



# 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 14-190**

- Immediately upon filing.
- Later (specify) July 29, 2014

**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

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

Repealed: WAC 220-310-19500X  
 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 summer Chinook returns to the Wenatchee River are predicted to be in excess of spawning escapement needs. The majority of spring Chinook and bull trout will have migrated to the upper Wenatchee River, and few steelhead will remain in the mainstem. Adult Chinook salmon released as juveniles from the hatchery rearing facility below the Chelan PUD powerhouse are expected to return in sufficient numbers to provide a fishery and are currently entering the river. Opening these sections early on the two rivers will provide additional angling opportunity. There is insufficient time to adopt permanent rules.

**Date adopted:** July 29, 2014

**NAME (TYPE OR PRINT)**

Philip Anderson

**SIGNATURE**

**TITLE**

Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED

**DATE: July 29, 2014**

**TIME: 2:05 PM**

**WSR 14-16-048**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

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

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

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

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
-----	----------	---------	-------	----------	----------

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

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

**NEW SECTION**

**WAC 220-310-19500X Freshwater exceptions to statewide rules.**

Notwithstanding the provisions of WAC 220-310-195:

(1) Effective August 1 through September 30, 2014, a person may fish for salmon in waters of the Wenatchee River from the confluence of Peshastin Creek to the Icicle River Road bridge on the west end of Leavenworth.

(a) Daily limit four hatchery Chinook salmon, of which only two may be adult hatchery Chinook. Minimum size 12 inches.

(b) Selective gear rules and night closure apply.

(2) Effective August 1 through October 15, 2014, a person may fish for salmon in waters of the Chelan River from the railroad bridge at the mouth to the Chelan PUD safety barrier below the powerhouse.

(a) Daily limit of eight salmon, up to two may be adult hatchery Chinook and up to four may be sockeye salmon. Minimum size 12 inches. Release coho and wild adult Chinook.

(b) Barbless hooks are required.

(c) Night closure is in effect.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective October 16, 2014:

WAC 220-310-19500X Freshwater exceptions to statewide rules.

---

**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.

**Reasons for this finding:** Hatchery summer Chinook returns to the Wenatchee River are predicted to be in excess of spawning escapement needs. The majority of spring Chinook and bull trout will have migrated to the upper Wenatchee River, and few steelhead will remain in the mainstem. Adult Chinook salmon released as juveniles from the hatchery rearing facility below the Chelan PUD powerhouse are expected to return in sufficient numbers to provide a fishery and are currently entering the river. Opening these sections early on the two rivers will provide additional angling opportunity. There is insufficient time to adopt permanent rules.

**(14-190, 7/29/2014)**

