

WSR 24-01-010
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-266—Filed December 6, 2023, 4:03 p.m., effective December 8, 2023]

Effective Date of Rule: December 8, 2023.

Purpose: The purpose of this emergency rule is to require the release of wild coho in Naselle and Willapa rivers.

Citation of Rules Affected by this Order: Repealing WAC 220-312-02000H; and amending WAC 220-312-020.

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: This emergency rule is necessary to require the release of wild coho salmon in Naselle and Willapa rivers. Spawner survey data collected to date indicates a lower-than-expected return to the Willapa and Naselle rivers. This action is necessary to ensure that escapement goals are met.

This rule also carries forward previously announced rules regarding gamefish seasons, gear restrictions, and wild rainbow trout release for Grays Harbor, Willapa Bay, and coastal tributaries in WSR 23-24-047, filed November 30, 2023.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: December 6, 2023.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-02000I Freshwater exceptions to statewide rules—Coast. Effective December 8, 2023, until further notice, the following provisions of WAC 220-312-020, regarding gamefish and salmon seasons, fishing from a floating device, and gear and hook restrictions for coastal tributaries, including tributaries of Grays Harbor and Willapa Bay shall be modified as described below. All areas described

as Closed Waters in WAC 220-312-0202 remain Closed Waters. All other provisions of WAC 220-312-020 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

(1) Bear River (Pacific Co.):

(a) Effective immediately, through February 29, 2024:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Release wild rainbow trout.

(b) Effective March 1, 2023, until further notice: All species: Closed.

(2) Big River (Clallam Co.), outside Olympic National Park:

(a) Effective January 1 through February 29, 2024:

(i) All species: Fishing from a floating device is prohibited.

(ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(iii) Release wild rainbow trout.

(b) Effective March 1, 2024, until further notice: All species: Closed.

(3) Black River (Grays Harbor Co.), from the mouth to bridge on 128th Ave SW: Effective immediately through December 31, 2023: All species: Closed.

(4) Bogachiel River (Clallam Co.):

(a) From the mouth to Mill Creek:

(i) Effective immediately through December 15, 2023:

(A) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(B) Steelhead: Daily limit is 2 hatchery steelhead

(C) Salmon: Daily limit 1. Release sockeye.

(ii) Effective December 16, 2023, until further notice:

(A) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(B) Steelhead: Daily limit is 2 hatchery steelhead

(b) From Mill Creek to Hwy. 101 Bridge:

(i) Effective immediately through December 15, 2023:

(A) All species: Fishing from a floating device is prohibited.

(B) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(C) Steelhead: Daily limit is 2 hatchery steelhead

(D) Salmon: Daily limit 1. Release sockeye.

(ii) Effective December 16, 2023, until further notice:

(A) All species: Fishing from a floating device is prohibited.

(B) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(C) Steelhead: Daily limit is 2 hatchery steelhead

(c) From Hwy. 101 Bridge to Olympic National Park Boundary: Effective immediately, until further notice:

(i) All species: Fishing from a floating device is prohibited.

(ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(iii) Steelhead: Daily limit is 2 hatchery steelhead.

(5) Calawah River: (Clallam Co.):

(a) From the mouth to the Hwy. 101 Bridge:

(i) Effective immediately through December 15, 2023:

(A) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(B) Steelhead: Daily limit is 2 hatchery steelhead.

(C) Salmon: Daily limit 1. Release sockeye.

(ii) Effective December 16, 2023, until further notice:

(A) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(B) Steelhead: Daily limit is 2 hatchery steelhead.

(b) From the Hwy. 101 Bridge to the forks: Effective immediately, until further notice:

(i) All species: Fishing from a floating device is prohibited.

(ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(iii) Steelhead: Daily limit is 2 hatchery steelhead.

(6) Calawah, South Fork (Clallam Co.), from the mouth to Olympic National Park boundary: Effective immediately, through February 29, 2024:

(a) All species: Fishing from a floating device is prohibited.

