

2016-2017 Sport Fishing Rule Change Proposals

Concise Explanatory Statement



February 17, 2016

TABLE OF CONTENTS

SPORTFISHING RULE CHANGE PROPOSALS	1
NOT REGION SPECIFIC	2
# 1. TECHNICAL CHANGES.....	2
# 2. CLARIFY FISHING “FLY” DEFINITION	3
# 3. REMOVE INTERNAL COMBUSTION MOTORS PROHIBITION ON SMALL STREAMS.....	4
# 4. ALLOW HARVEST OF GRASS CARP	5
# 5. REMOVE CRAPPIE HARVEST RESTRICTIONS	6
# 6. REMOVE DAILY LIMIT ON BROOK TROUT IN WESTERN WASHINGTON.....	7
# 7. ALLOW RETENTION OF STRAY HATCHERY STEELHEAD	8
# 8. ADJUST TROUT HARVEST REGULATIONS FOR LOWLAND LAKE FISHERIES.....	9
# 9. PROVIDE ADDITIONAL YEAR-ROUND FISHING OPPORTUNITY	11
# 10. INCREASE TROUT FISHING OPPORTUNITY IN STREAMS	13
# 11. MODIFY TROUT FISHING OPPORTUNITY IN SELECT WESTERN WASHINGTON STREAMS	14
# 12. INCREASE SELECTIVE GEAR FISHING OPPORTUNITY	18
# 13. REQUIRE MANDATORY HATCHERY STEELHEAD RETENTION	20
PUGET SOUND	24
# 14. INCREASE FISHING OPPORTUNITY IN LAKE WASHINGTON SHIP CANAL (KING Co.).....	24
# 15. PASS LAKE (SKAGIT Co.): ALLOW 2-POLE OPPORTUNITY.....	25
# 16. RATTLESNAKE LAKE (KING Co.): ALLOW TROUT HARVEST	26
# 17. CLEAR LAKE (PIERCE Co.): INCREASE KOKANEE DAILY LIMIT	27
# 18. COLLINS LAKE (MASON Co.) AND STUMP LAKE (MASON Co.): ADOPT STATEWIDE RULES AND HARVEST LIMITS.....	28
# 19. BAKER LAKE (WHATCOM Co.): ADJUST KOKANEE AND TROUT SIZE LIMIT.....	29
# 20. BLACKMAN’S LAKE (SNOHOMISH Co.): INCREASE TROUT LIMIT.....	30
# 21. ROSS LAKE (WHATCOM Co.): ADJUST TROUT FISHING RULES	31
# 22. TEXAS POND (SKAGIT Co.) DAILY LIMIT	32
# 23. THORNTON LAKE AND THORNTON CREEK (WHATCOM Co): NO LIMIT ON WESTSLOPE CUTTHROAT	33
# 24. BLACK LAKE DITCH (THURSTON Co.) WARMWATER ANGLING	34
# 25. MILL POND (KING Co.): ADJUST FISHING RULES	35
# 26. SAMMAMISH LAKE (KING Co.): REMOVE HOOK RESTRICTIONS.....	36
# 27. ALDER RESERVOIR TRIBUTARIES AND UPPER NISQUALLY RIVER (THURSTON Co.): INCREASE TROUT HARVEST OPPORTUNITY	37
# 28. ADJUST FISHING RULES ON WHATCOM CREEK, SKAGIT AND CASCADE RIVERS	38
# 29. WHATCOM CREEK (WHATCOM Co.): OPEN A PORTION OF THE CREEK TO FISHING	39
# 30. McALLISTER CREEK (THURSTON Co.): ADJUST FISHING RULES	40
# 31. McLANE CREEK (THURSTON Co.): ADJUST FISHING RULES	41
# 32. CHAPLAIN CREEK (SNOHOMISH Co.): CLOSE A PORTION OF THIS STREAM.....	42
# 33. NEWHALEM CREEK (WHATCOM Co.): ADJUST FISHING RULES	43
# 34. NORTH FORK NOOKSACK RIVER (WHATCOM Co.): CLOSE A PORTION OF THIS STREAM	44
# 35. SKAGIT RIVER (SKAGIT Co.): ADJUST FISHING RULES	45
# 36. MINTER CREEK (PIERCE/KITSAP Co.): CLOSE TO TROUT FISHING.....	46
# 37. SNOQUALMIE RIVER (KING Co.): ADJUST TROUT SEASON DATES AND HARVEST LIMITS.....	47
# 38. SKAGIT RIVER (SKAGIT Co.): CONVERT A PORTION OF THE RIVER TO CATCH AND RELEASE TROUT FISHING .	49
# 39. STILLAGUAMISH RIVER (SNOHOMISH Co.) NIGHT CLOSURE.....	50
# 40. TOLT RIVER (KING Co.): ADJUST FISHING RULES	51
# 41. KENNEDY CREEK (THURSTON Co.): ADJUST FISHING RULES.....	52
# 42. CHAMBERS CREEK (PIERCE Co.): ADJUST FISHING RULES.....	53

# 43. SNOHOMISH RIVER (SNOHOMISH Co.): ALLOW CATCH AND RELEASE STURGEON FISHING	54
COAST	55
# 44. INCREASE FISHING OPPORTUNITY FOR ANGLERS WITH LOWER EXTREMITY DISABILITIES	55
# 45. ADOPT SELECTIVE GEAR RULES FOR THE NASELLE RIVER	56
# 46. ADOPT "NO FISHING FROM FLOATING DEVICE" RULES ON SELECT STREAMS	57
# 47. ADOPT SELECTIVE GEAR RULES IN NORTH COAST STEELHEAD STREAMS	61
# 48. PROHIBIT WILD STEELHEAD HARVEST	64
# 49. REQUIRE WILD STEELHEAD HARVEST TAG	67
LIBERALIZE LIMITS FOR BASS, CHANNEL CATFISH, AND WALLEYE IN THE COLUMBIA RIVER AND TRIBUTARIES CONTIGUOUS WITH OREGON.....	69
# 50. REMOVE DAILY LIMITS ON WARMWATER FISH IN THE COLUMBIA RIVER	69

SPORTFISHING RULE CHANGE PROPOSALS

In April 2014 the Commission approved a three year rotating rule cycle where staff and public propose conservation and significant recreation rules that pertain to waters within the Columbia Basin the first year (2014), freshwaters of the Puget Sound and Coastal regions the second year (2015), and marine finfish, forage fish, and shellfish the third year (2016). The public was asked to submit rule proposals for the freshwaters of the Puget Sound and Coastal regions during the month of March for rules that would be effective starting July 2016. In addition, one proposal for the Lower Columbia River and tributaries was moved to this year to coordinate with Oregon to maintain consistency of rules in waters contiguous with Oregon State.

This year, the department recommended 50 rule proposals for freshwaters of the Puget Sound and Coastal regions. Four public meetings occurred as shown in the table below. Written public comments were due by November 12, 2015. All written public comments are available online at: http://wdfw.wa.gov/fishing/regulations/rule_proposals/2015-2016/. Oral comments were received at the Public Hearing portion of the Commission Meeting November 13-14, 2015. The written and public comments are summarized below. The Public Hearing comments are available as a downloadable audio transcript at: <http://wdfw.wa.gov/commission/meetings/2015/> (within the November 13-14 meeting information).

Public Meeting Table.

Region	Date	Time	Location
4	August 13	6–8 pm	WDFW Mill Creek Regional Office 16018 Mill Creek Blvd. Mill Creek, WA 98012
5	August 17	6–8 pm	WDFW Vancouver Regional Office 2108 Grand Boulevard Vancouver, WA 98661
6	August 18	6-8 pm	Aberdeen Rotary Log Pavilion 1401 Sargent Blvd. Aberdeen, WA 98520
6	September 1	6-8 pm	Natural Resources Building Room 175 1111 Washington St. SE Olympia, WA 98501

NOT REGION SPECIFIC

1. Technical changes

Type of Rule Change Proposal

Conservation

Short Description

Corrects Washington Administrative Code language to reflect rule adoptions made by the Commission (technical changes). Formats the language in a clear structure and corrects mistakes in spelling, etc.

Explanation

This proposal corrects errors in WAC language and is a technical fix to address these errors. This change is needed so that the WAC language matches the Commission's intent.

Proposal 1 Table. Technical changes.

Number	Issue	Details
1	Rule location in the Washington Administration Code (WAC); needs to be moved to a different WAC.	Move the Big Quilcene River fishing rules out of the coastal WAC and into the Puget Sound WAC.
2	Rule location in the Washington Administration Code (WAC); needs to be moved to a different WAC.	Move Sturgeon information out of the Freshwater Exceptions WACs and into the Statewide Sturgeon WAC.
3	Spelling Errors--make spelling consistent with USGS	As needed.
4	Clarify closed waters	Because streams are now closed unless open, closed language in the Freshwater Exceptions WAC is only needed for clarification. As a result, closed water information that is not needed for clarification will be removed.
5	Schneider Creek description correction	The description of Schneider Creek currently states "Mouth upstream to falls." There are no falls in Schneider Creek so "falls" will be removed.

Amended Washington Administrative Code (WAC)

WAC	Title
220-55-220	Two-pole endorsement
220-310-190	Freshwater exceptions to statewide rules-Puget Sound
220-310-180	Freshwater exceptions to statewide rules-Coast
220-56-282	Sturgeon—Areas, seasons, limits and unlawful acts

Written Testimony (7 comments)

Support (4): Three comments support proposal.

Oppose (0): No comments oppose proposal.

General (3): Comment includes:

- The department should close part of a river or stream if there is a need to protect spawning fish.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Comments generally support this proposal, and there were no opposing comments. The department weighs both conservation concern and recreational opportunity when making proposals. The amendments for this proposal do not close or open new waterbodies. The department recommends two modifications –to

remove the incorrect listing for Ebey Lake as a two-pole fishery and to remove duplicate listings of two-pole language in multiple WACs.

Modifications—difference between proposed and adopted rule:

WAC 220-55-220: Correct Ebey Lake listing in Two-Pole WAC by removing it. Remove duplicate listings of two-pole language in more than one WAC.

Staff Recommendation:

Adopt as modified.

Commission Action:

Adopted as modified.

Rationale:

Further corrections identified.

2. Clarify fishing “fly” definition

Type of Rule Change Proposal

Recreational

Short Description

Clarify definition of what constitutes a fishing "fly."

Explanation

Add foam, rubber and lead wire/tape to clarify what materials are allowable for the construction of a fishing fly.

Amended Washington Administrative Code (WAC)

WAC	Title
220-56-210	Fly Fishing definition

Written Testimony (58 comments)

Support (37): Comment includes:

- This change would be more consistent with how flies are currently tied and makes sense;
- I agree with this change;
- This proposal seems very reasonable given the prolific use of foam and rubber in today’s salmon and steelhead fly tying.

Oppose (4): Comments include that this proposal is a waste of time and money.

General (17): Comments included suggestions on additional materials to either allow or not allow and the need to update fly fishing rules further.

Public Hearing (0 Comments)

Response to Comments and Consideration of Comments

The department was persuaded that the reference to lead was too limiting and so recommends the modification of “lead” to “metal.” Further updates to fly fishing rules will be considered as part of the rule simplification process that will occur in 2017.

Modifications—difference between proposed and adopted rule

WAC 220-56-210: Revise wording so that “lead” is changed to “metal.”

Staff Recommendation

Adopt as modified.

Commission Action

Adopted as modified.

Rationale

Based on public comment.

3. Remove internal combustion motors prohibition on small streams

Type of Rule Change Proposal

Recreational

Short Description

Remove unnecessary Internal Combustion Motor prohibition rule from small streams in Western Washington.

Explanation

This change removes the internal combustion motor (ICM) prohibition from small rivers and creeks where the use of a floating device equipped with an ICM is impractical and would not be considered feasible. Removing these prohibitions will streamline fishing regulations from rivers that include Skokomish, Tahuya and Union.

Amended Washington Administrative Code (WAC)

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (28 comments)

Support (10): Comment includes:

- Support making text less convoluted;
- Reduces text in pamphlet.

Oppose (13): Comment includes:

- Just because it seems impractical to most people does not mean that some people would drive boats up them;
- I see no need to change wording as it now exists;
- Once this rule is allowed, there will be more rivers added to the list;
- Prefer boat length and horse power restrictions.

General (5): Comment includes

- Define what is meant by small streams or small flows.

Public Hearing (0 Comments)

Response to Comments and Consideration of Comments

Opposing comments seem outside the scope of this proposal, because the proposal only addresses areas of rivers where it is not possible to fish with an internal combustion motor due to the water level. This proposal only addresses parts of the Skokomish, Tahuya, and Union rivers. The WACs show the specific locations, and these represent the definition of what is meant by small streams and small flows.

Staff Recommendation

Adopt as recommended.

Commission Action

Adopted as recommended.

4. Allow harvest of Grass Carp

Type of Rule Change Proposal

Recreational

Short Description

Allow harvest of Grass Carp in select waters in Western Washington.

Explanation

Some lakes where grass carp were stocked are experiencing overgrazing of aquatic macrophytes due to overabundant grass carp populations. In an attempt to develop an effective grass carp population control method, WDFW would like to allow harvest in specific lakes to reduce carp abundances. See Table.

Proposal 4 Table. Allow harvest of Grass Carp

Number	Lake	County	Proposed Rule	Notes
1	Campbell	Skagit	No limit for anglers and bow fishers	
2	Lone	Island	No limit for anglers and bow fishers	
3	Duck	Grays Harbor	No limit for anglers and bow fishers	Added based on public comment.

Amended Washington Administrative Code (WAC)

WAC	Title
220-56-510	Game fish possession limits and size limits
220-310-180	Freshwater exceptions to statewide rules-Coast
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (31 comments)

Support (25): Comment includes:

- Add Silver Lake in Cowlitz County and Duck Lake in Grays Harbor County;
- Lone Lake has been overgrazed and some carp thinning should help;
- Consider mandatory retention.

Oppose (4): No comment opposes.

General (2): All comments favor this proposal.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

All comments were supportive. Regarding the requests to add Silver and Duck lakes, we added Duck Lake because there were no conservation concerns. We did not add Silver Lake because it is located in the Columbia Basin, which is outside of the scope of this rulemaking. We did not require mandatory retention because of enforcement difficulty.

Modifications—difference between proposed and adopted rule

WAC 220-310-180: Add Duck Lake as recommended by the public.

Staff Recommendation

Adopt as modified.

Commission Action

Adopted as modified.

Rationale

Based on public comment.

5. Remove Crappie harvest restrictions

Type of Rule Change Proposal

Recreational

Short Description

Increase harvest opportunity for Crappie in select Western Washington lakes.

Explanation

Remove minimum size 9" and 10 fish daily bag limit. The harvest size and daily bag limit was put into place to grow larger more abundant Crappie in these lakes. Further monitoring and data collection reveals that these lakes do not have the proper forage and growth rates to produce abundant Crappie greater than 9 inches in length. Anglers should be allowed to harvest unlimited Crappie at all sizes. See Table.

Proposal 5 Table. Remove Crappie harvest restrictions.

