



**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 25, 2022

TIME: 9:30 AM

WSR 22-16-020

Agency: Department of Fish and Wildlife (Order 22-150)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 28, 2022

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 emergency rule is to open sockeye retention seasons in Lake Wenatchee and a portion of the Wenatchee River.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: 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: Based on current sockeye passage analysis at both Tumwater Dam and mainstem Columbia River Dams, WDFW projects a surplus of harvestable sockeye destined for Lake Wenatchee, well above the natural spawning escapement goal of 23,000 fish.

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____

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New ____ Amended ____ Repealed ____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	____

Date Adopted: July 25, 2022
Name: Kelly Susewind
Title: Director

Signature:



ORDER 22-150

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

Effective July 28 through September 30, 2022, the provisions of WAC 220-312-050 regarding recreational salmon seasons in the Lake Wenatchee and the Wenatchee River, shall be modified during the dates listed and as described below. All provisions of WAC 220-312-050 not addressed herein remain in effect unless otherwise amended by emergency rule:

- (1) **Wenatchee Lake (Chelan County):** Salmon: Effective July 28 through August 31, 2022:
 - (a) Daily limit 4. Release all salmon other than sockeye.
 - (b) Selective gear rules in effect.
 - (c) Night closure in effect.
 - (d) Release all bull trout, steelhead, and Chinook salmon unharmed without removing the fish from the water.

- (2) **Wenatchee River (Chelan County):** Salmon: Effective August 1 through September 30, 2022:
 - (a) Daily limit 6, including no more than 2 adult hatchery Chinook and no more than 4 sockeye. Release coho and wild adult Chinook.
 - (b) Selective gear rules in effect, except use of bait is allowed.
 - (c) Night closure in effect.

Reasons for this finding: This action is necessary to open sockeye retention seasons in Lake Wenatchee and a portion of the Wenatchee River.

Based on current sockeye passage analysis at both Tumwater Dam and mainstem Columbia River Dams, WDFW projects a surplus of harvestable sockeye destined for Lake Wenatchee, well above the natural spawning escapement goal of 23,000 fish.

There is insufficient time to adopt permanent rules. **(22-150, 7/22/2022)**