

WSR 24-24-071
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 24-275—Filed December 2, 2024, 8:35 a.m., effective December 2, 2024, 8:35 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to implement steelhead conservation measures in central coast and Grays Harbor tributaries. This rule will require the release of wild rainbow trout and will implement selective gear rules (except only one single point barbless hook allowed) in all waters listed within the text of this filing.

Citation of Rules Affected by this Order: 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: These emergency rules are necessary to protect wild steelhead stocks. Coastal wild steelhead runs have seen a negative trend for many years. Although there has been a recent increase in these populations, returns are still below long-term averages. Forecasts this year provide some additional opportunities, but precaution is necessary. The rules contained in this filing are expected to result in a reduction of wild steelhead encounters relative to permanent rules in place.

Enacting these rules follows an extensive public engagement process, which included a two-part virtual town hall series during fall 2024. Hundreds of people joined Washington department of fish and wildlife (WDFW) fishery managers during these virtual meetings, and many provided feedback on WDFW's coastal steelhead management web page through an online portal.

Tribal comanagers along the coast have also taken similar steps alongside WDFW to advance recovery of wild steelhead.

WDFW continues to operate under its statewide steelhead management plan, which requires WDFW to prioritize the sustainability of wild coastal steelhead runs by focusing on healthy levels of abundance, productivity, diversity, and distribution.

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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.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: December 2, 2024.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-02000Q Freshwater exceptions to statewide rules—Coast. Effective immediately, through March 31, 2025, the following provisions of WAC 220-312-020, regarding gear and hook restrictions for coastal tributaries, and trout retention, for tributaries of the central coast, including Grays Harbor tributaries shall be modified as described herein. All areas described as Closed Waters in WAC 220-312-020 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) Black River (Grays Harbor Co.), from the mouth to bridge on 128th Ave SW: Effective immediately through December 31, 2024: Salmon: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(2) Chehalis River (Grays Harbor Co.): From the mouth upstream, including all forks: Effective immediately, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(3) Clearwater River (Jefferson Co.), from the mouth to Snahapish River: Effective immediately, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(4) Cloquallum Creek (Grays Harbor/Mason Co.), from the mouth to the outlet at Stump Lake: Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(5) Copalis River (Grays Harbor Co.): Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(6) Elk Creek (Lewis/Pacific Co.): Effective immediately, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(7) Elk River (Grays Harbor Co.): Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(8) Hoquiam River including West Fork (Grays Harbor Co.): Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(9) Hoquiam River, East Fork (Grays Harbor Co.), from mouth to Youman's Rd. Bridge: Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(10) Humptulips River (Grays Harbor Co.): From the mouth to confluence of East and West forks and West Fork from the mouth to Donkey Creek: Effective immediately, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(11) Joe Creek (Grays Harbor Co.), from the mouth to Ocean Beach Rd. Bridge: Effective immediately, through December 31, 2024:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(12) Johns River (Grays Harbor Co.), from the mouth (Hwy. 105 Bridge) to Ballon Creek: Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(13) Moclips River (Grays Harbor Co.), from the mouth to Quinault Indian Reservation boundary: Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(14) Newaukum River, including South Fork (Lewis Co.), from mouth to Hwy. 508 Bridge near Kearny Creek: Effective immediately, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(15) Newaukum River, Middle Fork (Lewis Co.), from mouth to Taucher Rd. Bridge: Effective immediately, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(16) Newaukum River, North (Lewis Co.), from mouth to 400' below Chehalis City water intake: Effective immediately, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(17) Quinault River (Grays Harbor/Jefferson Co.), from the mouth at upper end of Quinault Lake upstream to Olympic National Park boundary: Effective immediately, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(18) Salmon River (Jefferson Co.): Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(19) Satsop River and East Fork (Grays Harbor Co.): Effective immediately, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(20) Satsop River, Middle Fork (Grays Harbor Co.), Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(21) Satsop River, West Fork (Grays Harbor Co.), Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(22) 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, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(23) Stevens Creek (Grays Harbor Co.), from mouth to Hwy 101 Bridge: Effective immediately, through February 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(24) Van Winkle Creek (Grays Harbor Co.), from mouth to 400 feet below outlet of Lake Aberdeen Hatchery: Effective immediately, through January 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(25) 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 28, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.

(26) Wynoochee River (Grays Harbor Co.): From the mouth upstream: Effective immediately, through March 31, 2025:

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

(b) Trout: Statewide minimum size and daily limit, except cut-throat trout minimum size 14 inches. Release wild rainbow trout.