



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 05, 2021

TIME: 4:27 PM

WSR 21-02-077

Agency: Department of Fish and Wildlife (Order 21-02)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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

- Yes
 - No
- If Yes, explain:

Purpose: The purpose of this rule is to add waters that were inadvertently left out of WSR 21-01-051. The rule will modify rules for coastal tributary streams, including Willapa and Grays Harbor tributaries, in order to prohibit fishing from a floating device, implement Selective Gear Rules except that only 1 single point barbless hook is allowed and to require release of all rainbow trout.

Citation of rules affected by this order:

New:
 Repealed: WAC 220-312-02000F
 Amended: 220-312-020
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 and 77.12.047

Other authority:

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: These measures are being taken to protect wild steelhead stocks. The majority of coastal wild steelhead runs are expected to return below escapement targets as they have the past four seasons and have failed to meet management objectives. These rules are expected to result in a reduction of wild steelhead encounters by more than 50 percent. There is insufficient time to adopt permanent rules.

**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:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

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

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:


New 1 Amended ____ Repealed 1

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

The number of sections adopted using:

Negotiated rule making:	New	____	Amended	____	Repealed	____
Pilot rule making:	New	____	Amended	____	Repealed	____
Other alternative rule making:	New	____	Amended	____	Repealed	____

Date Adopted: January 5, 2020	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

WAC 220-312-02000G Freshwater exceptions to statewide rules – Coast.

Effective immediately through March 31, 2021 the following provisions of WAC 220-312-020, regarding gamefish seasons, steelhead daily limits, fishing from a floating device, and gear and hook restrictions for coastal tributaries, including tributaries of Grays Harbor and Willapa Bay shall be modified as described below. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

1. Bear River (Pacific Co.):

- (a) Effective immediately through February 28, 2021:
 - (i) All species: Fishing from a floating device is prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (iii) Release all rainbow trout.
- (b) Effective March 1 through March 31, 2021: All species: Closed.

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

- (a) Effective immediately through February 28, 2021:
 - (i) All species: Fishing from a floating device is prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (iii) Release all rainbow trout.
- (b) Effective March 1 through March 31, 2021: All species: Closed.

3. Bogachiel River (Clallam Co.), from the mouth to Olympic National Park boundary: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

4. Calawah River: (Clallam Co.), from the mouth to the forks: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

5. Calawah, South Fork (Clallam Co.), from the mouth to Olympic National Park boundary:

- (a) Effective immediately through February 28, 2021:
 - (i) All species: Fishing from a floating device is prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (iii) Release all rainbow trout.

- (b) Effective March 1 through March 31, 2021: All species: Closed.
- 6. Cedar Creek (Jefferson Co.),** from the mouth to Olympic National Park boundary: Effective immediately through February 28, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.
- 7. Chehalis River (Grays Harbor Co.),** from the mouth upstream, including all forks: Effective immediately through March 31, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.
- 8. Clearwater River (Jefferson Co.),** from the mouth to Snahapish River: Effective immediately through March 31, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.
- 9. Cloquallum Creek (Grays Harbor/Mason Co.),** from the mouth to the outlet at Stump Lake: Effective immediately through February 28, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.
- 10. Copalis River (Grays Harbor Co.):** Effective immediately through February 28, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.
- 11. Dickey River (Clallam Co.),** from the Olympic National Park boundary upstream to the confluence of the east and west forks: Effective immediately through March 31, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.
- 12. Dickey River, East Fork (Clallam Co.):** Effective immediately through March 31, 2021:
- (a) All species: Fishing from a floating device is prohibited.

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

13. Dickey River, West Fork (Clallam Co.): Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

14. Elk Creek (Lewis/Pacific Co.): Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

15. Elk River (Grays Harbor Co.): Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

16. Fork Creek (Pacific Co.), from Fork Creek Hatchery rack upstream 500 feet at fishing boundary sign: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

17. Goodman Creek (Jefferson Co.), outside of Olympic National Park boundary: Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

18. Hoh River (Jefferson Co.), from Olympic National Park boundary upstream to Olympic National Park boundary below mouth of South Fork Hoh: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

19. Hoh River, South Fork (Jefferson Co.), outside of Olympic National Park boundary: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

20. Hoquiam River including West and East forks (Grays Harbor Co.): Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

21. Humptulips River (Grays Harbor Co.), from the mouth to confluence of East and West forks: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

22. Humptulips River, West Fork (Grays Harbor Co.), from the mouth to Donkey Creek: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

23. Johns River (Grays Harbor Co.), from the mouth (Hwy. 105 Bridge) to Ballon Creek: Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

24. Kalaloch Creek (Jefferson Co.), outside Olympic National Park boundary: Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

25. Moclips River (Grays Harbor Co.), from the mouth to Quinault Indian Reservation boundary: Effective immediately through February 28, 2021:

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

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

26. Mosquito Creek (Jefferson Co.), from Olympic National Park boundary upstream to Goodman 30000 Mainline Bridge: Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