Number	Region	Lake	County	Current Rule	Proposed rule
1	Puget Sound	Campbell	Skagit	Year-round, minimum size 9 " & daily limit ten	No minimum size and no daily limit
2	Puget Sound	Cassidy	Snohomish	Year-round, minimum size 9 " & daily limit ten	No minimum size and no daily limit
3	Coast	Duck	Grays Harbor	Year-round, minimum size 9 " & daily limit ten	No minimum size and no daily limit
4	Puget Sound	Sawyer	King	Year-round, minimum size 9 " & daily limit ten	No minimum size and no daily limit

Amended Washington Administrative Code (WAC)

WAC	Title
220-310-180	Freshwater exceptions to statewide rules-Coast
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (12 comments)

Support (11) Comment includes:

- Provides fishing opportunity and reduces over population of species;
- Removing as many as possible will produce more quality-sized fish;
- Remove all restrictions on non-native, warmwater species.

Oppose (0): No comment opposes.

General (1): All comments favor this proposal.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

All comment supports this proposal. The department may consider further rules that remove restrictions on non-native warmwater species in future rulemaking processes.

Staff Recommendation

Adopt as recommended.

Commission Action

Adopted as recommended.

6. Remove daily limit on Brook Trout in Western Washington

Type of Rule Change Proposal

Conservation

Short Description

Remove daily bag limits on Brook Trout in Western Washington.

Explanation

Removes the daily minimum size and daily limit on Eastern Brook Trout for rivers and streams in the Puget Sound and Coast, with a few exceptions. This provides recreational opportunity and helps to remove these introduced fish from Washington waters where there is a conservation concern for species that Eastern Brook Trout predate upon or compete with.

Amended Washington Administrative Code (WAC)

WAC	Title
220-56-510	Game fish possession limits and size limits
220-310-180	Freshwater exceptions to statewide rules-Coast
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (21 comments)

Support (15): Comment includes:

- This is the right thing to do and should have been done many years ago;
- Propose going further and removing the limit in Eastern Washington high mountain lakes and streams also;
- Support removing brook trout in favor of promoting native salmonids.

Oppose (5): Comments include:

- We cannot realistically return all of our streams to native fish only and the typical angler prefers a variety of trout;
- Do not remove size and daily limits on any trout for Puget Sound and Coast, without exception.

General (1): All comment favors or opposes proposal.

Public Testimony (0 comments)

Response to Comments and Consideration of Comments

Because most comment supports this proposal and there is a conservation concern for fish that the introduced Brook Trout compete with, the department recommends the proposal move forward.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

7. Allow retention of stray hatchery Steelhead

Type of Rule Change Proposal

Conservation

Short Description

Allows retention of stray hatchery steelhead in streams in Regions 4 and 6.

Explanation

This proposal allows anglers to keep stray hatchery steelhead caught while fishing for salmon or game fish. This rule change would allow and encourage anglers to remove these stray hatchery steelhead that are not needed for hatchery propagation and could have unwanted genetic and competitive impacts on wild steelhead present in the watershed.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-175	Freshwater exceptions to statewide rules-General

Written Testimony (55 comments)

Support (47): Comment includes:

- A win-win for recreational anglers and conservation;
- Science dictates this is the responsible thing to do;
- Do not consider as part of the daily limit;
- Do not require to be recorded on the catch record card.

Oppose (3): Comment includes:

- Will lead directly to abuse and catching on non-stray steelhead;
- This will negatively impact diversity.

General (5): All comments favor or oppose to this proposal.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Because most comment supports this proposal and there is a conservation concern for wild steelhead and trout, the department recommends the proposal move forward. The department will make changes to the rule as needed should abuses on non-stray steelhead result from this rule; further, these hatchery steelhead will be considered part of the daily limit and required to be on the catch record card to allow the ability to monitor the success of this rule. This proposal is expected to positively impact wild fish diversity.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

8. Adjust Trout harvest regulations for lowland lake fisheries

Type of Rule Change Proposal

Recreational

Short Description

Remove the harvest rules that limit anglers to no more than 2 trout greater than 14 inches in length. Increase harvest opportunity for large Trout and simplify rules in select Western Washington lakes.

Explanation

The original rule was implemented because few larger fish were being stocked and many anglers were high-grading smaller fish. In 2012, hatcheries increased stocking size to 2.5 fish per pound reducing this problem. See Table.

Proposal 8 Table. Adjust Trout harvest regulations for lowland lake fisheries. The current rule is daily limit 5 fish and no more than 2 trout over 14". This proposal removes the 2 over 14" requirement and the daily limit is changed to 5 Trout. The original rule was implemented because few larger fish were being stocked and many anglers were high-grading smaller fish. In 2012 hatcheries increased stocking size to 2.5 fish per pound, reducing this problem.

Number	County	Lake
1	Jefferson	Leland
2	Jefferson	Ludlow
3	Jefferson	Sandyshore
4	Jefferson	Silent
5	Jefferson	Tarboo
6	Kitsap	Buck
7	Kitsap	Horseshoe
8	Kitsap	Island
9	Kitsap	Kitsap
10	Kitsap	Mission
11	Kitsap	Panther
12	Kitsap	Wildcat
13	Kitsap	Wye
14	Mason	Aldrich
15	Mason	Benson
16	Mason	Don (also known as Clara)
17	Mason	Devereaux
18	Mason	Hatchery
19	Mason	Haven
20	Mason	Howell

Number	County	Lake
21	Mason	Isabella
22	Mason	Island
23	Mason	Kokanee
24	Mason	Lost
25	Mason	Maggie
26	Mason	Nahwatzel
27	Mason	Panhandle
28	Mason	Phillips
29	Mason	Robbins
30	Mason	Spencer
31	Mason	Tee
32	Mason	Tiger
33	Mason	Trails End
34	Mason	Twin
35	Mason	Wood
36	Mason	Wooten
37	Pierce	American
38	Pierce	Carney
39	Pierce	Clear
40	Pierce	Crescent
41	Pierce	Kapowsin
42	Pierce	Ohop
43	Pierce	Rapjohn
44	Pierce	Silver
45	Pierce	Spanaway
46	Pierce	Steilacoom
47	Pierce	Tanwax
48	Thurston	Black
49	Thurston	Clear
50	Thurston	Deep
51	Thurston	Hicks
52	Thurston	Lawrence
53	Thurston	Long
54	Thurston	McIntosh
55	Thurston	Pattison
56	Thurston	St. Clair
57	Thurston	Summit
58	Thurston	Ward

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-180	Freshwater exceptions to statewide rules-Coast
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (24 comments)

Support (13): Comment includes:

- All fish caught using bait should be retained and this should be made very clear in the regulations;
- With the planting of leftover Skamania steelhead smolt into lakes this makes sense.

Oppose (7): Comment includes:

- Would like to see more quality trout fisheries in the lakes around the Puget Sound area;
- Limits allow fish to be available to others throughout the season;
- The current rule curtails wastage.

General (4): Comment includes:

- Plant more large trout in King and Snohomish county lakes rather than the other counties;

- Raise the size limit to 18” or 20” to allow more harvest of medium size trout but limit the overharvest of large trout.
- When using bait, it is better to require the first 5 hatchery fish caught be retained.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comment supports this proposal. The department may consider future modifications that include planting more trout, raising the size limit, and requiring the first five hatchery fish caught to be retained. This proposal is expected to provide more recreational fishing opportunity while also simplifying fishing rules.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

9. Provide additional year-round fishing opportunity

Type of Rule Change Proposal

Recreational

Short Description

Open additional lakes to year-round fishing opportunity.

Explanation

A sector of the public is requesting more year-round fishing opportunity. A number of lakes were proposed by the public and WDFW staff to be considered for this expanded season. See Table.

Proposal 9 Table. Provide additional year-round fishing opportunity.

Number	Lake	County	Current Season	Proposed Season
1	Anderson	Jefferson	Sept. 1 - Oct. 31	Year-round
2	Bay	Pierce	4th Sat. in April - Oct. 31	Year-round
3	Chehalis River Potholes	Grays Harbor	4th Sat. in April - Oct. 31	Year-round
4	Deep	Thurston	4th Sat. in April - Oct. 31	Year-round
5	McIntosh	Thurston	4th Sat. in April - Oct. 31	Year-round
6	Pattison	Thurston	4th Sat. in April - Oct. 31	Year-round
7	Summit	Thurston	4th Sat. in April - Oct. 31	Year-round
8	Tanwax	Pierce	4th Sat. in April - Oct. 31	Year-round
9	Vogler	Skagit	4th Sat. in April - Oct. 31	Year-round
10	Ward	Thurston	4th Sat. in April - Oct. 31	Year-round

Amended Washington Administrative Code (WAC):

WAC	Title
220-56-510	Game fish possession limits and size limits
220-310-180	Freshwater exceptions to statewide rules-Coast
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (95 comments)

Support (33): Comments include:

- Would like to see more year round quality lakes in the greater Puget Sound area;

- More legal fishers help decrease the number of folks who don't follow the rules;
- In particular support Summit Lake, where there are Kokanee, and prefer the speed limit be maintained at 5 mph;
- Many of these lakes can have blue green algae blooms in the winter so a cooler season would be great;
- This will help thin out the perch and will be good for merchants around the lakes;
- Would like to know if maintenance schedule will be adjusted and if there be additional fish stocking;
- Boaters who use the lake to flush out salt water or dirtier lake water from their boat into Summit Lake has to be addressed.
- Requests to add Bay and Vogler lakes to this proposal.

Oppose (60): All opposing comments regard Summit Lake. Comments include:

- Lake is the main drinking water for majority of residents;
- Concern about increased theft and litter;
- Boat launch maintenance;
- Additional pressure on fish population.
- Petition with 68 names.

General Comment (2)

Public Hearing (12 comments)

All comment opposed Summit Lake changing to a year-round fishery with reasons similar to those received as part of the written comment.

Response to Comments and Consideration of Comments

Public comment supported all the lakes in this proposal with the exception of Summit Lake. As a result of public concerns expressed regarding Summit Lake, Summit Lake was removed from the proposal. Bay and Vogler lakes may be considered in the future for year-round opportunity.

Modifications—difference between proposed and adopted rule:

WAC 220-310-190: Remove Summit Lake from this proposal.

Staff Recommendation:

Adopt as modified.

Commission Action:

Adopted as modified.

Rationale:

Based on public comment.

10. Increase Trout fishing opportunity in streams

Type of Rule Change Proposal

Recreational

Short Description

Increase Trout fishing opportunity in select streams in Western Washington.

Explanation

WDFW is seeking to expand the number of streams and season duration available for Trout fishing opportunity. These rule changes add additional angling days to these fisheries. See Table.

Proposal 10 Table. Increase Trout fishing opportunity in streams.

Number	Watershed	Water	Current Rule	Proposed	Explanation
1	Chambers Creek (Pierce Co.)	Flett Creek	Closed	July 1-Oct. 31. Min. size 14"; Daily limit 2. Selective gear rules.	Provide recreational opportunity for abundant Coastal Cutthroat.
2	Chambers Creek (Pierce Co.)	Leach Creek	Closed	July 1-Oct. 31. Catch and Release. Selective gear rules.	Provide recreational opportunity for abundant Coastal Cutthroat.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (29 comments)

Support (8): Comment includes:

- Native fish and their freshwater phenotypes have been extirpated for a long time, so I do not see any negative impacts;
- Support increasing trout fishing opportunities in Western Washington streams, they have been significantly reduced over the years.

Oppose (12): Comment includes:

- Flett Creek cutthroat have a greater value to recreational fishers in the Puget Sound;
- These are very small streams and cannot take much pressure;
- We need more sanctuaries for fish.

General (9): Comments include:

- Increase only catch and release and fly fishing only waters for trout fishing;
- To protect the resource, make these two streams fly fishing only or don't open them.

Public Hearing (2 comments)

One person requested that in addition, the North Nemah River and potentially the North River be opened to Searun Cutthroat Trout retention, with the comment that they were closed without full information.

One person opposed this rule because there have not been creel surveys and research to justify that Cutthroat Trout abundance warrants re-opening Flett and Leach creeks. In addition he expressed concerns about social issues and for Leach Creek, the presence of toxic metals.

Response to Comments and Consideration of Comments

Based on public comment, the department agrees that this proposal should not move forward at this time.

Staff Recommendation:

Do not adopt based on public comment.

Commission Action:

Did not adopt.

Rationale:

Based on public comment.

11. Modify Trout fishing opportunity in select Western Washington streams

Type of Rule Change Proposal

Conservation

Short Description

Consistent with the stream strategy approach, adjust fishing rules for ESA listed Steelhead protection and allow Trout fishing where appropriate.

Explanation

Close portions of these streams that harbor adult and juvenile ESA listed Steelhead for conservation reasons. In addition, open for trout fishing portions of these streams that are above the anadromous zone. See Table.

Proposal 11 Table. Modify Trout fishing opportunity in select Western Washington streams.

Number	County	Waterbody	Rule to Change	Proposed Rule	Explanation
1	Jefferson	Little Quilcene River	From Little Quilcene River Bridge on Penny Creek Rd. upstream (766): All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	From Little Quilcene River Bridge on Penny Creek Rd. upstream (766): All Game Fish Sat. before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Increases the season because this area is not accessible by anadromous fish.
2	Jefferson	Penny Creek	All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	All Game Fish First Sat. before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Increases the season because this area is not accessible by anadromous fish.
3	Jefferson	Rocky Brook	From falls upstream: All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	From falls upstream: All Game Fish Sat. before Memorial day-Oct. 31. Statewide min. size/daily limit.	Increases the season because this area is not accessible by anadromous fish.
4	Mason	Cedar Creek	All Game Fish: First Sat. in June-Oct. 31 Statewide min. size/daily limit. Pine Creek (Mason Co.) All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	All Game Fish: Sat. before Memorial Day-Oct. 31 Statewide min. size/daily limit. Pine Creek (Mason Co.) All Game Fish Sat. before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Intended to increase recreational opportunity above anadromous fish barriers.