(b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(7) Cedar Creek (Jefferson Co.), outside Olympic National Park boundary: Effective immediately, through February 29, 2024:

(a) All species: Fishing from a floating device is prohibited.

(b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(c) Release wild rainbow trout.

(8) Chehalis River (Grays Harbor Co.): From the mouth upstream, including all forks: Effective immediately, until further notice: All species: Closed.

(9) Clearwater River (Jefferson Co.), from the mouth to Snahapish River: Effective immediately, until further notice: All species: Closed.

(10) Cloquallum Creek (Grays Harbor/Mason Co.), from the mouth to the outlet at Stump Lake: Effective immediately, through February 29, 2024: All species: Closed.

(11) Copalis River (Grays Harbor Co.): Effective immediately, through February 29, 2024: All species: Closed.

(12) Dickey River (Clallam Co.), from the Olympic National Park boundary upstream:

(a) Effective immediately through December 15, 2023:

(i) All species: Fishing from a floating device is prohibited.

(ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(iii) Salmon: Salmon: Daily limit 1. Release sockeye.

(b) Effective December 16, 2023, until further notice:

(i) All species: Fishing from a floating device is prohibited.

(ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(13) Dickey River, East Fork and West Fork: Effective immediately, until further notice:

(a) All species: Fishing from a floating device is prohibited.

(b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(14) Elk Creek (Lewis/Pacific Co.): Effective January 1, 2023, until further notice: All species: Closed.

(15) Elk River (Grays Harbor Co.): Effective immediately, through February 29, 2024: All species: Closed.

(16) Goodman Creek (Jefferson Co.), outside of Olympic National Park boundary: Effective immediately, through February 29, 2024:

(a) All species: Fishing from a floating device is prohibited.

(b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(c) Release wild rainbow trout.

(17) Hoh River (Jefferson Co.):

(a) From Olympic National Park boundary upstream to DNR Oxbow Campground boat launch:

(i) Effective immediately through December 15, 2023:

(A) All species: Fishing from a floating device is prohibited Sundays through Tuesdays, each week.

(B) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(C) Steelhead: Daily limit is 2 hatchery steelhead.

(D) Salmon: Daily limit 1. Release all salmon other than coho.

(ii) Effective December 16, 2023, until further notice:

(A) All species: Fishing from a floating device is prohibited Sundays through Tuesdays, each week.

(B) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(C) Steelhead: Daily limit is 2 hatchery steelhead.

(b) From DNR Oxbow Campground boat launch to Morgans Crossing boat launch:

(i) Effective immediately through December 15, 2023:

(A) All species: Fishing from a floating device is prohibited Wednesdays through Saturdays, each week.

(B) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(C) Steelhead: Daily limit is 2 hatchery steelhead.

(D) Salmon: Daily limit 1. Release all salmon other than coho.

(ii) Effective December 16, 2023, until further notice:

(A) All species: Fishing from a floating device is prohibited Wednesdays through Saturdays, each week.

(B) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(C) Steelhead: Daily limit is 2 hatchery steelhead.

(c) From Morgans Crossing boat launch to Olympic National Park boundary below mouth of South Fork Hoh River: Effective Immediately, until further notice:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Steelhead: Daily limit is 2 hatchery steelhead.

(18) Hoh River, South Fork (Jefferson Co.), outside of Olympic National Park boundary: Effective immediately, until further notice:

(a) All species: Fishing from a floating device is prohibited.

(b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(19) Hoquiam River including West and East forks (Grays Harbor Co.): Effective immediately, through February 29, 2024: All species: Closed.

(20) Humptulips River (Grays Harbor Co.): From the mouth to confluence of East and West forks and West Fork from mouth to Donkey Creek: Effective immediately, until further notice: All species: Closed.

(21) Joe Creek (Grays Harbor Co.), from the mouth to Ocean Beach Rd. Bridge: Effective immediately through December 31, 2023: All species: Closed.

(22) Johns River (Grays Harbor Co.), from the mouth (Hwy. 105 Bridge) to Ballon Creek: Effective immediately, through February 29, 2024: All species: Closed.

