



**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: November 01, 2019

TIME: 4:59 PM

WSR 19-22-050

**Agency:** Department of Fish and Wildlife (Order 19-277)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) One hour before official sunrise November 2, 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 salmon fishing rules for the Icicle River.

**Citation of rules affected by this order:**

New:  
 Repealed: WAC 220-312-05000T; WAC 220-312-05000U  
 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:** This rule is needed to correct an error in a previous filing that did not allow the taking of unmarked coho. A harvestable surplus is available because an estimated 4,500 coho are expected to return to the Wenatchee River basin this year and will be in excess of spawning escapement goals on the Icicle River and hatchery broodstock needs. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**The number of sections adopted on the agency's own initiative:**

New 1 Amended \_\_\_\_ Repealed 2

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_

**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	____

<b>Date Adopted:</b> November 1, 2019	<b>Signature:</b> 
<b>Name:</b> Amy Windrope for Kelly Susewind	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-312-05000U Freshwater exceptions to statewide rules—Eastside.**

Notwithstanding the provisions of WAC 220-312-050, effective one hour before official sunrise November 2 through one hour after official sunset November 30, 2019:

Icicle River:

(a) From the closure signs located 800 feet upstream of the mouth to 500 feet downstream of the Leavenworth National Fish Hatchery Barrier Dam is closed to all species, except open for salmon fishing:

(i) Daily limit 2, minimum length 12 inches. Release all salmon other than coho, except release all coho marked with a colored floy (anchor) tag (tags located near dorsal fin).

(ii) Fishing with bait is prohibited.

(iii) Night closure.

(b) 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) is closed to all species, except open for salmon fishing:

(i) Daily limit 2, minimum length 12 inches. Release all salmon other than coho, except release all coho marked with a colored floy (anchor) tag (tags located near dorsal fin).

(ii) Fishing with bait is prohibited.

(iii) Night closure.

## REPEALERS

The following section of the Washington Administrative Code is repealed:

WAC 220-312-05000T Freshwater exceptions to statewide rules—Eastside. (19-272)

The following section of the Washington Administrative Code is repealed effective one hour after official sunset November 30, 2019:

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

