

**WSR 23-10-078
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 23-64—Filed May 2, 2023, 4:02 p.m., effective May 5, 2023]

Effective Date of Rule: May 5, 2023.

Purpose: The purpose of this emergency rule is to open recreational salmon seasons in the Yakima River.

Citation of Rules Affected by this Order: Amending WAC 220-312-050.

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: A total of 5,550 adult spring Chinook are forecasted to return to the Yakima River, including 1,990 hatchery origin adults from the Cle Elum Hatchery. The return as forecasted is sufficient to allow a sport fishery in the Yakima River below the Roza Diversion.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: May 2, 2023.

Amy H. Windrope
for Kelly Susewind
Director

NEW SECTION

WAC 220-312-05000A Freshwater exceptions to statewide rules—Eastside. Effective May 5, through June 30, 2023, 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):

(1) From the Hwy. 240 bridge in Richland (river mile 2.1) upstream to the State Route 241 (Sunnyside - Mabton) Bridge (RM 59.8):

Salmon:

- (a) Open May 5 through June 15, 2023:
- (b) Daily limit 2 hatchery Chinook. Release all other salmon.
- (c) Barbless hooks required. Hook gap from point to shank must measure 3/4 of an inch or less.
- (d) Use of bait is allowed.
- (e) Anglers may fish with two poles when fishing for salmon with the Two-Pole Endorsement.
- (f) Night Closure in effect.

(2) From the I-82 bridge at Union Gap (RM 107.1) to the eastbound (upstream) I-82 Bridge at Selah Gap: Salmon:

- (a) Open May 16 through June 30, 2023
- (b) Daily limit 2 hatchery Chinook. Release all other salmon.
- (c) Barbless hooks required. Hook gap from point to shank must measure 3/4 of an inch or less.
- (d) Use of bait is allowed.
- (e) Anglers may fish with two poles when fishing for salmon with the Two-Pole Endorsement.
- (f) Night Closure in effect.

(3) From the eastbound (upstream) I-82 Bridge at Selah Gap to the BNSF railroad bridge approximately 600 feet downstream of Roza Dam (RM 127.8): Salmon:

- (a) Open May 16 through June 30, 2023
- (b) Daily limit 2 hatchery Chinook. Release all other salmon.
- (c) Barbless hooks required. Hook gap from point to shank must measure 3/4 of an inch or less.
- (d) Use of bait is allowed.
- (e) Anglers may fish with two poles when fishing for salmon with the Two-Pole Endorsement.
- (f) Night Closure in effect.
- (g) Fishing from a vessel equipped with an internal combustion engine is prohibited.

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