27. Naselle River (Pacific Co.), from the Hwy. 101 Bridge to the North Fork: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

28. Naselle River, South (Pacific Co.), from the mouth to Bean Creek: Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

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

- (a) Effective immediately through February 28, 2021:
 - (i) All species: Fishing from a floating device is prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (iii) Release all rainbow trout.
- (b) Effective March 1 through March 31, 2021: All species: Closed

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

- (a) Effective immediately through February 28, 2021:
 - (i) All species: Fishing from a floating device is prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (iii) Release all rainbow trout.
- (b) Effective March 1 through March 31, 2021: All species: Closed

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

- (a) Effective immediately through February 28, 2021:
 - (i) All species: Fishing from a floating device is prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

- (iii) Release all rainbow trout.
- (b) Effective March 1 through March 31, 2021: All species: Closed

32. Newaukum River, including South Fork (Lewis Co.), from mouth to Hwy. 508 Bridge near Kearny Creek: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

33. Newaukum River, Middle Fork (Lewis Co.), from mouth to Taucher Rd. Bridge: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

34. Newaukum River, North (Lewis Co.), from mouth to 400' below Chehalis City water intake: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

35. North River (Grays Harbor/Pacific Co.), from the Hwy. 105 bridge to Raimie Creek: Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

36. Palix River (Pacific Co.):

- (a) From Hwy. 101 Bridge to the mouth of the Middle Fork:
 - (i) Effective immediately through February 28, 2021:
 - (A) All species: Fishing from a floating device is prohibited.
 - (B) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (C) Release all rainbow trout.
 - (ii) Effective March 1 through March 31, 2021: All species: Closed
- (b) From the confluence with the Middle Fork upstream (all forks including South fork Palix River and Canon River):
 - (i) Effective December 16, 2020 through February 28, 2021:
 - (A) All species: Fishing from a floating device is prohibited.
 - (B) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (C) Release all rainbow trout.

(ii) Effective March 1 through March 31, 2021: All species: Closed

37. Quillayute River (Clallam Co.), from Olympic National Park boundary upstream to confluence of Sol Duc and Bogachiel rivers: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

38. Quinault River, Upper (Grays Harbor/Jefferson Co.), from the mouth at upper end of Quinault Lake upstream to Olympic National Park boundary: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

39. Salmon River (Jefferson Co.), from outside Quinault Indian Reservation and Olympic National Park: Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

40. Satsop River and East Fork (Grays Harbor Co.), from the mouth to bridge at Schafer State Park, and from 400' below Bingham Creek Hatchery dam to the dam: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

41. Satsop River, Middle Fork (Grays Harbor Co./Mason Co.): Effective immediately through February 28, 2021:

- (d) All species: Fishing from a floating device is prohibited.
- (e) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (f) Release all rainbow trout.

42. Satsop River, West Fork (Grays Harbor Co.): Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.

(c) Release all rainbow trout.

43. Skookumchuck River (Lewis/Thurston Co.), from mouth to 100' below outlet of TransAlta WDFW steelhead rearing pond located at the base of Skookumchuck Dam: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

44. Smith Creek (near North River) (Pacific Co.):

- (a) Effective immediately through February 28, 2021:
 - (i) All species: Fishing from a floating device is prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (iii) Release all rainbow trout.

45. Sol Duc River (Clallam Co.), from mouth to Hwy. 101 Bridge upstream of Klahowya campground: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

46. Sooes River (Clallam Co.), outside of Makah Indian Reservation: Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

47. Stevens Creek (Grays Harbor Co.), from mouth to cable crossing downstream of WDFW hatchery outlet and from WDFW hatchery outlet to Hwy. 101 Bridge: Effective immediately through February 28, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

48. Thunder Creek (Clallam Co.), from mouth to D2400 Rd.: Effective immediately through March 31, 2021:

- (a) All species: Fishing from a floating device is prohibited.
- (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (c) Release all rainbow trout.

- 49. Van Winkle Creek (Grays Harbor Co.),** from mouth to 400' below outlet of Lake Aberdeen Hatchery: Effective immediately through January 31, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.
- 50. Willapa River (Pacific Co.),** from mouth (City of South Bend boat launch) to Hwy. 6 Bridge (near the town of Lebam): Effective immediately through March 31, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.
- 51. Willapa River, South Fork (Pacific Co.):** Effective immediately through February 28, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.
- 52. Wishkah River (Grays Harbor Co.),** from the mouth to 200' below the weir at the Wishkah Rearing Ponds and from 150' upstream to 150' downstream of the Wishkah adult attraction channel/outfall structure (within the posted fishing boundary): Effective immediately through February 28, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.
- 53. Wynoochee River (Grays Harbor Co.):** Effective immediately through March 31, 2021:
- (a) All species: Fishing from a floating device is prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (c) Release all rainbow trout.

REPEALER

The following section of Washington Administrative Code is repealed:
WAC 220-312-02000F Freshwater exceptions to statewide rules – Coast (20-252)