



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
**(Implements RCW 34.05.360)**

**Agency:** Washington Department of Fish and Wildlife

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules 15-033**

31 days after filing.

Other (specify) July 1, 2015 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes

No

If Yes, explain: The original CR-103P form filed on February 20, 2015 (WSR 15-06-006), was filed with an effective date of 31 days after filing. However, the rules should not be effective until July 1, 2015. This filing corrects the effective date to July 1, 2015.

**Purpose:** Amends the following sport fishing rules, to provide maximum recreational fishing opportunity while addressing conservation concerns:

WAC 220-55-220 Two-pole endorsement;

WAC 220-56-105 River mouth definitions;

WAC 220-56-210 Fly fishing;

WAC 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts;

WAC 220-56-510 Game fish possession limits and size limits;

WAC 220-310-175 Freshwater exceptions to statewide rules—General rules;

WAC 220-310-185 Freshwater exceptions to statewide rules—Southwest;

WAC 220-310-195 Freshwater exceptions to statewide rules—Eastside; and

WAC 220-310-200 Freshwater exceptions to statewide rules—Columbia River.

**Citation of existing rules affected by this order:**

Repealed:

Amended: WAC 220-55-220, 220-56-105, 220-56-210, 220-56-282, 220-56-510, 220-310-175, 220-310-185, 220-310-195, and 220-310-200.

Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.013, 77.04.055, and 77.12.047

**Other authority :**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 14-22-115 on 10/22/14 (date).

Describe any changes other than editing from proposed to adopted version:

Attachment 1 shows all changes from the proposed to the adopted version.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_

Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

**Date adopted:** January 9, 2015

**NAME (TYPE OR PRINT)**

Miranda Wecker

**SIGNATURE**

*Miranda Wecker*

**TITLE**

Chair, Washington Fish and Wildlife Commission

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: March 04, 2015**

**TIME: 10:15 AM**

**WSR 15-06-065**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	<u>9</u>	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

**ATTACHMENT 1**  
**Changes from proposed to adopted version**  
**Sport Fishing Regulations 2015-16**

**These changes clarified and followed Commission intent based on the stream strategy tables provided to them, the explanation of rule proposal changes as described in the Concise Explanatory Document, modifications they made to the proposals at adoption, and option selected for the Grande Ronde River.**

**WAC 220-56-282 Sturgeon-- Areas seasons limits and unlawful acts**

Moved sturgeon rules from WAC sections 220-310-195, 220-310-185, and 220-310-200 to this WAC and clarified wording as needed.

**WAC 220-310-185 Southwest**

1. Moved sturgeon rules out of this section and into WAC 220-56-282.
2. Renumbered river and lake subsections.
3. Capitalized Abernathy Technology Center.
4. Ensured that mandatory steelhead retention language is accurately listed for streams where this was adopted by the Commission.
5. Modified the hatchery steelhead daily limit from 2 to 3 where mandatory steelhead retention is in place.
6. Inserted season dates for Abernathy Creek and all tributaries including Cameron, Slide, and Wiest creeks.
7. Clarified adipose clipped fin language throughout by adding "as evidenced by a healed scar at the location of the adipose fin"; this language was not always listed.
8. Clarified that Blue Lake is in Lewis County.
9. Removed Connelly Creek and tributaries because this is now closed.
10. Cowlitz Falls Reservoir, removed trout minimum size and changed season to year-round.
11. Cowlitz River, clarified that the two pole location from is from the Lexington Bridge to the barrier dam. Previously the rule stated the two pole location was from the mouth to the barrier dam. Also, provided season dates for hatchery steelhead retention.
12. Clarified adipose clipped fin language throughout by adding "as evidenced by a healed scar at the location of the adipose fin"; this language was not always listed.
13. Drano Lake, corrected the trout season opening date as January 1; previously the season opening date for trout was listed as August 1.
14. Green River, removed redundant language.
15. Kalama River, added open section from Kalama falls upstream, as modified by the Commission.
16. Lacamas Creek, clarified open area as "From footbridge at lower falls and from Round Lake upstream," where previously it stated "From Round Lake upstream."
17. Lewis River, added in clarifying language "From mouth to the mouth of East Fork."
18. Mill Creek, added "Anti-snagging rule applies and night closure in effect December 1 through December 15."
19. Swift Reservoir tributaries, corrected name from "Work Creek" to "Worm Creek."
20. Removed the redundant word "daily" and "daily catch" from "limit" throughout.
21. Swift Reservoir, replaced minimum trout length with "release all trout, except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin may be retained."
22. Removed closed waters where it was no longer needed for clarification; the rule is now "closed unless open," per the Stream Strategy.

23. Wind River, corrected trout season opener to November 1; previously read August 1.
24. Wind River, clarified open area to state, "From 100 feet above Shipherd Falls to Moore Bridge"; previously it read, "From 100 feet above Shipherd Falls to the river source."

