



# RULE-MAKING ORDER

**CR-103E (July 2011)**  
**(Implements RCW 34.05.350)**

**Agency:** Washington Department of Fish and Wildlife

**Emergency Rule Only**

**Effective date of rule:**

**Emergency Rules 16-137**

- Immediately upon filing.
- Later (specify) June 9, 2016

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

- Yes
  - No
- If Yes, explain:

**Purpose:** Amend recreational fishing rules for the Yakima River

**Citation of existing rules affected by this order:**

Repealed: WAC 220-310-19500K  
 Amended: WAC 220-310-195  
 Suspended:

**Statutory authority for adoption:** RCW 77.04.012, RCW 77.04.020 and RCW 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.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: Yakama Nation (YN) and Washington Department of Fish and Wildlife fishery managers are forecasting a total return of 4,610 adult spring Chinook to the Yakima River in 2016 (3,100 wild and 1,510 hatchery fish), representing 55% of the recent 10-year (2006-2015) average adult return of 8,320 spring Chinook. This emergency rule is needed to reduce the daily limit from two to one hatchery fish and shorten the length of the season. There is insufficient time to adopt permanent rules.

**Date adopted:** June 6, 2016

**NAME (TYPE OR PRINT)**  
J W Unsworth

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: June 06, 2016**  
**TIME: 2:57 PM**

**WSR 16-13-033**

**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:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	<u>1</u>	Amended	_____	Repealed	<u>1</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

NEW SECTION

**WAC 220-310-19500K Exceptions to statewide rules—Yakima River.**

Notwithstanding the provisions of WAC 220-310-195:

(1) Effective June 9 through June 30, 2016, a person may fish for salmon in waters of the Yakima River from 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). Daily limit of one hatchery chinook. 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. During the salmon fishery, the Selective Gear Rules requirement prohibiting use of bait and knotted nets is temporarily suspended for all species, but only in the river section open to salmon fishing. Night closure is in effect.

(2) The Columbia River Salmon/Steelhead Endorsement is required to participate in this fishery (except for Free Fishing Weekend, June 11-12), in addition to a freshwater fishing license.

(3) 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).

REPEALER

The following section of the Washington Administrative Code is repealed effective July 1, 2016:

WAC 220-310-19500K Exceptions to statewide rules—Yakima River.

**Reasons for this finding:** Yakama Nation (YN) and Washington Department of Fish and Wildlife fishery managers are forecasting a total return of 4,610 adult spring Chinook to the Yakima River in 2016 (3,100 wild and 1,510 hatchery fish), representing 55% of the recent 10-year (2006-2015) average adult return of 8,320 spring Chinook. This emergency rule is needed to reduce the daily limit from two to one hatchery fish and shorten the length of the season. There is insufficient time to adopt permanent rules.

**(16-137, 6/6/2016)**