Number	County	Waterbody	Rule to Change	Proposed Rule	Explanation
5	Mason	Church Creek	Upstream of bridge on USFS road #2361: All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	Upstream of bridge on USFS road #2361: All Game Fish Sat. before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Intended to increase recreational opportunity above anadromous fish barriers.
6	Mason	Fulton Creek	Mouth to falls: All Game Fish First Sat. in June-Oct. 31 Catch-and-release. Selective gear rules. Upstream of falls at river mile 0.8: All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	Mouth to falls at river mile 0.8: All Game Fish First Sat. in June-Oct. 31 Catch-and-release. Selective gear rules. From falls at river mile 0.8 upstream: All Game Fish Sat. before Memorial Day-Oct. 31. Statewide min. size/daily limit.	Increases the season because this area is not accessible by anadromous fish.
7	Mason	Hamma Hamma River	From falls upstream All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	From falls upstream All Game Fish Saturday before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Increases the season because this area is not accessible by anadromous fish.
8	Mason	Jefferson Creek (Hamma Hamma River tributary)	All Game Fish Saturday before Memorial Day-Oct. 31. Statewide min. size/daily limit.	All Game Fish Saturday before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Provides recreational opportunity above anadromous fish barriers.
9	Mason	LeBar Creek	Upstream of falls at river mile 1 All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	Upstream of falls at river mile 1. All Game Fish Sat. before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Intended to increase recreational opportunity above anadromous fish barriers.
10	Mason	Lena Creek (Hamma Hamma River tributary)	All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	All Game Fish Saturday before Memorial Day-Oct. 31. Statewide min. size/daily limit.	Provides recreational opportunity above anadromous fish barriers.
11	Mason	Lilliwaup River	From falls upstream: All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	From falls upstream: All Game Fish Saturday before Memorial Day-Oct. 31. Statewide min. size/daily limit.	Increases the season because this area is not accessible by anadromous fish.
12	Mason	Washington Creek (Hamma Hamma River tributary)	All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	All Game Fish Saturday before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Provides recreational opportunity above anadromous fish barriers.
13	Pierce	Chambers Creek	From mouth (Burlington-Northern RR Bridge) to markers 400' below the Boise-Cascade Dam: Min. size 14"; Daily limit 2.	From mouth (Burlington-Northern RR Bridge) to markers 400' below the Boise-Cascade Dam: Min. size 14"; Daily limit 2. Selective Gear Rules.	Harvest without Selective Gear Rules is inconsistent with Puget Sound River/Stream management.
14	Skagit	Dan's Creek	Sauk River trib. All Game Fish First Sat. in June-Oct. 31 Catch-and-release except up to 2 hatchery Steelhead may be retained. Selective gear rules	Closed	Closes in the anadromous zone.
15	Skagit	Finney Creek	Closed	Finney Creek including all tributaries from upstream of the USFS 17 road bridge: All Game Fish Saturday before Memorial Day-Oct. 31. Statewide min. size/daily limit.	We have conclusively determined via genetic analysis that there is no anadromous access to steelhead above the barrier located immediately below the bridge. A significant population of rainbow trout exist above the barrier and are therefore available to anglers and angling.

Number	County	Waterbody	Rule to Change	Proposed Rule	Explanation
16	Skagit	Goodman Creek	Closed	Goodman Creek above the Mt. Loop highway: Saturday before Memorial Day-Oct. 31. Statewide min. size/daily limit	Provides recreational opportunity above anadromous fish barriers.
17	Skagit	Hilt Creek	Hilt Creek: All Game Fish First Sat. in June-Oct. 31 Catch-and-release except up to 2 hatchery Steelhead may be retained. Selective gear rules.	Hilt Creek and all connected tributaries and Beaver ponds above falls located 0.2 miles above the Hwy 530 crossing. All Game Fish Saturday before Memorial day-Oct. Statewide rules.	Fishing changes more closely align with the stream strategy.
18	Skagit	Jackman Creek	All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit. Selective gear rules.	From falls located 0.7 miles above Highway 20 at T35N, R8E, Sec SW 12: All Game Fish Saturday before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Closes the section of river in the anadromous zone and liberalizes the rules above the anadromous barrier.
19	Skagit	Jones Creek	All Game Fish: Saturday before Memorial Day -Oct. 31. Statewide min. size/ daily limit	Above the falls located 0.6 miles above Hwy 20 at sec 5, T35N, R6EAll: Game Fish Saturday before Memorial Day-Oct. 31: Statewide min. size/daily limit.	Closes the section of river in the anadromous zone and liberalizes the rules above the anadromous barrier.
20	Skagit	Rocky Creek	All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit. Selective gear rules.	Closed	Closes in the anadromous zone.
21	Skagit	White Creek (Sauk River tributary)	All Game Fish First Sat. in June-Oct. 31 Catch-and-release except up to 2 hatchery STEELHEAD may beretained. Selective gear rules.	Closed	Closes in the anadromous zone.
22	Snohomish	Clear Creek	Above Asbestos Creek Falls: All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	Above Asbestos Creek Falls: All Game Fish Saturday before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Changes the start date to be consistent with waters above anadromous zones.
23	Snohomish	Copper Creek	All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit.	All Game Fish Saturday before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Changes the start date to be consistent with waters above anadromous zones.
24	Snohomish	Elliot Creek	All Game Fish First Sat. in June-Oct. 31 Statewide minimum size/daily limit. Selective gear rules.	Closed	Closes in the anadromous zone.
25	Snohomish	Falls Creek, Sauk River	Sauk above White Chuck River: All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit. Selective gear rules.	From Falls located 0.4 mile upstream from the mouth to headwaters. Open from Saturday before Memorial Day to Oct. 31. Statewide min. size/ daily limit.	Closes the section of river in the anadromous zone and increase opportunity in the secton where anadromous fish are not present.
26	Snohomish	Lake Twenty-Two Creek (South Fork Stillaguamish River tributary)	Closed	Open the Saturday before Memorial Day through October 31 upstream from the falls located approximately at river mile 0.25.	Provides recreational opportunity above anadromous fish barriers. In addition, this rule proposal makes the Lake Twenty-Two Creek regulations consistent with other South Fork Stillaguamish tributaries such as Bear Creek.

Number	County	Waterbody	Rule to Change	Proposed Rule	Explanation
27	Snohomish	Sauk, above Whitechuck rivers (includes Cadet and Sloan creeks)	Sauk, above Whitechuck River upstream, including North Fork and South Fork to Elliott Creek (828): All Game Fish First Sat. in June-Oct. 31 Catch-and-release except up to 2 hatchery Steelhead may be retained. Selective gear rules. Cadet Creek (Snohomish Co.) All Game Fish First Sat. in June-Oct. 31 Statewide minimum size/daily limit. Selective gear rules. Sloan Creek (Snohomish Co.) All Game Fish First Sat. in June-Oct. 31 Catch-and-release. Selective gear rules.	Change is only to the North Fork Sauk and tributaries above the falls at rm 1.7. This includes current rules for Cadet and Sloan Creeks. Current rules for the mainstem Sauk and SF Sauk included in this reach would not change. North Fork Sauk above NF falls including all tributaries: Saturday before Memorial Day-Oct. 31: Statewide min. size/daily limit.	This opens a very significant area to the retention of resident fish where there is currently only catch and release fishing; anadromous fish are not present in this area. Significant numbers of resident fish are area available. This change also makes the opening day rules consistent with areas above anadromous zones open to fishing.
28	Whatcom	Kendall Creek	Above hatchery grounds (Whatcom Co.) All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit. Selective gear rules.	Above hatchery grounds (Whatcom Co.) All Game Fish Saturday before Memorial day-Oct. 31 Statewide min. size/daily limit.	Increases the season because this area is not accessible by anadromous fish.
29	Whatcom	Maple Creek	All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit. Selective gear rules.	All Game Fish Saturday before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Steelhead conservation is needed below falls for anadromous fish. Above the falls, resident fish opportunity exists and anadromous fish are not present. Opening on the Saturday before Memorial Day is consistent with openings in streams with no anadromous access. Selective gear rules are not needed above the anadromous zone for conservation.
30	Whatcom	Racehorse Creek	All Game Fish First Sat. in June-Oct. 31 Statewide min. size/daily limit. Selective gear rules.	Racehorse Creek above falls located 0.3 miles above the North Fork road bridge. All Game Fish Saturday before Memorial Day-Oct. 31 Statewide min. size/daily limit.	Close below the falls because of anadromous fish presence and open above the falls where anadromous fish are not present.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (27 comments)

Support (15): Comment includes:

- Include Leland Creek (has bass and catfish);
- Change to all selective gear rules;
- Include more catch and release opportunities;
- Keep the upper North Fork Sauk and tributaries a quality catch and release fishery;
- A lot of good thought went into these proposals;
- No reason for these sections of rivers to be closed to fishing;
- Include the North Fork of the Skykomish.

Oppose (7): Comment includes:

- In general, believe this proposal is counter-productive to native steelhead;
- Keep the upper North Fork Sauk and tributaries a quality catch and release fishery;
- There is not much food in the river and the fish do not grow very large.

General (5): Comments include:

- Change to all selective gear rules and include more catch and release opportunities;
- Don't agree with the closures;
- Gate to Little Quilcene is locked and there is no longer access, making this change moot.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comments support this proposal. Leland Lake trout regulations are changing this year (Proposal 8). The department may consider additional changes during the next rulemaking cycle. To provide a diverse opportunity of fishing methods, selective gear rules may not be adopted everywhere; please note that Proposal 47 adopts selective gear rules for many coastal rivers. Also, please note there are other proposals that support native steelhead (e.g. Proposal 7; Proposal 13; Proposal 48).

Modifications—difference between proposed and adopted rule:

WAC 220-310-180: Add cutthroat trout fishing opportunity in North Nemah River (Pacific County).

Staff Recommendation:

Adopt as modified.

Commission Action:

Adopted as modified.

Rationale:

Based on public comment.

12. Increase selective gear fishing opportunity

Type of Rule Change Proposal

Recreational

Short Description

Increase selective gear fishing opportunity in Western Washington.

Explanation

Provides quality year-round fishing opportunity with limited Trout retention in various lakes. See Table.

[Proposal 12 Table. Increase selective gear fishing opportunity.](#)

Number	County	Lake	Current Rule	Proposed Rule
1	Snohomish	Chain	Year-round, statewide min. size/daily limit	ALL SPECIES - selective gear rules. TROUT Year-round Min. size 14". Daily limit 2. Other Game Fish Year-round Statewide min. size/daily limit. WDFW fishing regulations currently allow the use of a two -pole endorsement at this lake. We want this to continue. Lake rules already restrict use of internal combustion engines by county ordinance.

Number	County	Lake	Current Rule	Proposed Rule
2	Snohomish	Martha (Warm Beach)	Year-round, statewide min. size/daily limit	ALL SPECIES - selective gear rules. TROUT Year-round Min. size 14". Daily limit 2. Other Game Fish Year-round Statewide min. size/daily limit. WDFW fishing regulations currently allow the use of a two –pole endorsement at this lake. We want this to continue. Lake rules already restrict use of internal combustion engines by county ordinance.
3	Snohomish	Ballinger	Year-round, statewide min. size/daily limit	ALL SPECIES - selective gear rules. TROUT Year-round Min. size 14". Daily limit 2. Other Game Fish Year-round Statewide min. size/daily limit. WDFW fishing regulations currently allow the use of a two –pole endorsement at this lake. We want this to continue. Lake rules already restrict use of internal combustion engines by county ordinance.
4	Snohomish	Flowing	Year-round, statewide min. size/daily limit	ALL SPECIES - selective gear rules. TROUT Year-round Min. size 14". Daily limit 2. Other Game Fish Year-round Statewide min. size/daily limit. WDFW fishing regulations currently allow the use of a two –pole endorsement at this lake. We want this to continue. Lake rules already restrict use of internal combustion engines by county ordinance.
5	Snohomish	Lost (Devil's)	Year-round, statewide min. size/daily limit	ALL SPECIES - selective gear rules. TROUT Year-round Min. size 14". Daily limit 2. Other Game Fish Year-round Statewide min. size/daily limit. WDFW fishing regulations currently allow the use of a two –pole endorsement at this lake. We want this to continue. Lake rules already restrict use of internal combustion engines by county ordinance.
6	Snohomish	Panther	Year-round, statewide min. size/daily limit	ALL SPECIES - selective gear rules. TROUT Year-round Min. size 14". Daily limit 2. Other Game Fish Year-round Statewide min. size/daily limit. WDFW fishing regulations currently allow the use of a two –pole endorsement at this lake. We want this to continue. Lake rules already restrict use of internal combustion engines by county ordinance.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (36 comments)

Support (26): Comments include:

- Look forward to fishing these lakes;
- Yes for Chain and Martha lakes;
- Selective gear should be the rule rather than the exception;
- Provides more opportunity to catch holdover trout;
- Two fish daily limit will encourage anglers to release fish;
- Implement a 1 over 18" rule to encourage more people to keep the fish in the lake;
- Consider a Selective Water endorsement license.

Oppose (5): Comments include:

- This will limit trout fishing;
- The majority of anglers for these lakes fish from the banks with bait.

General (5): Comment includes:

- Bait fishing from the shore is most effective and many locals don't have a boat to troll with;
- Do not permit any fishing with anything other than lures used in fly fishing.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comment supports this proposal. In accord with public comment, the department recommends two of the lakes, Martha and Chain. There remain other lakes in the region for anglers that prefer to not use selective fishing gear. Implementing a one fish over 18” rule or a selective water endorsement license may be considered for future rulemaking activities.

Modifications—difference between proposed and adopted rule:

WAC 220-310-190: Adopt rules only for Martha (Warm Beach) and Chain lakes (Snohomish County).

Staff Recommendation:

Adopt as modified.

Commission Action:

Adopted as modified.

Rationale:

Based on public comment.

13. Require mandatory hatchery Steelhead retention

Type of Rule Change Proposal

Conservation

Short Description

Mandatory retention of hatchery Steelhead in all streams in Regions 4 and 6.

Explanation

This is a conservation measure to reduce the potential impact of hatchery steelhead on wild steelhead populations through mandatory retention of hatchery fish. Hatchery steelhead can have deleterious impacts on wild steelhead genetic integrity and population productivity. This regulation is already in place during steelhead fisheries in the Columbia River and its tributaries, thus providing angling opportunity while reducing impacts to ESA listed steelhead. See Table.

Proposal 13 Table. Require mandatory hatchery Steelhead retention. Please note that there are no authorized steelhead fisheries in any stream in Hood Canal because hatchery fish are part of the supplementation program. The term “PHOS” refers to Percent Hatchery Origin Spawners.

Number	Region	River/ Lake	Fork	Winter or Summer Steelhead	Explanation
1	Grays Harbor	Black	All	Winter (Stray)	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
2	Grays Harbor	Chehalis	All	Both	Meeting hatchery program needs.
3	Grays Harbor	Cloquallum	All	Winter (Stray)	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
4	Grays Harbor	Elk		Winter (Stray)	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
5	Grays Harbor	Hoquaim	All	Both (Summer strays)	No summer hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
6	Grays Harbor	Humptulips	All	Both	Meeting hatchery program needs.

Number	Region	River/ Lake	Fork	Winter or Summer Steelhead	Explanation
7	Grays Harbor	Johns	All	Winter (Stray)	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
8	Grays Harbor	Newaukum	All	Winter	Meeting hatchery program needs.
9	Grays Harbor	SF Chehalis	All	Winter (Stray)	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
10	Grays Harbor	Skookumchuck	All	Winter	Meeting hatchery program needs.
11	Grays Harbor	Wishkah	All	Both (Summer strays)	No summer hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
12	Grays Harbor	Wynoochee	All	Both	Meeting hatchery program needs.
13	North Coast	Big River	All outside ONP boundaries	Winter (Strays)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
14	North Coast	Cedar Creek	All outside ONP boundaries	Winter (Strays)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
15	North Coast	Goodman Creek	All outside ONP boundaries	Winter (Strays)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
16	North Coast	Kalaloch Creek	All outside ONP boundaries	Winter (Strays)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
17	North Coast	Mosquito Creek	All outside ONP boundaries	Winter (Strays)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
18	North Coast	Tsoo-Yess River (Sooes)	All outside Makah Res.	Winter	Reduce pHOS.
19	Puget Sound	Lake Washington	All	Both	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
20	Puget Sound	Nooksack	MF	Winter	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
21	Puget Sound	Nooksack	SF	Winter	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
22	Puget Sound	Samish	All	Winter	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
23	Puget Sound	Skagit	All	Both	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
24	Puget Sound	Stilliguamish	SF	Both	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
25	Strait	Clallam River	All	Winter (Stray)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
26	Strait	Deep Creek	All	Winter (Stray)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
27	Strait	Dungeness River	All open water	Winter	Meeting hatchery broodstock needs. Reduce pHOS.
28	Strait	Hoko River	All	Winter (Stray)	Meeting hatchery broodstock needs. Reduce pHOS.
29	Strait	Lyre River	Below Falls	Winter (Stray)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
30	Strait	Morse Creek	Below P.A. Dam	Winter (Stray)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
31	Strait	Pysht River	All	Winter (Stray)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.

