



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:

Emergency Rules 15-115

- Immediately upon filing.
- Later (specify) May 20, 2015

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: Amend recreational fishing rules for the Wenatchee and Icicle Rivers

Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 220-310-195
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, and 77.12.047

Other authority :

EMERGENCY RULE

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.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: Hatchery-origin spring Chinook in excess of desired escapement are forecast to return to the Wenatchee River. The fishery will reduce the number of excess hatchery-origin spring chinook and consequently increase the proportion of natural-origin spring chinook on the spawning grounds. Opening two sections of the Wenatchee River and a section of the Icicle River will provide additional fishing opportunity. There is insufficient time to adopt permanent rules.

Date adopted: May 18, 2015

NAME (TYPE OR PRINT)

J W Unsworth

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: May 18, 2015

TIME: 3:44 PM

WSR 15-11-060

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 220-310-19500S Freshwaters exceptions to statewide rules—Wenatchee River.

Notwithstanding the provisions of WAC 220-310-195, it is unlawful to violate the following provisions, provided that unless otherwise amended, all permanent rules remain in effect:

(1) Effective May 23, 2015, until further notice, it is permissible to fish in waters of the Wenatchee River from the Washington State Parks foot bridge at Confluence Park (just upstream from the confluence with the Columbia River) to 400 feet below Dryden Dam and it is permissible to fish in waters of the Wenatchee River from the confluence with Peshastin Creek and from that point to a line perpendicular with the river to the opposite river bank (approximately 1,000 feet above Dryden Dam), then to the downstream point of the confluence with the Icicle River and from that point to a line perpendicular with the Wenatchee River to the marker on the opposite river bank.

(a) Daily limit two hatchery Chinook.

(b) Anglers must release adipose present Chinook unharmed and cannot be removed from the water prior to release.

(c) Anglers must release all Chinook with one or more round ¼ inch diameter holes punched in the caudal (tail) fin.

(d) Anglers may fish with one line with up to two single point barbless hooks, knotless nets, and bait is allowed.

(e) Night closure is in effect.

(4) Effective May 20 through July 31, 2015, it is permissible to fish in waters of the Icicle River from the closure signs located 800 feet upstream of the mouth to 500 feet downstream of the Leavenworth National Fish Hatchery Barrier Dam.

(a) Daily limit two hatchery Chinook.

(b) Anglers must release adipose present Chinook unharmed and cannot be removed from the water prior to release.

(c) Anglers must release all Chinook with one or more round ¼ inch diameter holes punched in the caudal (tail) fin.

(d) No gear restrictions. Night closure is in effect.

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

(x) 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.

() That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

() That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, 2011, 2012 or 2013 which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

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(15-115, 5/18/2015)