



# 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: March 09, 2021

TIME: 9:33 AM

WSR 21-07-030

**Agency:** Department of Fish and Wildlife (Order 21-30)

**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 close recreational fisheries in coastal streams and systems where wild steelhead escapement goals are unlikely to be met. This rule has been written to clarify WSR 21-07-003, so as not to imply that 2021 salmon seasons have been set.

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

- New:
- Repealed: WAC 220-312-02000H
- Amended: WAC 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. Most 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. In-season information and increased concern for meeting conservation objectives has lead to a closure in coastal rivers where escapement goals are unlikely to be met while maintaining emergency measure already in place for the Hoh and Quillayute systems.

This rule has been updated so as not to imply that potential upcoming salmon seasons will be closed in the Sol Duc and Quillayute rivers. Salmon seasons have not yet been set and no determination has been made regarding salmon seasons in these two rivers, this will happen after co-management meetings for the North Of Falcon season setting process has concluded.

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

New	1	Amended	___	Repealed	1
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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:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

**Date Adopted:** March 4, 2021

**Name:** Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-312-02000I Freshwater exceptions to statewide rules – Coast.**

Effective Immediately, until further notice 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.):** Effective immediately through March 31, 2021: All species: Closed.
- 2. Bogachiel River (Clallam Co.),** from the mouth to Olympic National Park boundary:
  - (a) Effective immediately through March 31, 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 April 1 through April 30, 2021: All species: Closed
- 3. Calawah River: (Clallam Co.),** from the mouth to the forks:
  - (a) Effective immediately through March 31, 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 April 1 through April 30, 2021: All species: Closed
- 4. Chehalis River (Grays Harbor Co.),** from the mouth upstream, including all forks: Effective immediately through April 15, 2021: All species: Closed.
- 5. Clearwater River (Jefferson Co.),** from the mouth to Snahapish River: Effective immediately through April 15, 2021: Closed.
- 6. Dickey River (Clallam Co.),** from the Olympic National Park boundary upstream to the confluence of the east and west forks:
  - (a) Effective immediately through March 31, 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 April 1 through April 30, 2021: All species: Closed
- 7. Dickey River, East Fork (Clallam Co.):**
  - (a) Effective immediately through March 31, 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 April 1 through April 30, 2021: All species: Closed

**8. Dickey River, West Fork (Clallam Co.):**

- (a) Effective immediately through March 31, 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 April 1 through April 30, 2021: All species: Closed

**9. Elk Creek (Lewis/Pacific Co.):** Effective immediately through March 31, 2021: All species: Closed.

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

**11. Hoh River (Jefferson Co.),** from Olympic National Park boundary upstream to Olympic National Park boundary below mouth of South Fork Hoh:

- (a) Effective immediately through March 31, 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 April 1 through April 15, 2021: All species: Closed

**12. Hoh River, South Fork (Jefferson Co.),** outside of Olympic National Park boundary:

- (a) Effective immediately through March 31, 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 April 1 through April 15, 2021: All species: Closed

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

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

**15. Naselle River (Pacific Co.),** from the Hwy. 101 Bridge to the North Fork: Effective immediately through April 15, 2021: All species: Closed.

- 16. Nemah River, Middle (Pacific Co.):** Effective immediately through March 31, 2021:  
All species: Closed
- 17. Nemah River, North (Pacific Co.),** from Hwy. 101 Bridge to Cruiser Creek: Effective immediately through March 31, 2021: All species: Closed
- 18. Nemah River, South (Pacific Co.):** Effective immediately through March 31, 2021: All species: Closed
- 19. Newaukum River, including South Fork (Lewis Co.),** from mouth to Hwy. 508 Bridge near Kearny Creek: Effective immediately through March 31, 2021: All species: Closed.
- 20. Newaukum River, Middle Fork (Lewis Co.),** from mouth to Taucher Rd. Bridge: Effective immediately through March 31, 2021: All species: Closed.
- 21. Newaukum River, North (Lewis Co.),** from mouth to 400' below Chehalis City water intake: Effective immediately through March 31, 2021: All species: Closed.
- 22. Palix River (Pacific Co.):**
- (a) From Hwy. 101 Bridge to the mouth of the Middle Fork: Effective immediately 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): Effective immediately through March 31, 2021: All species: Closed
- 23. Quillayute River (Clallam Co.),** from Olympic National Park boundary upstream to confluence of Sol Duc and Bogachiel rivers:
- (a) Effective immediately through March 31, 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 April 1, 2021, until further notice: All species: Closed
- 24. 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 April 15, 2021: Closed.
- 25. 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: All species: Closed.
- 26. 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 April 30, 2021: All species: Closed.

**27. Sol Duc River (Clallam Co.),** from mouth to Hwy. 101 Bridge upstream of Klahowya campground:

- (a) Effective immediately through March 31, 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 April 1, 2021, until further notice: All species: Closed

**28. Thunder Creek (Clallam Co.),** from mouth to D2400 Rd.:

- (a) Effective immediately through March 31, 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 April 1 through April 30, 2021: All species: Closed

**29. 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: All species: Closed.

**30. Wynoochee River (Grays Harbor Co.):** Effective immediately through March 31, 2021: All species: Closed.

## REPEALERS

The following section of Washington Administrative Code is repealed:  
WAC 220-312-02000H Freshwater exceptions to statewide rules – Coast (21-29)