(23) Kalaloch Creek (Jefferson Co.), outside Olympic National Park boundary: Effective immediately, through February 29, 2024:

(a) All species: Fishing from a floating device is prohibited.

(b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(c) Release wild rainbow trout.

(24) Moclips River (Grays Harbor Co.), from the mouth to Quinault Indian Reservation boundary: Effective immediately, through February 29, 2024: All species: Closed.

(25) Mosquito Creek (Jefferson Co.), from Olympic National Park boundary upstream to Goodman 3000 Mainline Bridge: Effective immediately, through February 29, 2024:

(a) All species: Fishing from a floating device is prohibited.

(b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(c) Release wild rainbow trout.

(26) Naselle River (Pacific Co.):

(a) From the Hwy. 101 Bridge to Crown Mainline (Salme) Bridge:

(i) Effective December 8, 2023, through January 31, 2023:

(A) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(B) Release wild rainbow trout.

(C) Salmon: Daily limit 6 including no more than 2 adults. Release wild Chinook and wild coho.

(ii) Effective February 1, 2023, until further notice:

(A) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(B) Release wild rainbow trout.

(b) From Crown Mainline (Salme) Bridge to the North Fork: Effective immediately, until further notice:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Release wild rainbow trout.

(27) Naselle River, South (Pacific Co.), from the mouth to Bean Creek: Effective immediately, through February 29, 2024:

(a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(b) Release wild rainbow trout.

(28) Nemah River, Middle (Pacific Co.):

(a) Effective immediately, through February 29, 2024:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Release wild rainbow trout.

(b) Effective March 1, 2024, until further notice: All species: Closed

(29) Nemah River, North (Pacific Co.), from Hwy. 101 Bridge to Cruiser Creek:

(a) Effective Immediately, through February 29, 2024:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Release wild rainbow trout.

(b) Effective March 1, 2024, until further notice: All species: Closed

(30) Nemah River, South (Pacific Co.):

(a) Effective immediately, through February 29, 2024:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Release wild rainbow trout.

(b) Effective March 1, 2024, until further notice: All species: Closed

(31) Newaukum River, including South Fork (Lewis Co.), from mouth to Hwy. 508 Bridge near Kearny Creek: Effective immediately, until further notice: All species: Closed.

(32) Newaukum River, Middle Fork (Lewis Co.), from mouth to Taucher Rd. Bridge: Effective immediately, until further notice: All species: Closed.

(33) Newaukum River, North (Lewis Co.), from mouth to 400' below Chehalis City water intake: Effective immediately, until further notice: All species: Closed.

(34) North River (Grays Harbor/Pacific Co.), from the Hwy. 105 bridge to Raimie Creek: Effective immediately, through February 29, 2024:

(c) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(d) Release wild rainbow trout.

(35) Palix River (Pacific Co.):

(a) From Hwy. 101 Bridge to the mouth of the Middle Fork:

(i) Effective immediately, through February 29, 2024:

(A) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(B) Release wild rainbow trout.

(ii) Effective March 1, 2024, until further notice: All species: Closed

(b) From the confluence with the Middle Fork upstream and all forks (including South fork Palix River and Canon River):

(a) Effective December 16, 2023, through February 29, 2024:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Release wild rainbow trout.

(b) Effective March 1, 2024, until further notice: All species: Closed

(36) Quillayute River (Clallam Co.), from Olympic National Park boundary upstream to confluence of Sol Duc and Bogachiel rivers:

(a) Effective immediately through December 15, 2023:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Steelhead: Daily limit 2 hatchery steelhead.

(iii) Salmon: Daily limit 1. Release sockeye.

(b) Effective December 16, 2023, until further notice:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Steelhead: Daily limit 2 hatchery steelhead.

(37) Quinault River (Grays Harbor/Jefferson Co.), from the mouth at upper end of Quinault Lake upstream to Olympic National Park boundary: Effective immediately, until further notice: All species: Closed.

