

Staff Memorandum

To: Board of Yakima County Commissioners
From: Phil Hoge, Planner III, Public Services Department – Planning Division
Subject: Citizen-Initiated Request to Expand Yakima County's Stock Restricted Area
Date: October 23, 2023

Background:

[RCW 16.24](#) authorizes counties to designate certain territory as stock restricted areas within their county in which it shall be unlawful to permit livestock of any kind to run at large. All territory not so designated shall be range area, within which it shall be lawful to permit cattle, horses, mules, or donkeys to run at large.

By ordinances, Yakima County has designated certain territory within its boundaries as stock restricted, including the northern portion of the Yakama Reservation Irrigation District. Those ordinances currently in effect are codified at [YCC 6.32](#).

The Initial Proposal:

In June 2023 Mr. Gary Hall, a resident of the Brownstown area, contacted the Planning Division to ask about the process for expanding the stock restricted area in his vicinity to prevent the damage being done to his property by roaming livestock. After additional conversations, he firmed up his proposal to expand the existing stock restricted area south to Marion Drain Road and to the Marion Drain, between White Swan and the Yakima River.

On September 8, 2023, the Board held a Work Session to discuss Mr. Hall's proposed expansion and whether to start the statutory process to consider his proposal. Prior to starting the statutory process, the Board requested staff to contact the Bureau of Indian Affairs' Yakama Agency Superintendent to get written confirmation of their position on the proposed expansion.

On October 3, 2023, the BIA's Yakama Agency Superintendent Wyeth Chad Wallace wrote a letter to the Board stating:

“The Bureau of Indian Affairs (BIA) agrees with the Yakima County concerning that there be no “open range” within the Yakama Reservation Boundaries. The reason for this recommendation is to eliminate confusion throughout the valley floor and have consistent guidelines...”

The Revised Proposal Being Considered:

Accordingly, on October 17, 2023, the Board set November 7, 2023, for a public hearing on a proposal to expand Yakima County's stock restricted area to include all unincorporated areas within the open area of the Yakama Indian Reservation, which area is depicted in the map attached hereto as Attachment 2. The changes to [YCC 6.32](#) necessary to implement this proposal are attached hereto as Attachment 1.

Public Hearing:

The public hearing will be held at the regular agenda meeting on **Tuesday, November 7, 2023, at 10:00 AM:** <https://www.yakimacounty.us/agendacenter>

Attachment 1

Proposed Ordinance Revisions

Chapter 6.32

STOCK RESTRICTED AREAS

Sections:

- 6.32.010 Restricted Areas Designated.
- 6.32.020 Stock Restricted Area Map – Adopted.
- 6.32.030 Stock Restricted Area Map – Custodian.
- 6.32.040 Notice.

6.32.010 Restricted Areas Designated.

The following described lands are hereby designated stock restricted areas pursuant to the provisions of Chapter 16.24 RCW effective January 1, 1987, and as subsequently amended by Yakima County ordinance:

(1) Irrigation Districts.

- (a) All land situated within the following irrigation districts: Naches-Selah; Roza; Selah-Moxee; Terrace Heights; Union Gap; Yakima-Tieton; Sunnyside Valley; Buena; Grandview; Outlook; Granger; Home; Snipes Mountain; Zillah, plus
- (b) The Ahtanum irrigation district; except that portion of the district lying west of Lynch Road, and
- (c) ~~The Yakima reservation irrigation district; except that portion of the district lying southerly of the following described line:~~

~~Beginning at the intersection of the westerly boundary of the Yakima Reservation irrigation district with the south right of way line of Branch Road, thence easterly along the south right of way line of Branch Road to the west right of way line of Brownstown Road, thence south along the west right of way line of Brownstown Road to the south right of way line of LaRue Road, thence east along the south right of way line of LaRue Road to the end of said road, thence continuing east along the south right of way line of LaRue Road extended to the east right of way line of South Harrah Road, thence continuing along the south right of way line of LaRue Road to the south right of way line of SR 22, thence southeast along the south right of way line of SR 22 to the south right of way line of SR 223, thence easterly along the south right of way line of SR 223 to the east line of the Yakima Reservation irrigation district boundary;~~

(2) Areas Outside of Irrigation Districts. The following described additional areas:

- (a) The Naches River Valley between the SR 12 Twin Bridges and the west line of the east half of the east half of Section 36, Township 15 North, Range 16 E.W.M.,
- (b) The unincorporated portions of the Yakima ~~and Union Gap~~ Urban Growth Areas Boundary as defined in ~~Appendix "A" of the Yakima Urban Area Zoning Ordinance,~~
- (c) The Yakima River Valley from the mouth of the Yakima River Canyon to the Union Gap,
- (d) That portion of land surrounded by the Yakima- Tieton irrigation district and easterly of Pioneer Way and Old Cowiche Road,
- (e) That portion of land between the Rosa and Selah Moxee irrigation districts,
- (f) That portion of land between the Terrace Heights and Selah-Moxee irrigation districts,
- (g) The south half of the south half of Section 28; all of Section 34 and that portion of Section 33 all in Township 13 North, Range 20 E.W.M. not in the Roza irrigation district,

- | (h) That portion of land between the Yakima and Union Gap Urban Growth Areas boundary and the Yakima-Tieton and Ahtanum irrigation districts,
- | (i) That portion of Section 12, Township 14 North, Range 16 E.W.M., lying outside of the Yakima-Tieton irrigation district,
- | (j) That portion of land lying southerly of Ahtanum Creek and northerly of the Bureau of Indian Affairs ditch and westerly of the incorporated portion of Union Gap and easterly of the east half of the east half of Sections 7 and 18, Township 12 North, Range 18 E.W.M.,
- | (k) That portion of land lying south of the north half of the north half of Sections 20 and 21, Township 12 North, Range 19 E.W.M. and surrounded by the Yakima Reservation, the Union Gap, and the Sunnyside Valley irrigation districts,
- | (l) That portion of land surrounded by the Roza, Union Gap and Sunnyside Valley irrigation districts,
- | (m) That portion of land surrounded by the Granger, Snipes Mountain and Sunnyside Valley irrigation districts,
- | (n) That portion of land surrounded by the Home, Granger and Yakima Reservation irrigation districts.

(3) Areas within the Yakama Indian Reservation: All area within the Yakama Indian Reservation that lie outside of the Yakama Nation Closed Area.

(Res. 382-1987, 1987; Res. 457-1986, 1986).

6.32.020 Stock Restricted Area Map – Adopted.

~~The maps attached to the resolution codified in this chapter as Exhibits 1 and 2 which Yakima County's Geographic Information Services Division shall create and maintain the GIS information necessary to~~ depict the above-described areas ~~are approved and adopted~~ as the official stock restricted area map for Yakima County, Washington.

(Res. 457-1986, 1986).

6.32.030 Stock Restricted Area Map – Custodian Administrator.

The county planning ~~director official~~ is designated as ~~custodian of the administrator for interpreting and considering amendments to~~ the stock restricted area map.

(Res. 457-1986, 1986).

6.32.040 Notice.

The clerk of the board shall cause notice of the above-described stock restricted areas to be published as provided by law.

(Res. 457-1986, 1986).

Attachment 2

Map Showing Proposed Expansion Area

