

WSR 22-20-005
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 22-197—Filed September 21, 2022, 3:17 p.m., effective September 22, 2022]

Effective Date of Rule: September 22, 2022.

Purpose: The purpose of this emergency rule is to open coho seasons in the upper Columbia, Icicle, and Wenatchee rivers.

Citation of Rules Affected by this Order: Repealing WAC 220-312-05000R and 220-312-06000B; and amending WAC 220-312-050 and 220-312-060.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: This action is necessary to open coho retention seasons in the upper Columbia and Icicle rivers.

Returns of upper Columbia River-bound coho salmon are sufficient to meet conservation objectives and to provide for sport angler harvest.

This rule also carries forward Columbia River salmon seasons previously set in WSR 22-15-033, filed July 13, 2022; WSR 22-19-030, filed September 14, 2022; and WSR 22-16-057, filed September 16, 2022.

There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 21, 2022.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-05000V Freshwater exceptions to statewide rules—Eastside. Effective September 21 through November 30, 2022, the provisions of WAC 220-312-050 regarding recreational salmon seasons in the Icicle 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:

Icicle River (Chelan County):

(a) **From the closure signs located 800 feet upstream of the mouth of the river to 500 feet downstream from the Leavenworth National Fish Hatchery Barrier Dam: Salmon: Effective September 22, through November 30, 2022:**

- (i) Daily limit 4. Release all salmon other than coho.
- (ii) Night closure in effect.
- (iii) Bait prohibited.
- (iv) Barbed hooks allowed.

(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 from the Snow Lakes trailhead parking area): Salmon: Effective September 22, through November 30, 2022:**

- (i) Daily limit 4. Release all salmon other than coho.
- (ii) Night closure in effect.
- (iii) Bait prohibited.
- (iv) Barbed hooks allowed.

[]

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 220-312-06000C Freshwater exceptions to statewide rules—Columbia River. Effective September 22, 2022, until further notice, the provisions of WAC 220-312-060 regarding recreational salmon and steelhead seasons from a true north-south line through Buoy 10 to Bonneville Dam and from Wells Dam to Chief Joseph Dam, shall be modified during the dates listed and as described below. All year-round Closed Waters areas remain in effect. Other provisions of WAC 220-312-060 not addressed herein remain in effect unless otherwise amended by emergency rule:

(1) From a true north-south line through Buoy 10 upstream to a line from Rocky Point on the Washington bank through Red Buoy 44 to the red navigation marker 2 at Tongue Point on the Oregon Bank (the Rocky Point/Tongue Point line), and including Youngs Bay:

(a) Effective October 1 through October 31, 2022: Salmon and steelhead: Daily limit 6. Up to 3 adults may be retained. Release all salmon and steelhead other than hatchery coho.

(b) Effective November 1 through December 31, 2022: Salmon and steelhead: Daily limit 6. Up to 3 adults, including no more than 2 hatchery steelhead may be retained. Release all salmon and steelhead other than hatchery coho and hatchery steelhead.

(2) From the Rocky Point/Tongue point line upstream to a straight line from a fishing boundary sign on the Oregon shore near the old Corbett boat ramp through the eastern tip of Reed Island (East Reed Island line) to the Washington shore, including Camas Slough:

Effective immediately, until further notice: Salmon and steelhead: Closed.

(3) From the East Reed Island line upstream to a point 600 feet below the new Bonneville Dam Powerhouse:

Effective immediately, through October 31, 2022: Salmon and steelhead: Daily limit 6. Up to 2 adults may be retained, including no more than 1 Chinook. Release all salmon and steelhead other than Chinook and hatchery coho.

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

Effective September 22, through October 15, 2022: Salmon: Daily limit 6, including no more than 2 adult Chinook and no more than 2 coho.

(5) From Rock Island Dam to Boundary 400 feet below the Wells Dam spawning channel discharge (on Chelan County side) and fish ladder (on Douglas County side):

Effective September 22, through October 15, 2022: Salmon: Daily limit 6, including no more than 2 adult hatchery Chinook and no more than 2 coho. Release wild adult Chinook.

(6) From Wells Dam to Hwy. 173 Bridge at Brewster:

Effective immediately, through September 30, 2022: Salmon: Daily limit 6, including no more than 2 adult hatchery Chinook and no more than 4 sockeye. Release wild adult Chinook and coho.

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

Effective immediately, through October 15, 2022: Salmon: Daily limit 6, including no more than 2 adult hatchery Chinook and no more than 4 sockeye. Release wild adult Chinook and coho.

[]

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

The following sections of Washington Administrative Code are repealed, effective September 22, 2022:

- WAC 220-312-05000R Freshwater exceptions to statewide rules—Eastside. (22-150)
- WAC 220-312-06000B Freshwater exceptions to statewide rules—Columbia River. (22-208)