Number	Region	River/ Lake	Fork	Winter or Summer Steelhead	Explanation
32	Strait	Salt Creek	All open water	Winter (Stray)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
33	Strait	Sekiu River	All	Winter (Stray)	No hatchery plants, so remove any hatchery fish encountered; minimal impact to fishing experience.
34	Willapa Bay	Bear	All	Winter (Stray)	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
35	Willapa Bay	Naselle	All	Winter	Meeting hatchery program needs.
36	Willapa Bay	Nemah	All	Winter (Stray)	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
37	Willapa Bay	Niawiakum	All	Winter (Stray)	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
38	Willapa Bay	North	All	Winter	Meeting hatchery program needs.
39	Willapa Bay	Palix	All	Winter (Stray)	No hatchery program, so remove any/all hatchery fish, minimal impact in fishing experience.
40	Willapa Bay	SF Willapa	All	Winter	Meeting hatchery program needs.
41	Willapa Bay	Smith	All	Winter	Meeting hatchery program needs.
42	Willapa Bay	Willapa	All	Winter	Meeting hatchery program needs.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-180	Freshwater exceptions to statewide rules-Coast
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (59 comments)

Support (44): Comments include:

- This will save more steelhead;
- Recreational fishers pay for these fish and should be able to harvest them;
- We need to take out all the hatchery fish so we can really see if the wild fish can make it on their own;
- Agree but maintain a daily limit on harvestable fish;
- Yes, for any stream which has a viable recoverable wild steelhead component;
- Knowing how this works on the Methow, I am in favor of this change.

Oppose (10): Comments include:

- Limits the amount of time one can fish, especially on multi-day fishing trips;
- Unnecessary because hatchery fish have been selected to spawn at different times.

General (5): Comment includes:

- Make it a statewide rule;
- Will be a problem without an increase or change in steelhead limit and a change in rules on wastage;
- How will this be enforced if a hatchery steelhead is released and not kept;
- Tie this with proposal #7;

- Don't believe there is competition between hatchery and native fish.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comment supports this proposal. Unless noted otherwise, the daily limit of 2 steelhead will remain. Although hatchery fish have been selected to spawn at different times, an overlap remains for hatchery and wild fish returning to freshwater. Further modifications, such as changes for multi-day fishing trips, may be made to adjust this rule in the future. Enforcement of this rule is not expected to be particularly difficult and enforcement may use various strategies to evaluate hatchery fish that are not kept. For areas where Proposal 7 is implemented, this proposal will not be implemented because this proposal requires retention. In contrast, Proposal 7 allows, but does not require, retention.

Modifications—difference between proposed and adopted rule:

WACs 220-310-180 and 220-310-190: Add Dungeness River (Clallam County) and remove Green River (King County).

Staff Recommendation:

Adopt as modified.

Commission Action:

Adopted as modified.

Rationale:

Further corrections identified.

PUGET SOUND

14. Increase fishing opportunity in Lake Washington Ship Canal (King Co.)

Type of Rule Change Proposal

Recreational

Short Description

Increase area open to fishing in the Lake Washington Ship Canal.

Explanation

The current regulations close a large portion of the Lake Washington Ship Canal to boat anglers targeting bass and close the area near the Ballard Locks to prevent boat traffic conflicts. There are no known biological and boating safety reasons for maintaining this closed area. This regulation would primarily benefit boat anglers targeting bass.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (12 comments)

Support (8): Comments include:

- As long as no possible impacts to Chinook;
- Kill more bass before they kill off the last sockeye smolt;
- Added fishing area would be helpful.

Oppose (2): Comment includes;

- There is a lot of traffic and boats fishing will cause issues.

General (2): Comment includes:

- Do not increase any fishing opportunity unless it is fly-fishing only, catch and release;
- Consider the impact on ESA listed Chinook in this confined area and opportunity for poachers to say they are bass fishermen while snagging or otherwise catching salmon.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comment supports this proposal. The department may modify the proposal if additional fishing results in difficulties or if there are unexpected impacts to listed Chinook salmon. Additional fly-fishing only and catch and release fisheries have been implemented in other proposals in this document.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

15. Pass Lake (Skagit Co.): Allow 2-pole opportunity

Type of Rule Change Proposal

Recreational

Short Description

Allow 2-pole fishing on Pass Lake.

Explanation

This proposal enables anglers to fish with two poles, providing additional recreational opportunity.

Amended Washington Administrative Code (WAC):

WAC	Title
220-55-220	Two-pole endorsement

Written Testimony (34 comments)

Support (13): Comments include:

- As long as only one pole in the water at a time;
- As a 2 pole endorsed fly fisherman, I do not see how this could possibly ruin other people's experiences on this lake;
- If you are going to allow 2 poles on lakes, make it all of the lakes for less confusion.

Oppose (17): Comments include:

- Unless there is a reason based on biology to make these fish healthier, I am opposed;
- Pass Lake gets plenty of pressure and with multiple poles fish may be injured due to lack of attention;
- Pass Lake is designated as fly fishing only and should be held to a different standard;
- The only benefit a 2 pole opportunity allows is for an angler to troll around the lake, which seems to go against the spirit of fly fishing;
- Don't do this to a high quality lake that provides excellent "recreational opportunities" as is.

General (4): Comments include:

- Re-open lake to one fish per day, no size limit because these are hatchery fish and they do not spawn in the lake.
- Would like to see someone casting two rods at once.

Public Hearing (0 comments)**Response to Comments and Consideration of Comments**

Most comments support this proposal. To broaden fishing options and ensure conservation occurs where needed, at this time the department provides lakes with and without two pole fishing. Should the concerns expressed occur, opportunities for changing this rule will be available in the future.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

16. Rattlesnake Lake (King Co.): Allow trout harvest

Type of Rule Change Proposal

Recreational

Short Description

Trout: 2 fish daily limit, 14 inch minimum size limit.

Explanation

Currently Rattlesnake Lake offers only catch and release fishing. The public are requesting a rule that allows for some harvest of trout. Selective gear rules will remain in effect.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (30 comments)

Support (14): Comments include:

- Yes, if it is planted with trout;
- Allow anglers to retain one fish over 18 inches and then must cease fishing;
- Allow retention of two fish over 16 inches.

Oppose (15): Comments include:

- This is the only catch and release lake in King County;
- Has only been catch and release for a few years;
- Will be fished out by summer's end.

General (1): Comment includes;

- More catch and release fishing opportunities are needed.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comments support this proposal and so the department recommends additional changes occur if the current rule does not suffice. Opportunities to propose additional changes to Rattlesnake Lake and to propose additional lakes will be available as part of future rulemaking activities.

Staff Recommendation:

Adopt as recommended.

Commission Action:
Adopted as recommended.

17. Clear Lake (Pierce Co.): Increase Kokanee daily limit

Type of Rule Change Proposal
Recreational

Short Description
Increase the daily limit for Kokanee from 5 to 10 fish.

Explanation
Surplus Kokanee are available for harvest in Clear Lake. This rule increases the daily limit for Kokanee to 10 fish. This is consistent with most Kokanee managed waters in Washington.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (12 comments)

Support (9): Comments include:

- Great idea, do the same for American Lake (Pierce Co.);
- Daily limit for kokanee should be ten fish and separate from the rainbow trout limit;
- Will draw more anglers;
- Recommend statewide kokanee limit be 10 fish.

Oppose (1): Comment includes;

- Don't increase the daily limit.

General (2): Comment includes;

- Why this proposal and will the population support this increase.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comment supports this proposal. This proposal was recommended because it provides additional recreational fishing opportunity and is not expected to result in a conservation concern. American Lake may be considered as part of future rulemaking activities. The Kokanee limit of ten fish will be separate from the Rainbow Trout limit.

Staff Recommendation:
Adopt as recommended.

Commission Action:
Adopted as recommended.

18. Collins Lake (Mason Co.) and Stump Lake (Mason Co.): Adopt statewide rules and harvest limits

Type of Rule Change Proposal

Recreational

Short Description

Adopt statewide limits and rules for Collins and Stump lakes.

Explanation

There is no need to have special fishing rules listed in the WDFW fishing pamphlet for these lakes. Currently these lakes have no public access, and are only fished by community members with legal access to the lake. WDFW does not stock trout in these lakes and does not want to have special rules regulating lake residents or other public that gain private access to these lakes.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (6 comments)

Support (2): Comments include:

- Agreed, we don't need to regulate fishing on private lakes.

Oppose (1): No comments oppose this proposal.

General (3): Comment includes:

- Public should have access to this lake;
- Retention of fish should not be allowed.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Public response to this proposal was minimal. The public will continue to have access to these lakes but they will be under statewide rules. There is not a conservation concern that makes retention of fish a concern.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

19. Baker Lake (Whatcom Co.): Adjust Kokanee and Trout size limit

Type of Rule Change Proposal

Recreational

Short Description

This proposal would change the Trout size limits to statewide rules, and specify that for Kokanee, the minimum length is 8 inches and the maximum length is 18 inches. By definition, all fish over 18 inches in length are Sockeye.

Explanation

This proposal changes the maximum length for Trout to increase recreational opportunity. Currently the Trout rule says the maximum length is 18 inches and this unnecessarily limits recreational opportunity. This proposal, by increasing the minimum size on Kokanee, also protects most Sockeye smolts from harvest during spring-timed fisheries.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (10 comments)

Support (8): Comment includes:

- Good regulation change and protective of sockeye juveniles;
- Support this change and consistency with statewide regulations.

Oppose (0): No comments oppose this change.

General (2): Comment includes:

- Rule should be fly fishing only with a minimum of 15 inches.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comments support this proposal. There are other lakes that provide fly fishing opportunity.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

20. Blackman's Lake (Snohomish Co.): Increase trout limit

Type of Rule Change Proposal

Recreational

Short Description

Increase the Trout daily limit on Blackman's Lake to five, no more than 2 over 15 inches in length.

Explanation

The existing rule is 3 Trout per day. This does not take advantage of the large number of Trout in the lake that are 10 to 12 inches in length. Large Trout are released in this lake through cooperative agreement with the Snohomish Sportsman's Club. Some anglers high grade Trout to harvest the larger fish, creating conflict and limiting opportunity for other anglers. To prevent this conflict from arising, anglers will only be allowed to harvest 2 Trout larger than 15 inches per day and can complete their 5 fish limit with additional smaller Trout.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (13 comments)

Support (8): Comment includes:

- Recommendations about the type of gear to allow (e.g. beads).
- The definition should be "A lure cast with a fly line."

Oppose (3): Comment includes:

- Keep the limit as it currently is but change to fly fishing only;
- Regulars brag about catching a limit, taking the trout home, and coming back to catch more; upping the limit to five fish will increase this problem.

General (1): Comment includes:

- Only selective fishing should be allowed if there is a rule requiring the release of trophy trout.
- Another option is to allow the use of bait and require anglers to keep the first five fish they catch regardless of size.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comments support this proposal. The department may consider further rule changes in response to enforcement concerns and gear during future rulemaking processes. At this time, there is not a conservation concern that warrants requiring anglers to retain the first five fish they catch on this lake.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

21. Ross Lake (Whatcom Co.): Adjust trout fishing rules

Type of Rule Change Proposal

Recreational

Short Description

Adjust angling rules on Ross Lake to protect Rainbow Trout and increase harvest on Brook Trout. Modify existing Rainbow Trout and Brook Trout harvest rules. New rules would allow daily limit 1, minimum size 16 inches for Rainbow Trout and increase the Brook Trout limit to 5 per day, no minimum size.

Explanation

The reasons for the regulation changes are to 1) Remove the non-native Brook Trout to help protect ESA listed Bull Trout and Dolly Varden, and 2) help recover native Rainbow Trout. The native Rainbow Trout population in Ross Lake is in decline. Reducing the daily limit and increasing the minimum length will reduce overall population exploitation and allow adult Rainbow Trout to spawn once before being subject to harvest. This is an exception with other Brook Trout rules in the state but aligns this U.S./ Canada border lake with nearby lakes.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (10 comments)

Support (5): Comment includes:

- There should be no limit on this non-native species, period!

Oppose (5): Comment includes:

- Leave the rules as they are.

General (2): Comment includes:

- If rainbow trout are in decline, then stop harvest, and if brook trout are a problem allow unlimited retention with selective gear only;
- Suspect that the rainbow population out competes the brook trout;
- If invasive species theory is carried to extreme, many popular game species will be hunted to extinction, to public's detriment;
- Allow only if the resulting rule is for fewer fish and impose fly fishing only and catch and release.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional opportunity on introduced Brook Trout while not causing additional mortality to Rainbow Trout. To provide an array of fishing opportunities, the department does not recommend changing this lake to catch and release and fly fishing only at this time.

Staff Recommendation:

Adopt as recommended.

Commission Action:
Adopted as recommended.

22. Texas Pond (Skagit Co.) daily limit

Type of Rule Change Proposal
Recreational

Short Description
Remove daily limits for all game fish on Texas Pond.

Explanation
Overabundant Brook Trout and Bass pose a threat to downstream ESA listed Steelhead and Salmon. This rule is intended to use angler exploitation as a tool to reduce abundances of unwanted non-native gamefish.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (10 comments)

Support (5): Comment includes:

- Absolutely remove limits on all non-native fish. I wish you could require all bass to be retained and killed, also.

Oppose (5): Comment includes:

- Leave limits on gamefish on Texas Pond.

General (1)

Public Hearing (0 comments)

Modifications—difference between proposed and adopted rule:

WAC 220-310-190: Remove limit for Eastern Brook Trout only.

Response to Comments and Consideration of Comments

At this time the department recommends adoption of the proposal due to conservation concerns with listed species. Based on comment, a modification was recommended to remove the limit for Eastern Brook Trout only. There will be opportunity to propose changes for this waterbody in the future.

Staff Recommendation:
Adopt as modified.

Commission Action:
Adopted as modified.

Rationale:
Based on public comment.

23. Thornton Lake and Thornton Creek (Whatcom Co): No limit on Westslope Cutthroat

Type of Rule Change Proposal

Recreational

Short Description

Thornton Creek: All Game Fish: First Sat. in June-Oct. 31. No limit on cutthroat, and up to 2 hatchery Steelhead may be retained. No other species may be retained.

Explanation

Propose statewide rules, except no limit on cutthroat trout. Lower Thornton Lake and Thornton Creek are over populated with Westslope Cutthroat Trout that are making their way into the Skagit River. This offers a fishing opportunity, but is intended to be a conservation measure to reduce the Westslope Cutthroat population and thus the potential for the population to increase in the Skagit and potentially result in a negative interaction with native species such as Steelhead and Coastal Cutthroat.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (8 comments)

Support (4): Comment includes;

- Sounds like a great idea supported by biology

Oppose (2): Comment includes:

- No fish may be retained. All caught must be released and switched to fy-fishing only.

