

**WSR 21-17-082  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 21-147—Filed August 12, 2021, 5:08 p.m., effective August 18, 2021]

Effective Date of Rule: August 18, 2021.

Purpose: The purpose of this emergency rule is to open Chinook harvest seasons in 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: This emergency rule is needed to open salmon seasons in the Snake River, effective August 18, 2021.

The 2021 Columbia River forecasted return of upriver bright adults is 361,500, 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 an Endangered Species Act component to this fishery covered under a Washington/Idaho shared Fisheries Management and Evaluation Plan for the Snake River. Because of these factors, management, and 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.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 12, 2021.

Kelly Susewind  
Director

NEW SECTION**WAC 220-312-05000Y Freshwater exceptions to statewide rules—**

**Eastside.** Effective August 18 through October 31, 2021 the following provisions of WAC 220-312-050 regarding salmon seasons for the Snake River shall be as described below. All other provisions of WAC 220-312-050 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

**Snake River (Franklin/Walla Walla Counties):**

**(1) from the mouth (Burbank to Pasco railroad bridge at Snake River mile 1.25) to Lower Granite dam: Salmon:**

- (a) Adult daily limit is 3 hatchery Chinook.
- (b) No daily limit for jack Chinook. Jack Chinook may be wild or hatchery.
- (c) Release all salmon other than jack Chinook and hatchery adult Chinook.
- (d) Salmon that are not to be kept as part of the daily limit may not be removed from the water and must be released immediately and unharmed.
- (e) Barbless hooks required.

**(2) 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) Adult daily limit is 3 Chinook.
- (b) No daily limit for jack Chinook. Jack Chinook may be wild or hatchery.
- (c) Release all salmon other than Chinook.
- (d) Salmon that are not to be kept as part of the daily limit may not be removed from the water and must be released immediately and unharmed.
- (e) Barbless hooks required.

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