



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: July 28, 2020

TIME: 2:27 PM

WSR 20-16-058

Agency: Department of Fish and Wildlife (Order 20-143)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 3, 2020

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

- Yes No If Yes, explain:

Purpose: The purpose of this rule is to open sockeye seasons in Lake Wenatchee and increase the daily sockeye limit in the upper mainstem Columbia River from Priest Rapids Dam upstream.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-06000N; WAC 220-312-06000T; WAC 220-312-05000E
 Amended: WAC 220-312-060; 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 open sockeye seasons in Lake Wenatchee and increase sockeye daily limits in the upper Columbia River. The U.S. v Oregon Technical Advisory Committee (TAC) updated the sockeye salmon run to approximately 340,000. At this updated run size there are additional surplus Sockeye available for harvest in both Lake Wenatchee and the mainstem Columbia River. The TAC is comprised of representatives from Washington, Oregon, Idaho, NOAA, and the Treaty Tribes and are responsible for developing pre-season and in-season run forecast that salmon season are based on.

Immediate adoption of this rule is necessary for the preservation of the public health, safety, or general welfare. Observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

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	2	Amended	___	Repealed	3
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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: July 28, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-06000T Freshwater exceptions to statewide rules—Columbia

Effective August 3 through October 15, 2020, provisions of WAC 220-312-060 and 220-220-160 regarding Columbia River salmon seasons and the use of the Two-pole Endorsement from Priest Rapids Dam upstream are modified as described below. All other provisions of WAC 220-312-060 and WAC 220-220-160 not addressed herein, or unless otherwise amended by emergency rule remain in effect:

(1) From Priest Rapids Dam to Rock Island Dam:

Salmon: Effective August 3 through August 31, 2020: Daily limit is 6; of which, up to 2 adult hatchery Chinook and up to 4 sockeye may be retained. Release coho and wild adult Chinook.

(2) From Rock Island Dam to Wells Dam:

(a) Salmon: Effective August 3 through October 15, 2020: Daily limit is 6; of which, up to 2 adult hatchery Chinook and up to 4 sockeye may be retained. Release coho and wild adult Chinook.

(b) Anglers who possess a valid two-pole endorsement may fish with two lines through October 15, 2020.

(3) From Wells Dam to the Highway 173 Bridge at Brewster:

(a) Salmon: Effective August 3 through September 15: Daily limit is 6; of which, up to 2 adult hatchery Chinook and up to 4 sockeye may be retained. Release coho and wild adult Chinook.

(b) Anglers who possess a valid two-pole endorsement may fish with two lines through September 15, 2020.

(4) From the Highway 173 Bridge at Brewster to the rock jetty at the upstream shoreline of Foster Creek (Douglas County side):

(a) Salmon: Effective August 3 through October 15, 2020: Daily limit is 6; of which, up to 2 adult hatchery Chinook and up to 4 sockeye may be retained. Release coho and wild adult Chinook.

(b) Anglers who possess a valid two-pole endorsement may fish with two lines through October 15, 2020.

NEW SECTION

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

Effective August 3 through September 7, 2020, provisions of WAC 220-312-050 regarding salmon seasons in Lake Wenatchee are as described below. All other provisions of WAC 220-312-050 not addressed herein, or unless otherwise amended by emergency rule remain in effect:

Lake Wenatchee (Chelan County):

- (a) Salmon:
 - (i) Daily limit 4 sockeye only. Release all other salmon.
 - (ii) Selective Gear Rules in effect.
 - (iii) Night Closure in effect.
- (b) Release bull trout, steelhead and Chinook unharmed without removing the fish from the water.

R E P E A L E R S

The following section of the Washington Administrative Code is repealed effective August 3, 2020:

WAC 220-312-06000N Freshwater exceptions to statewide rules—Columbia. (20-122)

The following section of the Washington Administrative Code is repealed effective October 16, 2020:

WAC 220-312-06000T Freshwater exceptions to statewide rules—Columbia. (20-143)

The following section of the Washington Administrative Code is repealed effective September 8, 2020:

WAC 220-312-05000E Freshwater exceptions to statewide rules—Eastside. (20-143)