### **WAC 220-310-195-Eastside**

1. As described in the technical changes proposal (#1), moved sturgeon rules out of this WAC and into WAC 220-56-282.
2. Modified the hatchery steelhead daily limit from 2 to 3 where mandatory steelhead retention is in place.
3. Renumbered river and lake subsections.
4. Ensured that mandatory steelhead retention language is accurately listed for streams where this was adopted by the Commission.
5. Removed the redundant word "daily" from "limit" throughout.
6. Removed closed waters where it was no longer needed for clarification; the rule is now "closed unless open," per the Stream Strategy.
7. Ahtanum Creek, reworded geographic section to say "In the Middle Fork, open from the mouth to the A2000 Road Spur Road Bridge in NE Section 34." Previously, this read, "In the Middle Fork, open from the mouth to the A2000 Road Bridge at Treephones Campground downstream to the A2000 Spur Road Bridge..."
8. Bear Creek (Yakima County), corrected a typo that was "3.4 miles" to "¾ mile."
9. Removed "It is unlawful to fish from a boat equipped with an internal combustion motor," from rivers as described in Proposal #2 and adopted by the Commission.
10. Cedar Creek, corrected open area to say "From the mouth to Cedar Falls,"; previously read "Closed from the mouth to Cedar Falls."
11. Reworded Chewuch Creek to match what was adopted as part of the stream strategy. Removed alternative spelling "Chewack River".
12. Cle Elum Lake, removed the kokanee language.
13. Closed Cooper River to fishing.
14. Removed the March 1 season opener described in proposal #7, Modify some year round lakes to a March 1 opener, because this proposal was not adopted by the Commission.
15. Crab Creek (Adams/ Grant/ Lincoln counties), clarified where rule applies to all species.
16. Closed Dry Creek to fishing.
17. Esquatzel Coulee, West Branch, clarified open location as "West Branch Esquatzel Coulee Block 1 Irrigation Wasteway Lagoon in the Columbia River"; previous the location was described "Block 1 Wasteway."
18. Grande Ronde, incorporated the Commission's adoption of option 1, from January 1 through April 15 mandatory hatchery steelhead retention for both management sections into the rule.
19. Kachess and Keechelus lakes, kokanee limit changed to ten; previously it was sixteen. Replaced the trout minimum length and limit, which was incorrectly removed.
20. Kachess Lake tributaries, except Box Canyon Creek, removed statewide rules and created a separate subsection for Keechelus Lake tributaries, except Gold Creek, with a season the Saturday before Memorial Day through October 31.
21. Klickitat River, specify that gamefish other than steelhead are open June 1 through November 30 and that the gamefish seasons include December 1 through January 31. Also, reword the closure areas to improve clarity.
22. Little Spokane, add "whitefish gear rules apply," because they were incorrectly removed.
23. Lost River, change it to catch and release only.

24. Methow River, remove maximum trout length 20 inches from Methow tributaries not otherwise provided for in this section and remove the fishery from Weeman Bridge to the falls above Brush Creek.
25. Napeequa River and all tributaries from Twin Lakes Creek upstream, remove the redundant statewide season.
26. Palouse River, reword and reorganize language to improve clarity.
27. Phelps Creek, specify that the open area includes all tributaries.
28. Roaring Creek and all tributaries, specify the eastern brook trout limit is five fish.
29. Rock Creek, correct "George Knott Road" to say, "Jordon Knott Road."
30. Correct "Sand Hallow Creek" to "Sand Hollow Creek."
31. Spokane River, remove redundant June 1 through March 15 season for landlocked salmon and specify trout minimum length and that wild trout must be released.
32. Sprague Lake, specify trout limit is five.
33. Teanaway River, remove location information that includes all tributaries.
34. Tucannon and Touchet rivers, reword and reorganize for clarity. Remove redundant statewide general rules.
35. Close Umtanum Creek to fishing.
36. Walla Walla River, remove the unnecessary words "for all the game fish from November 1 through March 31" so that the season language just states, "November 1 through March 31."
37. West Evans Pond, remove redundant general statewide season information.
38. White Salmon River, remove the language "All tributaries from" so that the closure is only for the Big Brothers Falls downstream 400 feet.
39. Winchester Wasteway, corrects the rule to correspond to the stream strategy table.
40. Yakima River, clarifies gamefish open area as being from Highway 240 Bridge where previously it just said "from the mouth". Corrects season information and locations.

#### **WAC 220-310-200-Columbia**

1. Moved sturgeon rules out of this section and into WAC 220-56-282.
2. Corrected name of location to say "West Branch Esquatzel Coulee Block 1 Irrigation Wasteway Lagoon in the Columbia River" ; previously it read, "Esquatzel Coulee Block 1 irrigation wasteway return from the spillway to the Columbia River."