General (2)

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. To provide an array of fishing opportunities, the department does not recommend changing this lake to catch and release and fly fishing only at this time.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

24. Black Lake Ditch (Thurston Co.) warmwater angling

Type of Rule Change Proposal

Recreational

Short Description

Black Lake Ditch (Thurston Co.) from the confluence with Percival Creek upstream to Black Lake. From November 1 through the first Friday in June catch and release only for all game fish.

Explanation

This proposal would provide additional fishing opportunity for the many warmwater fishes present in the system.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (5 comments)

Support (3): Three comments support this proposal.

Oppose (0): No comments oppose.

General (2): Comments include:

- Why no retention?
- Why not also allow retention of non-native warmwater gamefish?

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

No comments oppose this proposal. The department may consider further rule changes during future rulemaking processes that include retention. Based on comment, the department recommends requiring selective gear rules for the new season.

Modifications—difference between proposed and adopted rule:

WAC 220-310-190: Require selective gear rules during added season.

Staff Recommendation:

Adopt as modified.

Commission Action:

Adopted as modified.

Rationale:

Based on public comment.

25. Mill Pond (King Co.): Adjust fishing rules

Type of Rule Change Proposal

Recreational

Short Description

Adjust angling rules on Mill Pond (King Co.) to allow juvenile-only fishing and remove adult fishing exceptions.

Explanation

This small lake is currently open to juvenile fishing only, except adults are allowed to fish on Free Fishing weekend. This proposal makes the lake open to juvenile fishing only. Permitting adults to angle in the pond reduces juvenile angling opportunity and there are many other waters nearby where adults can fish on Free Fishing weekend without impacting juveniles.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (15 comments)

Support (3): Three comments support this proposal.

Oppose (11): Eleven comments oppose this proposal.

General (1)

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The majority of comments were against this proposal. Based on public comment, the department rescinded the recommendation for this proposal.

Staff Recommendation:

Do not adopt based on public comment.

Commission Action:

Did not adopt.

Rationale:

Based on public comment.

26. Sammamish Lake (King Co.): Remove hook restrictions

Type of Rule Change Proposal

Recreational

Short Description

Remove the seasonal single point barbless hook restrictions on Sammamish Lake.

Explanation

This proposal removes the current requirement for single-point barbless hooks. The current rule was implemented to help reduce post-release mortality on Kokanee. At the time, Lake Sammamish Kokanee were petitioned to be listed as Threatened under the ESA by USFWS. Since that time USFWS has determined that listing is not warranted for Sammamish Kokanee as they don't meet the criteria for an independent population. In addition, the Sammamish Kokanee population has had several strong spawning escapements in recent years and barbless hook restrictions are not warranted from a conservation perspective.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (26 comments)

Support (10): Comment includes:

- Consistent with other waters, and kokanee have such soft mouths that they are easy to release with our without barbed hooks;
- Open the lake to Kokanee fishing and stock it with Kokanee, as well;
- Support but want to see a change to allows anglers to catch and keep Kokanee;
- Will benefit many anglers wanting to troll Lake Sammamish without changing out lures to single barbless hooks.

Oppose (16): Comment includes:

- Better to err on the side of conservation efforts;
- Keep the current rule because those who keep end up with the same number of fish, it just takes more time;
- Because of the proximity to Seattle/Bellevue barbless hooks should still be used;
- Impose fly fishing, catch and release, and barbless hook rules.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional opportunity given that Kokanee were not listed. To provide an array of fishing opportunities, the department does not recommend changing this lake to catch and release and fly fishing only at this time.

Staff Recommendation:

Adopt as recommended.

Commission Action:
Adopted as recommended.

27. Alder Reservoir tributaries and upper Nisqually River (Thurston Co.): Increase Trout harvest opportunity

Type of Rule Change Proposal
Recreational

Short Description

Daily limit 2 trout over 14 inches, Selective Gear Rules for all tributaries to Alder Reservoir and the upper Nisqually River above Alder Reservoir.

Explanation

The current rules do not include the tributaries of Alder Lake Reservoir and the upper Nisqually River. Implementing these fishery rule changes will allow for some trout harvest opportunity while continuing adequate protection for native trout species in these waters.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (10 comments)

Support (5): Three comments support this proposal.

Oppose (3): Two comments oppose this proposal.

General (2): Comment includes:

- Do not have game fish over 14 inches because anglers will catch and release small salmonids with the expectation of 2 over 14 inches. The kokanee who use these tributaries for spawning are usually less than 14 inches, so this rule will inflict unnecessary mortality to existing populations. A restriction of 10 or 12 inches is more appropriate because salmonids that size do exist in these waters.
- Consider unlimited harvest of brook trout from the reservoir and all tributaries, because they are around, are not native, and have the potential to take systems over.
- Native rainbow trout have the potential to contribute to endangered steelhead populations downstream, as they are genetically identical and may have been the same populations before the dams were put in; making harvest of native rainbows is a bad idea. And if hatchery rainbows are planted in Alder Lake, they should be 100% marked to facilitate harvest with at least a 5 fish limit.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

28. Adjust fishing rules on Whatcom Creek, Skagit and Cascade rivers

Type of Rule Change Proposal

Conservation

Short Description

This proposal adjusts the rules to remove unneeded seasons and fishery zones that were consistent with providing a fishery on hatchery Steelhead.

Explanation

Since hatchery Steelhead are no longer stocked in these streams, appropriate rules for protecting wild Steelhead, Salmon and resident Trout will be put in place. See Table.

Proposal 28 Table. Adjust fishing rules on Whatcom Creek, Skagit and Cascade rivers.

Number	County	Water	Current Rule	Proposed	Explanation
1	Whatcom	Whatcom Creek	Whatcom Creek from mouth to yellow markers below foot bridge below Dupont St. in Bellingham: Trout: First Sat. in June-Last day in Feb. Min. size 14"; daily limit 2. Other Game Fish: First Sat. in June-Last day in Feb. Statewide min. size/daily limit	Whatcom Creek from mouth to yellow markers below foot bridge below Dupont St. in Bellingham: Trout: First Sat. in June-Dec 31. Min. size 14"; daily limit 2. Other Game Fish: First Sat. in June-Dec 31. Statewide min. size/ daily limit.	Season is shortened because hatchery Steelhead are no longer stocked in this creek.
2	Skagit	Skagit River	Skagit River from Hwy. 530 Bridge at Rockport to Cascade River Rd. (Marblemount Bridge) All Other TROUT June 1-Feb. 15 Min. size 14"; daily limit 2. Other Game Fish June 1-Feb. 15 Statewide min. size/ daily limit.	Skagit River from Hwy.530 Bridge at Rockport to Cascade River Rd. (Marblemount Bridge): All Other Trout June 1-January 31. Min. size 14"; daily limit 2. Other Game Fish June 1-January 31. Statewide min. size/ daily limit.	Season is shortened because hatchery Steelhead are no longer stocked in this river.
3	Skagit	Cascade River	Cascade River from mouth to Rockport-Cascade Rd. Bridge: All Other TROUT Sept. 16-Feb. 15. Min. size 14"; daily limit 2. Other Game Fish: Sept. 16-Feb. 15 Statewide min. size/ daily limit.	Cascade River from mouth to Rockport-Cascade Rd. Bridge: All Other TROUT Sept. 16-Jan 31. Min. size 14"; daily limit 2. Other Game Fish: Sept. 16-Jan 31. Statewide min. size/daily limit.	Season is shortened because hatchery Steelhead are no longer stocked in this river.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (27 comments)

Support (8): Comment includes:

- Ok only if the result is fly fishing and catch and release only.

Oppose (12): Comment includes:

- To ensure recovery, there should be no fishing on any of these river systems;
- Hatchery strays should be allowed to be removed;
- Leave the season as it is because it allows more opportunity to fish;
- At least leave the Upper Skagit catch and release until the end of April.

General (7): Comment includes:

- This does not go far enough. Rainbow trout should not be harvested because they are genetically identical to native steelhead and essential to the biological diversity necessary for the recovery of native steelhead;
- With such strong runs of wild steelhead, a lot of us would love to see a catch and release steelhead season on the Skagit and Sauk rivers through February, or even March;
- Makes sense for hatchery steelhead. Wild steelhead on the Skagit continues to improve and so a catch and release, single barbless, and no bait season could occur;
- Would like a catch and release season year round on that part of the Skagit;
- Resident rainbow trout should be released year round because they spawn with wild steelhead and help diversify the gene pool;
- Borderline Bassin Contenders (hunting & fishing club since 1973) is in favor for recreational use, but not their desire to stop the hatchery fishery.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

29. Whatcom Creek (Whatcom Co.): Open a portion of the creek to fishing

Type of Rule Change Proposal

Recreational

Short Description

Increase fishing opportunity on Whatcom Creek and remove unneeded anti-snagging rules. Open the portion of Whatcom Creek from the foot of bridge below Dupont Street in Bellingham to the stone bridge at Whatcom Falls Park.

Explanation

This particular section of the creek used to be open prior to the Olympic Pipeline explosion in June of 1999. After the explosion, it was closed to allow for stream restoration. It has now been over 15 years and the ecosystem has made a strong recovery and it would be appropriate to reopen for angling. Anti-snagging rules are in place above the anadromous zone where there are no Salmon or Steelhead present to snag.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (16 comments)

Support (12): Comment includes:

- Great for the community, especially the college students. There is a growing interest in fly fishing at Western Washington University and this increases the available area that students without transportation can access for fishing.
- I would make this section catch and release for trout if possible so that it can sustain the number of anglers in Bellingham.

Oppose (2): Comment includes:

- If there are wild rainbow trout in this stream they are genetically identical to wild steelhead and should never be harvested.
- Keep it closed and maybe eventually native steelhead will start to recover.

General (2)

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

30. McAllister Creek (Thurston Co.): Adjust fishing rules

Type of Rule Change Proposal

Recreational

Short Description

Remove the "barbless hook" rule from McAllister Creek and implement Selective Gear Rules.

Explanation

The current "barbless hooks" required for all species is inconsistent with the current "Selective Gear Rules" for Trout and Other game fish during overlapping seasons. This proposal removes the barbless hooks only rule and manages the creek under Selective Gear Rules.

Amended Washington Administrative Code (WAC):

WAC	Title
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Written Testimony (9 comments)

Support (4): Three comments support this proposal.

Oppose (4): Comment includes:

- I do not like the selective gear rules for this area.

General (1)

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

31. McLane Creek (Thurston Co.): Adjust fishing rules

Type of Rule Change Proposal

Conservation

Short Description

Adopt catch and release and selective gear rules for McLane Creek.

Explanation

The rule change is consistent with existing rules on other South Puget Sound streams (e.g. Skookum; Deschutes; Shelton; Goldsborough; Johns). Further, this rule is needed based on the apparent low number of Cutthroat spawners (redds/mile) relative to other South Puget Sound streams.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (12 comments)

Support (8): Comments include:

- Support adoption of catch and release selective gear rule for McClane Creek;
- Yes, makes sense for both the saltwater and freshwater rules to be the same for cutthroat trout retention.

Oppose (2): Comment includes:

- No on catch and release and selective gear rules;
- If conservation is truly an issue, then close the creek to fishing and allow catch and release only in the estuary. Repeated catch and release of undersized cutthroat is going to result in some mortality, and injure some adults who are about ready to spawn, so it is better to leave the freshwater alone and catch and release in salt water.

General (2): Comment includes:

- Fall chum fishery brings many anglers to the Mud Bay area and cutthroat are subject to harvest;
- The stream downstream of the Mud Bay road bridge for 100 feet up to the northbound Highway 101 Bridge should be included in the cutthroat protection zone.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

32. Chaplain Creek (Snohomish Co.): Close a portion of this stream

Type of Rule Change Proposal

Conservation

Short Description

Chaplain Creek (Snohomish County) from the beaver pond(Grass Lake) below the water filtration plant gate upstream - closed waters.

Explanation

The portion of Chaplain Creek above the water filtration plant is within an area closed by the City of Everett due to security concerns with the water supply. The portion being proposed for closure is within an incorporated area with a fence and/or no trespassing signs around the perimeter to protect the drinking water supply for the city of Everett.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (8 comments)

Support (6): Comment includes:

- This is the appropriate measure. As the Watershed Patrol Officer for the City of Everett, this area of the stream is within the Restricted Area of the Watershed Filtration Plant and on incorporated City of

Everett Property. It is posted “No Trespassing” currently for security issues and all trespassers will be cited.

Oppose (1): One comment opposes this proposal.

General (1)

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comment supports this proposal. The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Modifications—difference between proposed and adopted rule:

WAC 220-310-190: Reduce closed area.

Staff Recommendation:

Adopt as modified.

Commission Action:

Adopted as modified.

Rationale:

Further corrections identified.

33. Newhalem Creek (Whatcom Co.): Adjust fishing rules

Type of Rule Change Proposal

Recreational

Short Description

Close angling on the anadromous portion of Newhalem Creek below the Seattle City Light hydropower facility. Open the creek to angling for all game fish above the power facility beginning the Saturday before Memorial Day to October 31st under statewide minimum size and daily limits for streams.

Explanation

This rule change is consistent with the WDFW Stream Strategy approach intended to limit angling impacts in the anadromous zone while maximizing recreational opportunity for trout angling.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (6 comments)

Support (2): The only comment that favors this proposal has conditions. Please see the general comment section below.

Oppose (3): Comment includes:

- Do not permit this rule change;
- Rainbow trout are genetically identical both above and below the hydro facility. Trout above the facility are likely contributing smolts to anadromous steelhead populations, so they should be left alone like all wild steelhead/rainbow below the facility if the intent is to recover wild steelhead.

General (1): Comment includes:

- Yes, as long as there is no impact to wild fish. Otherwise no.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

34. North Fork Nooksack River (Whatcom Co.): Close a portion of this stream

Type of Rule Change Proposal

Conservation

Short Description

Currently this area falls within the section of the North Fork Nooksack that lies from the mouth up to Maple Creek. We propose a subsection of this stretch that runs from the North Fork of the Nooksack River (all sloughs and side channels) from a true east-west line running through a white monument marking the mouth of Kendall Creek downstream 1,500 feet. We propose that this area be closed year-round to all fishing.

Explanation

This proposal is a result of the ever-changing nature of this stretch of the Nooksack River. This proposal will clarify the mouth of Kendall Creek, avoiding public confusion with shifting river boundaries. In addition, this proposal protects Spring Chinook, Steelhead, and Chum that are attempting to enter the hatchery.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (15 comments)

Support (7): Comment includes:

- Absolutely, yes. This has been a snagfest for years;

- As someone who spends a lot of time fishing the North Fork of the Nooksack, I fully support this proposal;
- Yes, close it to all and any fishing.

Oppose (8): Comment includes:

- I believe this portion should be catch and release fishing for all wild fish but allow anglers to retain hatchery steelhead;
- Hatchery fish should be harvested; that is what we are paying for;
- Disagree that hatchery is at risk of securing eggtake goals;
- There is no winter steelhead program;
- Put the marker at the mouth of the creek to formally define it and don't let people fish from that point to the hatchery;
- If the problem is snagging, close the entire creek.

