



**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: May 09, 2018

TIME: 3:30 PM

WSR 18-11-049

**Agency:** Washington Department of Fish and Wildlife (18-95)

**Effective date of rule:**

**Emergency Rules**

- Immediately upon filing.
- Later (specify) May 18, 2018

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

- Yes  No If Yes, explain:

**Purpose:** Amends recreational fishing rules for the Yakima 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- Repealed: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: Yakama Nation (YN) and Washington Department of Fish and Wildlife fishery managers are forecasting a harvestable return of 2,000 or more adult Cle Elum Hatchery spring Chinook to the Yakima River despite the run timing being late again this year. Opening the river for a Chinook salmon fishery will provide angling opportunity. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New \_\_\_\_ Amended \_\_\_\_ Repealed \_\_\_\_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New 1 Amended \_\_\_\_ Repealed \_\_\_\_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	____

<b>Date Adopted:</b> May 9, 2018	<b>Signature:</b>  v
<b>Name:</b> Joe Stohr	
<b>Title:</b> Director	

## NEW SECTION

### **WAC 220-312-05000K Exceptions to statewide rules—Yakima River.**

Notwithstanding the provisions of WAC 220-312-05000B and WAC 220-312-050, the following rules apply:

- (1) Effective May 18, 2018, until further notice, a person may fish for salmon in waters of the Yakima River from:
  - a. The Hwy. 240 Bridge in Richland (river mile 2.1) to the Grant Avenue Bridge in Prosser (river mile 47.0), about 1,000 feet downstream of Prosser Dam.
  - b. The Wine Country Rd. Bridge in Prosser (river mile 47.3), about 1,300 feet upstream of Prosser Dam, to the State Route 241 (Sunnyside - Mabton Hwy.) Bridge (river mile 59.8).
  - c. The Interstate 82 Bridge at Union Gap (river mile 107.1) to the BNSF railroad bridge approximately 600 feet downstream of Roza Dam (river mile 127.8).
- (2) Daily limit of two hatchery Chinook, minimum size 12 inches in length. Terminal gear is restricted to two, single (point), barbless hooks with a hook gap from point to shank of 3/4 inch or less when fishing for salmon. Use of bait is allowed.
- (3) In Area (1) a., for the duration of the salmon fishery the Yakima River is closed to all fishing from 200 feet downstream to 200 feet upstream of the U.S. Bureau of Reclamation Chandler Powerhouse/Pumping Station (river mile 35.8).
- (4) In Area (1) c., the Selective Gear Rules requirement prohibiting use of bait and knotted nets is suspended for all species for the duration of the salmon fishery. Night closure in effect.
- (5) The Columbia River Salmon/Steelhead Endorsement is required to participate in this fishery.
- (6) In all areas open to salmon fishing, the use of two (2) fishing poles is permitted during the salmon fishery provided the participating angler has purchased a “Two-Pole Endorsement” (in addition to the freshwater fishing license and Columbia River salmon/steelhead endorsement).