



**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 23, 2021

TIME: 10:19 AM

WSR 21-20-008

Agency: Department of Fish and Wildlife (Order 21-207)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) September 24, 2021

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 salmon fishing seasons in the lower 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- Repealed: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: Current fish passage through the Prosser Diversion indicates that fall Chinook and coho are expected to return in sufficient numbers to provide sport fishing opportunity for anglers in the lower Yakima River. 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New ____ Amended ____ Repealed ____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New 1 Amended ____ Repealed ____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New ____ Amended ____ Repealed ____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: September 23, 2021	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective September 24, through October 17, 2021, the following provisions of WAC 220-312-050 regarding salmon seasons in the Yakima River shall be as described below. All other provisions of WAC 220-312-050 not addressed herein, or otherwise amended by emergency rule, remain in effect:

Yakima River (Benton County):

From the Hwy. 240 bridge in Richland (river mile 2.1) to the Grant Avenue Bridge in Prosser: Salmon:

- (a) Daily limit 2 adults. No daily limit for jacks.
- (b) Barbless hooks required.
- (c) Night Closure in effect.