General (0): All comments favor or oppose this proposal.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Did not adopt.

Rationale:

Commissioners asked fish managers to evaluate other potential options to reduce the effect of the rule on steelhead fishing, either by different time or boundary alternatives and to consider other options to clarify fishing boundaries at the mouth of Kendall Creek, which meanders at different times of the year into the closed section below the hatchery weir.

35. Skagit River (Skagit Co.): Adjust fishing rules

Type of Rule Change Proposal

Recreational

Short Description

Open the lower Skagit River from mouth to Highway 536 at Mt. Vernon, from March 1 to May 31 for all gamefish.

Explanation

Last rule cycle this reach of the Skagit was opened for fishing for Trout March 1-May 31. "Other gamefish" was not proposed by the proponent, only because it was an oversight. Opening for other gamefish during this time frame simplifies the rules, and makes them consistent.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (22 comments)

Support (16): Comment includes:

- "Other Gamefish" is fine, but please close the river entirely to wild rainbow trout harvest, as these are genetically identical freshwater phenotypes of anadromous steelhead, and the preservation of their genetic material will be needed if steelhead are ever to recover;
- Hard to argue with the logic of this one.

Oppose (2): One comment opposes this proposal.

General (4): Comment includes:

- This area should be closed permanently to recover early run wild steelhead. These fish remain in the system in the lower Skagit river until they spawn from February to April. Further, they would be caught as kelts if this rule passes;
- Make the rule consistent and open the Skagit. In fact, open the Skagit for a Catch and Release season all the way up the river to Marblemount;
- This time period in this location should have single barbless hook and no bait rules as well as release of steelhead to better protect later returning wild steelhead.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comments support this proposal. The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

36. Minter Creek (Pierce/Kitsap Co.): Close to Trout fishing

Type of Rule Change Proposal

Conservation

Short Description

Close trout fishing from the mouth to the hatchery rack, year-round.

Explanation

This rule is intended to protect returning adult Chinook entering the hatchery rack. There will still be a salmon season November 1 to December 31st.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (9 comments)

Support (4): Comment includes:

- Fine, leave the salmon alone during the low, warm winter months.
- Yes, as it is more likely than not that the fish actually being caught are salmon smolts, not trout.

Oppose (4): Comment includes:

- Do not think the impact is big enough on the Chinook in that stretch of stream;
- Would like to see old regulations put back into place—selective fishing regulations with catch and release for trout from above the hatchery rack upstream.

General (1)

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

37. Snoqualmie River (King Co.): Adjust Trout season dates and harvest limits

Type of Rule Change Proposal

Recreational

Short Description

On the Snoqualmie River above the falls including the North and South forks, allow year round fishing with a retention Trout fishery (2 fish daily, min. size 10 inches) from the Saturday before Memorial Day through October 31 and catch and release fishing the remainder of the year.

Explanation

These rules are conservative enough to ensure persistence of trout in the streams while allowing some recreational trout harvest.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (19 comments)

Support (7): Comment includes:

- Agree with leaving the rivers open year-round. Do not agree with the retention of 2 fish.
- Agree with year-round catch and release, but do not agree with the trout retention policy. The low population of 10 inch plus trout, and the damage done to trout less than that size, makes this unadvisable. I recommend all forks of the Snoqualmie above the Falls be designated catch and release for the foreseeable future;
- A year-round fishing opportunity on these rivers is nice to have.

Oppose (7): Comment includes:

- Disagree with year-round fishing;
- Do not allow retention of any trout above the falls as those fish are already struggling;
- Do not support. These fish go over the falls and contribute to the anadromous run. This has been clearly shown in Alaska and other rivers. This action would be removing fish that may return as wild steelhead and help rebuild the run;
- Summer 2015 comprised stressful conditions for native salmonids. Preliminary data collected in the Snoqualmie Watershed by King County Water and Land Resources Division over summer 2015 showed some of the highest temperatures in the entire basin in the Middle Fork Snoqualmie. Stressful conditions continued throughout the summer and current predictions point to another hot dry summer in 2016. Repeated stressful summer conditions, an increase in angler effort related to ease of access with the current paving of the Middle Fork Snoqualmie Road, and harvest of prime reproducing individuals of the local Coastal Cutthroat population may significantly affect the fishery. Please delay this regulation.

General (5): Comment includes:

- Should be one fish over 10 inches;
- Wild rainbow trout above the falls are likely contributing genetic material and smolts to steelhead/rainbow populations below the falls, so if there is going to be any fishing it should be selective catch and release only;
- If any brook trout are caught they should be required to be retained with no limit;
- There should not be a catch/kill fishery on the forks of the Snoqualmie. The fish in these rivers are typically small to begin with (under 10"), so allowing people to kill the biggest fish in the system degrades the gene pool and reduces the ability for C&R fishers to catch trout over 10" in these streams. The MF has been C&R-only for years and is one of the best moving water trout fisheries in King County. This will not be maintained if people are killing the fish in the river, particularly with the road being paved soon. King County offers many lakes stocked with trout for people who want to harvest their catch, but to my knowledge there is only one stream with a year-round C&R reg and that is the MF. It would be a shame to degrade the quality of the only wild trout producing C&R rivers in the area. The SF and NF are small fragile systems that deserve the same protection. These streams should be managed with abundant populations of wild trout as the goal, not as a meat fishery.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

38. Skagit River (Skagit Co.): Convert a portion of the river to catch and release Trout fishing

Type of Rule Change Proposal

Conservation

Short Description

Skagit River from Hwy. 530 Bridge in Rockport to Cascade River Road in Marblemount. June 1st - January 31. Catch and release only for trout.

Explanation

This proposal removes the retention of trout in the Skagit River from the Hwy. 530 Bridge at Rockport to Cascade River Rd. (Marblemount Bridge) and changes the closing date from February 15 to January 31. Catch and release regulations for trout in this section will allow fish to grow large and provide opportunity for anglers to repeatedly catch trophy sized trout.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (38 comments)

Support (31): Comment includes:

- Catch and release for all wild trout;
- Would like additional fishing days;
- Should accompany this change with selective gear rules because of release mortality;
- Support an increase in Dolly Varden limit to protect trout;
- Recommend that cutthroat trout be catch and keep in freshwater like it is in saltwater;
- This is a good regulation, as it will also preserve native rainbow/steelhead genetic material which will be needed for wild steelhead recovery.

Oppose (6): Comment includes:

- Don't shorten the season. Make the whole river catch and release;
- The bulk of the salmon run going to the Marblemount Hatchery is caught in this section, so a lot of opportunity would be lost for hatchery fish.
- No on catch and release only fishing

General (1)

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comments support this proposal. The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

39. Stillaguamish River (Snohomish Co.) night closure

Type of Rule Change Proposal

Conservation

Short Description

Close the mainstem Stillaguamish River and all sloughs below Marine View Drive to night fishing year-round, all species.

Explanation

This rule change makes for easier rule enforcement in this portion of the Stillaguamish River and reduces the potential for poaching activity.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (19 comments)

Support (15): Comment includes:

- All Puget Sound rivers should be closed after dark. Very little if any legal sportfishing happens at night;
- Night fishing encourages poaching and trespassing on private property.

Oppose (4): Comment includes:

- This will reduce the opportunity to catch hatchery fish.

General (0): All comments favor or oppose this proposal.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comment supports this proposal. The impact to the opportunity for catching hatchery fish is expected to be minimal. The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

40. Tolt River (King Co.): Adjust fishing rules

Type of Rule Change Proposal

Conservation

Short Description

Adjust the fishing rules for the lower Tolt River. Currently the rule is "From the mouth to the USGS trolley cable near the confluence of North and South forks: All Species - First Saturday in June-Nov 30; selective gear rules." We propose to extend the time that selective gear rules are required to say, "Open the First Saturday in June to January 31, All Species: selective gear rules."

Explanation

To reduce hooking mortality on wild steelhead and bring regulations in line with the Statewide Steelhead Management Plan.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (17)

Support (9): Comment includes:

- Adopt only if this will result in less water being fished with all water fly fishing and catch and release;
- This is the step in the right direction to further reduce wild steelhead mortality;
- Selective gear rules with mandatory hatchery steelhead retention has my support.

Oppose (5): Comment includes:

- Close the Tolt to fishing;
- If we are managing these rivers for Steelhead Conservation should not have a trout season on the Tolt;
- Not many wild fish in before the river closes in January.

General (3)

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comments support this proposal. The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

41. Kennedy Creek (Thurston Co.): Adjust fishing rules

Type of Rule Change Proposal

Conservation

Short Description

Adjust fishing season dates and harvest rules for Kennedy Creek from Highway 101 upstream to barrier falls. This proposal changes the season end date from the last day in February to Oct. 31 and adjusts harvest rules to catch and release and selective gear rules.

Explanation

This change is needed because of an apparent low number of Coastal Cutthroat spawners (redds/mile).

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (10 comments)

Support (4): Comment includes:

- Support because coastal cutthroat trout provide a very important recreational fishery in the marine waters of South Puget Sound;
- Sea run cutthroat trout follow the chum runs in South Sound streams to eat the abundant loose and disturbed eggs. The majority of angler pressure is downstream of the Highway 101 Bridge, especially through February. Cutthroat retention should be eliminated below (north) of the Highway 101 Bridge also.

Oppose (3): Comment includes:

- Close it until it recovers;
- There are not enough people fishing for trout on Kennedy Creek to have any impact.

General (3)

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:
Adopted as recommended.

42. Chambers Creek (Pierce Co.): Adjust fishing rules

Type of Rule Change Proposal
Conservation

Short Description

Chambers Creek from mouth (Burlington-Northern RR Bridge) to markers 400' below the Boise-Cascade Dam: all species: selective gear rules, except bait allowed September 1 to October 15. All Trout Catch and Release.

Explanation

Streams in South Puget Sound that harbor anadromous Cutthroat Trout are generally managed under restrictive harvest or catch and release rules. This rule is proposed to reduce handling and hooking mortality of coastal cutthroat.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (9 comments)

Support (4): Comment includes:

- Support the catch and release requirement for all trout for the purpose of protecting coastal cutthroat trout.

Oppose (3): Comment includes:

- Close it to fishing until cutthroat trout retention is allowed in saltwater.

General (2)

Public Testimony Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

43. Snohomish River (Snohomish Co.): Allow catch and release Sturgeon fishing

Type of Rule Change Proposal

Recreational

Short Description

Open the Snohomish River Sturgeon fishery year-round for catch and release opportunity from the Mouth to the Highway 9 Bridge.

Explanation

There is an abundant enough population of Sturgeon in the lower Snohomish River to allow for year-round catch and release Sturgeon fishing.

Amended Washington Administrative Code (WAC):

WAC	Title
220-56-282	Sturgeon—Areas, seasons, limits and unlawful acts
220-310-190	Freshwater exceptions to statewide rules-Puget Sound

Written Testimony (19 comments)

Support (13): Comment includes:

- Yes, open this fishery since there are no other sturgeon fisheries in the vicinity;
- Allow catch and release or better yet, retention in the Snohomish River.

Oppose (6): Comment includes:

- These long-lived fish should be left alone. Sturgeon only spawn in the Fraser or the Columbia, and in the Columbia they are not doing well; spawners are dying from high water temperatures this year, lower river harvest is non-existent, and any sturgeon anywhere else in Washington should not be targeted even for catch and release. This is especially serious as we are likely looking at extended record low flows and high temperatures in the Snohomish system as well;
- Do not support the catch and release of any Sturgeon;
- Keep it closed until the abundance allows a harvest.

General (0): All comments favor or oppose this proposal.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing additional recreational opportunity while not causing conservation concerns.

Modifications—difference between proposed and adopted rule:

WAC 220-310-190: Modify language because of definition of river mouth.

Staff Recommendation:

Adopt as modified.

Commission Action:

Adopted as modified.

Rationale:

Further corrections identified.

COAST

44. Increase fishing opportunity for anglers with lower extremity disabilities

Type of Rule Change Proposal

Recreational

Short Description

This proposal applies to the Forks Creek Hatchery (Pacific Co.) fishery for anglers with disabilities. The current rule is: Closed Waters except for anglers with disabilities who must permanently use a wheelchair AND who have a designated harvester companion card. We propose this rule be changed to: Closed Waters except for anglers with lower extremity disabilities who must permanently use a medically prescribed assistive device every time for mobility as defined in WAC 232-12-825(1)(a) AND who have a designated harvester companion card.

Explanation

This proposal removes the wheelchair requirement to provide more opportunity for anglers with lower extremity disabilities.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-180	Freshwater exceptions to statewide rules-Coast

Written Testimony (16 comments)

Support (14): Comment includes:

- Good idea, these are hatchery fish anyway and surplus needs to be removed, might as well give the easiest fishing to those most in need of easy fishing;
- Have multiple friends that technically could not fish at the handicap sites, but cannot walk over uneven ground or more than a few feet at a time. At the same time, the majority of the time I have been to the handicap site at the Cowlitz, no one is fishing it. Recommend allowing these people to fish with their family, as there are few opportunities on rivers for them to do this. Also recommend making it easier to get the paperwork and details needed to get the designated harvester card.

Oppose (2): Comment includes:

- Should be closed to everyone;
- From disabled people I have talked to, the present rule is already badly misused. Do not let this type of physical condition give people that are not disabled this opportunity.

General (2)

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comment supports this proposal. The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing diverse recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

45. Adopt selective gear rules for the Naselle River

Type of Rule Change Proposal

Conservation

Short Description

Adopt selective gear rules for the Naselle River from February 1 to April 15.

Explanation

Rule change is proposed to reduce hooking mortality on wild adult and juvenile Steelhead in the Naselle River.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-180	Freshwater exceptions to statewide rules-Coast

Written Testimony (42 comments)

Support (38): Comment includes:

- Encourage adoption to reduce hooking mortality of wild steelhead. This should be a statewide regulation;
- Support with the caveat of only a single barbless hook;
- Selective gear helps to protect populations that are already vulnerable as it significantly reduces hooking mortality, especially during a time of the year when those fish are even more susceptible to angling pressure.
- Would like to see more selective gear rules proposed for coastal steelhead rivers.

Oppose (2): Comment includes:

- Don't take away traditional fishing techniques.

General (2): Comment includes:

- The only bait fishing allowed should be during the fall salmon run and the early portion of the winter steelhead run;
- Trout fishing with bait should not be allowed during the summer, when there are wild sea-run cutthroat and wild steelhead juveniles;
- Close fishing until fish recover enough to have a harvest.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comments support this proposal. The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing recreational opportunity while not causing conservation concerns.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.

46. Adopt "no fishing from floating device" rules on select streams

Type of Rule Change Proposal

Conservation

Short Description

Implement "no fishing from a floating device" rules on select North Coast streams. This proposal is being considered by the North Coast Advisory Group and will be refined as the Advisory Group provides feedback.

Explanation

Proposed to protect holding and spawning adult Salmon and Steelhead through reduced hooking/handling stress and mortality. See table.

