

**WSR 22-19-061
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 22-207—Filed September 16, 2022, 12:45 p.m., effective September 17, 2022]

Effective Date of Rule: September 17, 2022.

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: Repealing WAC 220-312-05000S; 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: 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.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: September 16, 2022.

Amy H. Windrope
for Kelly Susewind
Director

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.

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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)