



**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 18, 2023

TIME: 3:46 PM

WSR 23-15-101

Agency: Department of Fish and Wildlife (Order 23-131)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 26, 2023

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 recreational sockeye seasons for Lake Wenatchee and expand the area open for salmon for the Entiat River.

Citation of rules affected by this order:

- New:
- Repealed:
- 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 necessary to open sockeye salmon seasons in Lake Wenatchee. Based on current sockeye passage analysis at 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. This fishery will be monitored closely and may close on short notice depending upon angler participation and harvest rates.

This rule is also needed to expand the area open to salmon fishing for the Entiat River. Entiat River hatchery Chinook returns indicate that hatchery broodstock needs will be met and that a harvestable surplus of hatchery Chinook exists in the river. Expanding the area open for salmon fishing will increase harvest opportunity for anglers.

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 18, 2023	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-05000E Exceptions to statewide rules—Eastside.

The following provisions of WAC 220-312-050 regarding Lake Wenatchee (Chelan County) and Entiat River recreational salmon seasons shall be modified as described below. All other provisions of WAC 220-312-050 not addressed herein, and unless otherwise amended by emergency rule, remain in effect:

(1) Lake Wenatchee (Chelan County): Effective July 26 through August 31, 2023:

- (a) Daily limit 4 salmon
- (b) Release all salmon other than sockeye.
- (c) Selective gear rules in effect.
- (d) Night closure in effect.

(2) Entiat River (Chelan County); from mouth (railroad bridge) to Mad River Rd. Bridge (near Ardenvoir): Effective August 1 through September 30, 2023:

- (a) Daily limit 6 salmon.
- (b) Release all salmon other than Chinook.
- (c) Night closure in effect.