[Table for Proposal 46. Adopt "no fishing from floating device" rules on select streams.](#)

Number	River	County
1	Bogachiel	Clallam
2	Calawah	Clallam
3	Clearwater	Jefferson
4	Dickey	Clallam
5	Hoh	Jefferson
6	Quillayute	Clallam
7	Quinault	Grays Harbor
8	Salmon	Grays Harbor
9	Snahapish	Jefferson
10	Sol Duc	Clallam

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-180	Freshwater exceptions to statewide rules-Coast

Written Testimony (672 comments)

Support (594): Comment includes:

- Recommendation for experimental test of this for a limited time or for particular areas;
- This has been a successful strategy for the Deschutes River in Oregon;
- Boats are able to cover too much water in a day;
- Adopting this rule will go a long way toward protecting this precious resource.

Oppose (260): Comment includes:

- Concern for anglers with disabilities that will be unable to fish from the bank;
- Anglers fishing from bank will walk on salmon redds and cause increased mortality;
- It is not possible or it is unsafe to fish from the bank in many of these areas;
- An extreme measure that will impact the livelihood of fishing guides and the local economy.

General (18): Comment includes:

- Proposed rules do not specify what portions of these rivers would be off limits;
- Request for all steelhead and trout catch and release only in Olympic rivers;
- Recommend a lottery each year for a limited number of boats. For instance a guide wins one of the lottery options and gets the chance to pick odd or even days of use. This would ensure fewer boats on the river at one time;
- The fishing guide pressure and success rate is overwhelming the populations, especially in low water conditions that are increasingly becoming the norm in the Pacific Northwest;
- Closing traditional drift boat fisheries seems very heavy-handed without significant evidence of a dire need to do so;
- Support of this rule depends on what happens with rule #47 and #48. If bait is banned, and there is no harvest of wild steelhead, then the pressure will be reduced significantly. However, if harvest is still allowed and bait is still somewhat allowed, and then support this rule as a way to reduce encounters with wild fish. Perhaps this rule would be best implemented on an experimental basis on a few rivers or in a few sections to see if has the desired impact.
- Consider selected days for boats. Suggest two days per week.
- Suggest regulated launches for guides and private fishermen. An annual pass to fish up on the coast for private fishermen, like the Columbia River endorsement.
- Only allow local guides with permanent Forks' address on the water.
- Putting everyone on the bank will create another type of crowding and a lot more feet on the spawning gravel. There should be more conversation regarding the guide industry and how many guides are able to operate in the area.
- Additionally there should be a catch and release limit to reduce mortality from hookups.
- Stop allowing any kill fishery for wild steelhead.
- Consider reducing or limiting the amount of days or guides.

Public Hearing (36 comments)

The majority of public comment supported the group of four north coast proposals –46, 47, 48, and 49.

Comment in favor included that the recommendations from the North Coast Advisory Group were a compromise; this is a start in the right direction; the biggest problem has been the harvest of wild steelhead; provide ADA fishers an exemption to the “no fishing from a floating device” rule changes; would like bait ban to start earlier in the season; habitat conditions outside the Olympic National Park are favorable for

supporting wild steelhead; what is best for the fish is best for the fishery; support sport anglers leading by example.

Comment opposed included that many elderly and ADA anglers will not be able to fish where “no fishing from a floating device is instituted; the “no floating from a floating device” rule should be changed to only include inflatable boats; more enforcement is needed; the co-managers will increase fishing effort; effort needs to be put into improving the habitat through a nutrient enhancement program; treble hooks should not be allowed because they result in a high mortality to steelhead.

In addition, there was a general comment opposed to steelhead hatcheries, with the suggestions that pink salmon are doing well because there are so few pink salmon hatcheries and that the adipose fin is a critical appendage that should not be removed to designate harvestable hatchery steelhead.

Response to Comments and Consideration of Comments

Most comment supports this proposal. There were a number of comments that did not speak directly to this proposal. The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing recreational opportunity and addressing conservation concerns for wild steelhead.

Modifications—difference between proposed and adopted rule

WAC 220-310-180: No fishing from a floating device with an internal combustion motor, except no fishing from a floating device on the Hoh River from Morgan’s Crossing upstream to the National Park boundary.

Staff Recommendation

Adopt as modified.

Commission Action

Adopted as modified.

Rationale

Rivers of the North Coast of Washington are home to the State’s strongest populations of wild winter steelhead, and the last place in the State where an angler may currently harvest a wild steelhead (one per year per angler). However, concern has been expressed that some of these stocks are in decline, and not just experiencing normal cyclic variation; that they may follow the pattern seen in Puget Sound where our wild steelhead stocks underwent widespread declines, and are listed under the Endangered Species Act. Potentially exacerbating the situation, our North Coastal stocks are likely to receive additional attention from the pool of displaced anglers created by the conservation measures for Puget Sound wild stocks, coupled with litigation that has greatly reduced releases of hatchery steelhead in Puget Sound Rivers. The causes of the declines of the Puget Sound wild steelhead stocks are still being investigated.

The Washington Department of Fish and Wildlife and the treaty tribes of the North Coast (Quillayute, Hoh, and Quinault) share the responsibility of managing the fish resources and their respective fisheries to equitably share the harvest and provide for spawning escapements that meet or exceed goals. The new regulations adopted by the Commission are the latest of a long history of regulations shaping and limiting the State’s sport fishery to help meet escapement goals, provide for a quality fishing experience, and remain within the State’s share of the harvestable wild steelhead. The regulation strategies generally include designating seasons, areas open to fishing, legal tackle, and daily bag limits. Season lengths have varied over the years and depending on the stretch of river, from the end of February to the end of April. Since the 1950’s the upper stretches of all the rivers have had reduced seasons, and have gradually seen more restrictions in the forms of closures, selective gear requirements, and wild steelhead release.

In an effort to ensure the perpetuation of our North Coast wild steelhead stocks, while also recognizing the importance of angling opportunity to the North Coast community, the Fish and Wildlife Commission recently adopted additional regulatory measures to further reduce impacts of the sport fishery on these stocks.

These measures are designed to reduce both the number of wild steelhead hooked and the mortality associated with their release, resulting in additional numbers of wild steelhead on the spawning grounds. These additional steelhead beyond bare escapement needs are a conscious “non-consumptive” use of the state’s share of the harvestable surplus, intended to form a conservation buffer. Reduced retention also improves the catch and release aspect of recreational fisheries by maintaining the number of fish available to be encountered in the fishery. The proposals adopted are:

1. *Require the release of all wild (unclipped) steelhead and rainbow trout.*
 - intended to: a) increase the number of wild steelhead escaping to spawn, and resident rainbow available to contribute to the spawning numbers; and b) improve the encounter rate in the catch and release fishery by maintaining the number of available fish.
2. *Require barbless hooks at all times and in all waters of the North Coast Rivers, and allow only one hook with up to 3 points.*
 - intended to facilitate the release, and consequently reduce the stress/impairment/mortality of the wild steelhead being handled.
3. *Limit the use of bait to those times and river segments where an angler can expect to encounter returning hatchery steelhead and fall salmon*
 - expected to lessen the stress/impairment/mortality on wild steelhead hooked with bait and released. Bait would still be allowed for salmon fisheries.
4. *Prohibit fishing from floating devices on the Hoh River above Morgan’s Crossing.*
 - intended to create a trial area for this approach to reducing catch. The pattern of use in this reach over time by different angler types will be examined, leading to a greater understanding of the impact and value of this type of regulation.
5. *Prohibit the use of internal combustion motors on all North Coast Rivers.*
 - maintain the status quo. Internal combustion motors are rarely used in the sport fisheries on North Coast rivers.

The Commission’s regulation requiring the release of all wild steelhead and rainbow trout encountered in the sport fishery incorporates a management tool that has been used in various forms for many years, following the development of hatchery steelhead stocks. The consistent release of hatchery steelhead smolts on the North Coast began in the 1960s. To increase the benefits from these hatchery fish, the Washington Department of Game began marking releases with a clipped adipose fin in the late 1980’s so they could be easily recognized. Selective fisheries appeared on North Coast rivers by 1992, requiring anglers to release wild origin summer steelhead, and by 1996 the wild winter steelhead harvest was limited to one per day, and no more than five per season in the Quillayute system, two per season in the Hoh.

Various combinations ensued until, beginning with the 2004/05 season, the Commission adopted a regulation limiting anglers to one wild steelhead per angler per year, statewide. The North Coast streams were on the short list of places where that one steelhead could be taken, but even so this regulation resulted in a significant reduction in the harvest of wild steelhead by the sport fishery. The State was no longer targeting its full share of wild steelhead for consumptive harvest, intending instead to create an escapement buffer with those not harvested. Beginning July 1st of 2016, the State’s sport fishery will no longer retain any wild steelhead, and its harvest will be solely resulting from hook and release mortality. This largely non-consumptive utilization of the state’s share of the harvestable wild steelhead run will increase the number of spawning wild winter steelhead in the North Coast rivers and act as a conservation buffer in light of the troubling long-term decline in the stocks of wild steelhead observed in many of these rivers. It will also maintain the numbers of wild steelhead available to the catch and release sport fisheries, thereby improving the recreational experience.

47. Adopt selective gear rules in North Coast Steelhead streams

Type of Rule Change Proposal

Conservation

Short Description

Implement Selective Gear Rules on North Coast streams to protect juvenile Salmon, Steelhead and Trout. This proposal is being considered by the North Coast Advisory Group and will be refined as the Advisory Group provides feedback.

Explanation

This proposal adopts Selective Gear Rules to protect resident Trout as well as juvenile anadromous salmonids but allows the use of bait during Salmon and Steelhead fisheries. See Table.

Table for Proposal 47. Adopt selective gear rules in North Coast Steelhead streams.

Number	River	County
1	Bogachiel	Clallam
2	Calawah	Clallam
3	Clearwater	Jefferson
4	Dickey	Clallam
5	Hoh	Jefferson
6	Quillayute	Clallam
7	Quinault	Grays Harbor
8	Salmon	Grays Harbor
9	Snahapish	Jefferson
10	Sol Duc	Clallam

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-180	Freshwater exceptions to statewide rules-Coast

Written Testimony (473 comments)

Support (416): Comments include:

- Also apply this rule change to winter fisheries;
- Bait should be banned;
- Barbed hooks should be banned;
- Save the bait for kids and planter trout.

Oppose (37): Comment includes:

- Selective gear rules are designed to make it harder for sports fishers to keep fish. I need to feed my family;
- There are already enough selective regulations in place.

General (8): Comment includes:

- Using the right hook size will minimize any harm so this rule change might be unnecessary;
- This proposal does not go far enough. Gear should be limited to flies and lures only with single hook and no bait allowed at any time of year in order to increase fish survival rates should the catch and release proposal be put into effect. It does not do a lot of

good to implement catch and release without eliminating bait fishing as the mortality rate of bait caught fish is far higher than fly or lure caught fish.

Public Hearing (36 comments)

The majority of public comment supported the group of four north coast proposals –46, 47, 48, and 49.

Comment in favor included that the recommendations from the North Coast Advisory Group were a compromise; this is a start in the right direction; the biggest problem has been the harvest of wild steelhead; provide ADA fishers an exemption to the “no fishing from a floating device” rule changes; would like bait ban to start earlier in the season; habitat conditions outside the Olympic National Park are favorable for supporting wild steelhead; what is best for the fish is best for the fishery; support sport anglers leading by example.

Comment opposed included that many elderly and ADA anglers will not be able to fish where “no fishing from a floating device is instituted; the “no floating from a floating device” rule should be changed to only include inflatable boats; more enforcement is needed; the co-managers will increase fishing effort; effort needs to be put into improving the habitat through a nutrient enhancement program; treble hooks should not be allowed because they result in a high mortality to steelhead.

In addition, there was a general comment opposed to steelhead hatcheries, with the suggestions that pink salmon are doing well because there are so few pink salmon hatcheries and that the adipose fin is a critical appendage that should not be removed to designate harvestable hatchery steelhead.

Response to Comments and Consideration of Comments

Most comment supports this proposal. There were a number of comments that did not speak directly to this proposal. The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing recreational opportunity and addressing conservation concerns for wild steelhead.

Modifications—difference between proposed and adopted rule:

WAC 220-310-180: Allow fishing with one barbless hook (up to three points). Allow the use of bait only in areas and during times identified.

Staff Recommendation:

Adopt as modified.

Commission Action:

Adopted as modified.

Rationale:

Rivers of the North Coast of Washington are home to the State’s strongest populations of wild winter steelhead, and the last place in the State where an angler may currently harvest a wild steelhead (one per year per angler). However, concern has been expressed that some of these stocks are in decline, and not just experiencing normal cyclic variation; that they may follow the pattern seen in Puget Sound where our wild steelhead stocks underwent widespread declines, and are listed under the Endangered Species Act. Potentially exacerbating the situation, our North Coastal stocks are likely to receive additional attention from the pool of displaced anglers created by the conservation measures for Puget Sound wild stocks, coupled with litigation that has greatly reduced releases of hatchery steelhead in Puget Sound Rivers. The causes of the declines of the Puget Sound wild steelhead stocks are still being investigated.

The Washington Department of Fish and Wildlife and the treaty tribes of the North Coast (Quillayute, Hoh, and Quinault) share the responsibility of managing the fish resources and their respective fisheries to equitably share the harvest and provide for spawning escapements that meet or exceed goals. The new

regulations adopted by the Commission are the latest of a long history of regulations shaping and limiting the State's sport fishery to help meet escapement goals, provide for a quality fishing experience, and remain within the State's share of the harvestable wild steelhead. The regulation strategies generally include designating seasons, areas open to fishing, legal tackle, and daily bag limits. Season lengths have varied over the years and depending on the stretch of river, from the end of February to the end of April. Since the 1950's the upper stretches of all the rivers have had reduced seasons, and have gradually seen more restrictions in the forms of closures, selective gear requirements, and wild steelhead release.

In an effort to ensure the perpetuation of our North Coast wild steelhead stocks, while also recognizing the importance of angling opportunity to the North Coast community, the Fish and Wildlife Commission recently adopted additional regulatory measures to further reduce impacts of the sport fishery on these stocks. These measures are designed to reduce both the number of wild steelhead hooked and the mortality associated with their release, resulting in additional numbers of wild steelhead on the spawning grounds. These additional steelhead beyond bare escapement needs are a conscious "non-consumptive" use of the state's share of the harvestable surplus, intended to form a conservation buffer. Reduced retention also improves the catch and release aspect of recreational fisheries by maintaining the number of fish available to be encountered in the fishery. The proposals adopted are:

6. *Require the release of all wild (unclipped) steelhead and rainbow trout.*
 - intended to: a) increase the number of wild steelhead escaping to spawn, and resident rainbow available to contribute to the spawning numbers; and b) improve the encounter rate in the catch and release fishery by maintaining the number of available fish.
7. *Require barbless hooks at all times and in all waters of the North Coast Rivers, and allow only one hook with up to 3 points.*
 - intended to facilitate the release, and consequently reduce the stress/impairment/mortality of the wild steelhead being handled.
8. *Limit the use of bait to those times and river segments where an angler can expect to encounter returning hatchery steelhead and fall salmon*
 - expected to lessen the stress/impairment/mortality on wild steelhead hooked with bait and released. Bait would still be allowed for salmon fisheries.
9. *Prohibit fishing from floating devices on the Hoh River above Morgan's Crossing.*
 - intended to create a trial area for this approach to reducing catch. The pattern of use in this reach over time by different angler types will be examined, leading to a greater understanding of the impact and value of this type of regulation.
10. *Prohibit the use of internal combustion motors on all North Coast Rivers.*
 - maintain the status quo. Internal combustion motors are rarely used in the sport fisheries on North Coast rivers.

