefore, it is necessary to switch to a mark selective fishery (hatchery, adipose clipped fish only) to allow continued fishing opportunity. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: October 10, 2023.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-312-05000M Freshwater exceptions to statewide rules—Eastside. Effective immediately, through December 31, 2023, 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 immediately, through Oct. 29, 2023:

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

(b) Daily limit 2 adult hatchery Chinook. No daily limit for jack Chinook. Release all salmon other than hatchery adult Chinook and jack 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 Idaho Border at Clarkston:

Salmon: Effective immediately, through October 31, 2023:

(a) Daily limit 3 adult Chinook and 2 adult coho. No daily limit for jack Chinook or jack coho. Release all salmon other than Chinook and coho.

(b) Barbless hooks required.

(c) Salmon may not be removed from the water unless to be 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:

Salmon:

(a) Effective immediately, through October 31, 2023:

(i) Daily limit 3 adult Chinook and 2 adult coho. No daily limit for jack Chinook or jack coho. Release all salmon other than Chinook and coho.

(ii) Barbless hooks required.

(iii) Salmon may not be removed from the water unless to be retained as part of the daily limit.

(b) Effective November 1 through December 31, 2023:

(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 to be retained as part of the daily limit.

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REPEALER

The following section of Washington Administrative Code is repealed, effective immediately:

WAC 220-312-05000L Freshwater exceptions to statewide rules—Eastside. (23-224)