(38) Salmon Creek (Pacific/Wahkiakum Co.): Effective December 16, 2023, through February 29, 2024:

(a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(b) Release wild rainbow trout.

- (39) **Salmon River (Jefferson Co.):** Effective immediately, through February 29, 2024: All species: Closed.
- (40) **Satsop River and East Fork (Grays Harbor Co.):** Effective immediately, until further notice: All species: Closed.
- (41) **Satsop River, Middle Fork (Grays Harbor Co.),** Effective immediately, through February 29, 2024: All species: Closed.
- (42) **Satsop River, West Fork (Grays Harbor Co.),** Effective immediately, through February 29, 2024: All species: Closed.
- (43) **Skookumchuck River (Lewis/Thurston Co.):** From mouth to 100' below outlet of TransAlta WDFW steelhead rearing pond located at the base of Skookumchuck Dam: Effective immediately, until further notice: Closed.
- (44) **Smith Creek (near North River) (Pacific Co.):** Effective immediately, through February 29, 2024:
- (a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (b) Release wild rainbow trout.
- (45) **Sol Duc River (Clallam Co.):**
- (a) From mouth to the concrete pump station at Sol Duc Hatchery:
 - (i) Effective immediately through December 15, 2023:
 - (A) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (B) Salmon: Daily limit 1. Release sockeye.
 - (ii) Effective December 16, 2023, until further notice: All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (b) From the concrete pump station at Sol Duc Hatchery to Hwy. 101 Bridge upstream of Klahowya campground: Effective immediately, until further notice:
 - (i) All species: Fishing from a floating device is prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (46) **Sooes River (Clallam Co.),** outside of Makah Indian Reservation: Effective immediately, through February 29, 2024:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release wild rainbow trout.
- (47) **Stevens Creek (Grays Harbor Co.),** from mouth to Hwy 101 Bridge: Effective immediately, through February 29, 2024: All Species: Closed.
- (48) **Thunder Creek (Clallam Co.),** from mouth to D2400 Rd.: Effective immediately, until further notice:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release wild rainbow trout.
- (49) **Van Winkle Creek (Grays Harbor Co.),** from mouth to 400 feet below outlet of Lake Aberdeen Hatchery: Effective immediately, until further notice: All species: Closed
- (50) **Willapa River (Pacific Co.):**
- (a) From mouth (City of South Bend boat launch) to WDFW access at mouth of Ward/Wilson Creek: Effective December 8, 2023, through January 31, 2024:
 - (i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (ii) Release wild rainbow trout.

(iii) Salmon: Daily limit 6 including no more than 2 adults. Release wild Chinook and wild coho.

(b) From the WDFW access at mouth of Ward/Wilson Creek to Hwy. 6 Bridge (near the town of Lebam):

(a) Effective December 8, 2023, through January 31, 2024:

(A) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(B) Release wild rainbow trout.

(C) Salmon: Daily limit 6 including no more than 2 adults. Release wild Chinook and wild coho.

(b) Effective February 1, 2024, until further notice:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Release wild rainbow trout.

(51) Willapa River, South Fork (Pacific Co.): Effective immediately, through February 29, 2024:

(a) Effective December 8, 2023, through January 31, 2024:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Release wild rainbow trout.

(iii) Salmon: Daily limit 6 including no more than 2 adults. Release wild Chinook and wild coho.

(b) Effective February 1 through February 29, 2024:

(i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(ii) Release wild rainbow trout.

(52) Wishkah River (Grays Harbor Co.), from the mouth to 200 feet below the weir at the Wishkah Rearing Ponds and from 150 feet upstream to 150 feet downstream of the Wishkah adult attraction channel/outfall structure (within the posted fishing boundary): Effective immediately, through February 29, 2024: All species: Closed.

(53) Wynoochee River (Grays Harbor Co.): From the mouth upstream: Effective immediately, until further notice: All species: Closed.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of Washington Administrative Code is repealed, effective December 8, 2023:

WAC 220-312-02000H Freshwater exceptions to statewide rules—Coast. (23-262)