



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 01, 2019

TIME: 4:22 PM

WSR 19-11-003

Agency: Washington Department of Fish and Wildlife (19-94)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) May 15, 2019

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

- Yes
 - No
- If Yes, explain:

Purpose: Amends recreational fishing rules for the Icicle River

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-05000F
 Amended: WAC 220-312-050
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 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.

Reasons for this finding: The number of spring chinook returning to the Icicle River is not expected to meet broodstock needs (1,000 spawners) at the Leavenworth National Fish Hatchery. To avoid a potential broodstock shortage and/or reduced hatchery release in 2020 it is necessary to close the fishery at this time. The Washington Department of Fish and Wildlife will monitor spring chinook salmon returns to the Icicle River and if numbers improve and broodstock collection goals are met, a season will be opened. There is insufficient time to adopt permanent rules.

**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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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 on the agency's own initiative:

New	<u>1</u>	Amended	___	Repealed	1
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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	___

Date Adopted: May 1, 2019

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-312-05000F Freshwater exceptions to statewide rules—Eastside.

Notwithstanding the provisions of WAC 220-312-050, effective May 15 through July 31, 2019, it is unlawful to fish for or possess salmon in the following waters:

- (1) 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.

- (2) Icicle River - from the shoreline markers where Cyo Road intersects the Icicle River at the Sleeping Lady Resort to the Icicle Peshastin Irrigation Footbridge (approximately 750 feet upstream of the Snow Lakes trailhead parking area).

REPEALER

The following section of the Washington Administrative Code is repealed effective August 1, 2019:

WAC 220-312-05000F Freshwater exceptions to statewide rules—Eastside.