



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: September 30, 2020

TIME: 3:18 PM

WSR 20-20-044

Agency: Department of Fish and Wildlife (Order 20-212)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) October 1, 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 open salmon season on the Yakima River from the Hwy. 240 Bridge in Richland (river mile 2.1) to the Grant Avenue Bridge in Prosser (river mile 47.0) approximately 1,000 feet downstream of Prosser Dam, beginning October 1 through October 18, 2020.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-05000J
 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: Fall Chinook are returning to the Yakima River in higher numbers than forecasted. Fall Chinook and coho are expected to be sufficient in numbers to provide a limited sport fishery. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed 1

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: September 30, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective October 1 through October 18, 2020, provisions of WAC 220-312-050 regarding salmon seasons for the Yakima River shall be as described below. All other provisions of WAC 220-312-050 not addressed herein, or unless otherwise amended by emergency rule remain in effect:

Yakima River, from the Hwy. 240 Bridge in Richland (river mile 2.1) to the Grant Avenue Bridge in Prosser (river mile 47.0) approximately 1,000 feet downstream of Prosser Dam: Salmon:

- (a) Daily limit 2 adult salmon. No daily limit for jack salmon. Release all salmon other than Chinook and coho.
- (b) Barbless hooks required.
- (c) All salmon not kept as part of the daily limit may not be removed from the water and must be immediately release unharmed.
- (d) Night closure in effect.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 19, 2020:

WAC 220-312-05000J Freshwater exceptions to statewide rules—Columbia.