The Commission's regulation requiring the release of all wild steelhead and rainbow trout encountered in the sport fishery incorporates a management tool that has been used in various forms for many years, following the development of hatchery steelhead stocks. The consistent release of hatchery steelhead smolts on the North Coast began in the 1960s. To increase the benefits from these hatchery fish, the Washington Department of Game began marking releases with a clipped adipose fin in the late 1980's so they could be easily recognized. Selective fisheries appeared on North Coast rivers by 1992, requiring anglers to release wild origin summer steelhead, and by 1996 the wild winter steelhead harvest was limited to one per day, and no more than five per season in the Quillayute system, two per season in the Hoh.

Various combinations ensued until, beginning with the 2004/05 season, the Commission adopted a regulation limiting anglers to one wild steelhead per angler per year, statewide. The North Coast streams were on the short list of places where that one steelhead could be taken, but even so this regulation resulted in a significant reduction in the harvest of wild steelhead by the sport fishery. The State was no

longer targeting its full share of wild steelhead for consumptive harvest, intending instead to create an escapement buffer with those not harvested. Beginning July 1st of 2016, the State's sport fishery will no longer retain any wild steelhead, and its harvest will be solely resulting from hook and release mortality. This largely non-consumptive utilization of the state's share of the harvestable wild steelhead run will increase the number of spawning wild winter steelhead in the North Coast rivers and act as a conservation buffer in light of the troubling long-term decline in the stocks of wild steelhead observed in many of these rivers. It will also maintain the numbers of wild steelhead available to the catch and release sport fisheries, thereby improving the recreational experience.

48. Prohibit wild Steelhead harvest

Type of Rule Change Proposal

Conservation

Short Description

Do not allow harvest of wild Steelhead in select North Coast streams. This proposal is being considered by the North Coast Advisory Group and will be refined as the Advisory Group provides feedback.

Explanation

This proposal includes requiring the release of wild Steelhead; resident Trout, and not allowing any part of salmonids to be removed from the water if the rule or intention is to release the fish. See Table.

Table for Proposal 48. Prohibit wild Steelhead harvest.

Number	River	County
1	Bogachiel	Clallam
2	Calawah	Clallam
3	Clearwater	Jefferson
4	Dickey	Clallam
5	Hoh	Jefferson
6	Quillayute	Clallam
7	Quinault	Grays Harbor
8	Salmon	Grays Harbor
9	Snahapish	Jefferson
10	Sol Duc	Clallam

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-180	Freshwater exceptions to statewide rules-Coast

Written Testimony (643 comments)

Support (591): Comment includes:

- Recommend that harvest of native steelhead and native trout be banned statewide;
- These rivers are fabulous experiences and we should focus first on conservation;
- Should have been implemented long ago;
- Will put more fish on the spawning grounds, which is crucial to their recovery.

Oppose (35): Comment includes:

- I am against this proposal because I don't think it will save fish;

- If the fish are at a critical population level then no stakeholders should be harvesting these endangered populations.
- Recommendations by the North Coast Advisory Group are simply intended to satisfy the high paying Seattle fly fishing groups.
- Like catch and release fishing but a rule where you cannot remove any part of the fish out of the water is overboard.
- As long as the tribes are allowed to harvest wild fish it would be considered foregone opportunity and the tribes will then take our unused share.
- Support allowing the limited ONE wild steelhead current retention where escapement goals are being met.
- I believe that the limit of one native per year is fair and should not be changed.
- There are rivers listed in this action that still have catchable numbers of wild fish.
- Please don't overregulate these rivers.

General (14): Comment includes:

- There is a pervasive feeling that anglers have no influence on the implementation of these rules, regardless of the acceptance of public comments.
- Please modify this rule. I support release of wild steelhead but do not understand how an angler can in every instance release a fish and not allow any part to be removed from the water.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comment supports this proposal. There were a number of comments that did not speak directly to this proposal. The department may consider further rule changes during future rulemaking processes. This proposal seeks a balance of providing recreational opportunity and addressing conservation concerns for wild steelhead.

Modifications—difference between proposed and adopted rule:

WAC 220-310-180: Implement wild steelhead and wild resident rainbow trout release on selected rivers and tributaries. Retain current handling rule.

Staff Recommendation:

Adopt as modified.

Commission Action:

Adopted as modified.

Rationale:

Rivers of the North Coast of Washington are home to the State's strongest populations of wild winter steelhead, and the last place in the State where an angler may currently harvest a wild steelhead (one per year per angler). However, concern has been expressed that some of these stocks are in decline, and not just experiencing normal cyclic variation; that they may follow the pattern seen in Puget Sound where our wild steelhead stocks underwent widespread declines, and are listed under the Endangered Species Act. Potentially exacerbating the situation, our North Coastal stocks are likely to receive additional attention from the pool of displaced anglers created by the conservation measures for Puget Sound wild stocks, coupled with litigation that has greatly reduced releases of hatchery steelhead in Puget Sound Rivers. The causes of the

declines of the Puget Sound wild steelhead stocks are still being investigated.

The Washington Department of Fish and Wildlife and the treaty tribes of the North Coast (Quillayute, Hoh, and Quinault) share the responsibility of managing the fish resources and their respective fisheries to equitably share the harvest and provide for spawning escapements that meet or exceed goals. The new regulations adopted by the Commission are the latest of a long history of regulations shaping and limiting the State's sport fishery to help meet escapement goals, provide for a quality fishing experience, and remain within the State's share of the harvestable wild steelhead. The regulation strategies generally include designating seasons, areas open to fishing, legal tackle, and daily bag limits. Season lengths have varied over the years and depending on the stretch of river, from the end of February to the end of April. Since the 1950's the upper stretches of all the rivers have had reduced seasons, and have gradually seen more restrictions in the forms of closures, selective gear requirements, and wild steelhead release.

In an effort to ensure the perpetuation of our North Coast wild steelhead stocks, while also recognizing the importance of angling opportunity to the North Coast community, the Fish and Wildlife Commission recently adopted additional regulatory measures to further reduce impacts of the sport fishery on these stocks. These measures are designed to reduce both the number of wild steelhead hooked and the mortality associated with their release, resulting in additional numbers of wild steelhead on the spawning grounds. These additional steelhead beyond bare escapement needs are a conscious "non-consumptive" use of the state's share of the harvestable surplus, intended to form a conservation buffer. Reduced retention also improves the catch and release aspect of recreational fisheries by maintaining the number of fish available to be encountered in the fishery. The proposals adopted are:

11. *Require the release of all wild (unclipped) steelhead and rainbow trout.*

- intended to: a) increase the number of wild steelhead escaping to spawn, and resident rainbow available to contribute to the spawning numbers; and b) improve the encounter rate in the catch and release fishery by maintaining the number of available fish.

12. *Require barbless hooks at all times and in all waters of the North Coast Rivers, and allow only one hook with up to 3 points.*

- intended to facilitate the release, and consequently reduce the stress/impairment/mortality of the wild steelhead being handled.

13. *Limit the use of bait to those times and river segments where an angler can expect to encounter returning hatchery steelhead and fall salmon*

- expected to lessen the stress/impairment/mortality on wild steelhead hooked with bait and released. Bait would still be allowed for salmon fisheries.

14. *Prohibit fishing from floating devices on the Hoh River above Morgan's Crossing.*

- intended to create a trial area for this approach to reducing catch. The pattern of use in this reach over time by different angler types will be examined, leading to a greater understanding of the impact and value of this type of regulation.

15. *Prohibit the use of internal combustion motors on all North Coast Rivers.*

- maintain the status quo. Internal combustion motors are rarely used in the sport fisheries on North Coast rivers.

The Commission's regulation requiring the release of all wild steelhead and rainbow trout encountered in the sport fishery incorporates a management tool that has been used in various forms for many years, following the development of hatchery steelhead stocks. The consistent release of hatchery steelhead smolts on the North Coast began in the 1960s. To increase the benefits from these hatchery fish, the Washington Department of Game began marking

releases with a clipped adipose fin in the late 1980's so they could be easily recognized. Selective fisheries appeared on North Coast rivers by 1992, requiring anglers to release wild origin summer steelhead, and by 1996 the wild winter steelhead harvest was limited to one per day, and no more than five per season in the Quillayute system, two per season in the Hoh.

Various combinations ensued until, beginning with the 2004/05 season, the Commission adopted a regulation limiting anglers to one wild steelhead per angler per year, statewide. The North Coast streams were on the short list of places where that one steelhead could be taken, but even so this regulation resulted in a significant reduction in the harvest of wild steelhead by the sport fishery. The State was no longer targeting its full share of wild steelhead for consumptive harvest, intending instead to create an escapement buffer with those not harvested. Beginning July 1st of 2016, the State's sport fishery will no longer retain any wild steelhead, and its harvest will be solely resulting from hook and release mortality. This largely non-consumptive utilization of the state's share of the harvestable wild steelhead run will increase the number of spawning wild winter steelhead in the North Coast rivers and act as a conservation buffer in light of the troubling long-term decline in the stocks of wild steelhead observed in many of these rivers. It will also maintain the numbers of wild steelhead available to the catch and release sport fisheries, thereby improving the recreational experience.

49. Require wild Steelhead harvest tag

Type of Rule Change Proposal

Conservation

Short Description

Require purchase and use of annual "Wild Steelhead" harvest tag. This proposal is being considered by the North Coast Advisory Group and will be refined as the Advisory Group provides feedback.

Explanation

Require the purchase and use of a harvest tag if an angler intends to harvest a wild steelhead. Upon harvesting a wild steelhead, the angler must affix the tag to the harvested fish. An angler is limited to one harvest tag per year. Additionally, if an angler is fishing with a licensed guide, they must use the guide's wild steelhead harvest tag. Licensed guides are limited to three harvest tags per year. Recommended that WDFW consider charging a premium for the purchase of these tags as is done for other trophy animals. See Table.

Table for Proposal 49. Require wild Steelhead harvest tag.

Number	River	County
1	Bogachiel	Clallam
2	Calawah	Clallam
3	Clearwater	Jefferson
4	Dickey	Clallam
5	Hoh	Jefferson
6	Quillayute	Clallam
7	Quinault	Grays Harbor
8	Salmon	Grays Harbor
9	Snahapish	Jefferson
10	Sol Duc	Clallam

Amended Washington Administrative Code (WAC):

Not applicable --a new WAC would be required for this proposal.

Written Testimony (120 comments)

Support (40): Comment includes:

- Support if wild steelhead retention continues to be allowed;
- Support provided state still requires all anglers purchase a punchcard;
- Recommend a coastal river version of the Columbia River endorsement to enhance coastal fisheries;
- Limit licensed guides to three harvest tags per year;
- Consider charging a premium for the purchase of these tags as is done for other trophy animals.
- If proposal #48 is not implemented, this would be the next best option;
- Make it expensive to kill wild fish. Really expensive. They are the state's treasure and our state fish, really really really expensive;
- Have them choose odd or even days to limit the amount of fishermen on one river;
- This is a good rule, but with the current lack of enforcement it is likely not to make any difference;
- Work with the legislature to make any fees raised from this tag to go towards enforcement of rules on the North Coast rivers.

Oppose (80): Nearly all comment states:

- There should be no harvest of wild steelhead.

General (0): All comment favors or opposes this proposal.

Public Hearing (36 comments)

The majority of public comment supported the group of four north coast proposals –46, 47, 48, and 49.

Comment in favor included that the recommendations from the North Coast Advisory Group were a compromise; this is a start in the right direction; the biggest problem has been the harvest of wild steelhead; provide ADA fishers an exemption to the “no fishing from a floating device” rule changes; would like bait ban to start earlier in the season; habitat conditions outside the Olympic National Park are favorable for supporting wild steelhead; what is best for the fish is best for the fishery; support sport anglers leading by example.

Comment opposed included that many elderly and ADA anglers will not be able to fish where “no fishing from a floating device is instituted; the “no floating from a floating device” rule should be changed to only include inflatable boats; more enforcement is needed; the co-managers will increase fishing effort; effort needs to be put into improving the habitat through a nutrient enhancement program; treble hooks should not be allowed because they result in a high mortality to steelhead.

In addition, there was a general comment opposed to steelhead hatcheries, with the suggestions that pink salmon are doing well because there are so few pink salmon hatcheries and that the adipose fin is a critical appendage that should not be removed to designate harvestable hatchery steelhead.

Response to Comments and Consideration of Comments

Most comment does not support this proposal. This rule would require legislative action. Many opposing comments do not support the retention of wild steelhead. As a result, the department rescinds its recommendation for this rule.

Staff Recommendation:

Do not adopt.

Commission Action:

Did not adopt.

Rationale:

Legislative action is required to charge fee for harvest tag. Further, this proposal is not part of the North Coastal Advisory Group recommendations.

LIBERALIZE LIMITS FOR BASS, CHANNEL CATFISH, AND WALLEYE IN THE COLUMBIA RIVER AND TRIBUTARIES CONTIGUOUS WITH OREGON

50. Remove daily limits on warmwater fish in the Columbia River

Type of Rule Change Proposal

Recreational

Short Description

Remove harvest limits for Walleye, Bass and Channel Catfish in the Columbia River and tributaries in shared boundary waters with Oregon State.

Explanation

Consistent with the rule that was passed in the Washington only portions of the Columbia River and tributaries.

Amended Washington Administrative Code (WAC):

WAC	Title
220-310-185	Freshwater Exceptions to Statewide Rules—Southwest
220-310-195	Freshwater exceptions to statewide rules-Eastside
220-310-200	Freshwater exceptions to statewide rules-Columbia

Written Testimony (35 comments)

Support (23): Comment includes:

- Support provided that such adoption does not pose a risk to wild steelhead and salmon;
- More fishing opportunities and hopefully help out migrating smolts;
- All invasive species where native species are present should have no bag limit or size restrictions;
- Non-native fish species that feed on ESA listed native species --remove all slot limits and daily limits.

Oppose (12): Comment includes:

- As a nonresident angler I spend a great deal of money to have the opportunity to harvest a truly trophy size walleye from the Columbia each year;
- These fish are not wholly responsible for the decline in salmon numbers. Habitat loss, hatcheries, and hydroelectric dams are the reason salmon are on the endangered species list;

- If there is no retention limit then someone could keep fishing all day and increasing bycatch issues;
- Bass fishing could be so very important to the economy if you were to allow it.

General (0): All comments favor or oppose this proposal.

Public Hearing (0 comments)

Response to Comments and Consideration of Comments

Most comment supports this proposal. This proposal sets a policy direction that warmwater fish will be managed for only in waterbodies where they are appropriate. Managing for warmwater fishes in the mainstem Columbia River and tributaries is contrary to the department's long term recovery goals for ESA listed salmon and steelhead within the Columbia River basin. There were a number of comments that did not speak directly to this proposal. The department may consider further rule changes during future rulemaking processes.

Staff Recommendation:

Adopt as recommended.

Commission Action:

Adopted as recommended.