

# **Concise Explanatory Statement 2021-2022 Sport Fishing Regulation Changes**

## **Rules amended as part of this rulemaking:**

220-300-160 Definitions-Personal-use fishing  
220-310-090 Game fish possession limits and size limits  
220-310-150 Fly fishing  
220-315-040 Smelt – Unlawful acts.  
220-330-090 Crawfish, sea urchins, sea cucumbers, goose barnacles, scallops, squid, octopus – Areas and seasons.  
220-305-110 Possession of personal-use food fish and shellfish  
220-330-010 Shellfish-daily limits, size restrictions, and unlawful acts  
220-312-050 Freshwater exceptions to statewide rules-Eastside  
220-312-020 Freshwater exceptions to statewide rules-Coast  
220-312-030 Freshwater exceptions to statewide rules-Southwest  
220-312-040 Freshwater exceptions to statewide rules-Puget Sound  
220-312-060 Freshwater exceptions to statewide rules-Columbia River

## **Rules repealed as part of this rulemaking:**

None

## **Rules created as part of this rulemaking:**

None

## **Background/Summary of each proposed rule change and public comments:**

Rulemaking in 2021 was focused on critical conservation needs and rule simplification for recreational sport fishing. Proposed changes affect rules related to gamefish, food fish, forage fish, and shellfish. Adopted rules take effect July 1, 2022.

## **#1.b Remove Char species from trout definition**

### **Type of Rule Change**

Statewide Conservation

### **Short Description**

Remove Bull Trout, Dolly Varden, Eastern Brook Trout, and Lake Trout from trout definition; create separate definitions for “trout” and “char”.

## **Explanation**

Current definition of “Trout” in WAC (220-300-160 ((34)) lists *brown trout, bull trout, cutthroat trout, Dolly Varden, Eastern brook trout, golden trout, grayling, lake trout, rainbow trout (except steelhead), tiger trout*. In WAC 220-312-010 through 220-312-060, *salmon from waters designated as “landlocked salmon rules apply”*. Separating the definition for “Trout” and creating a “Char” definition will more clearly express management intent and define regulations for waterbodies with special rules.

### *Changes:*

*Corrected 220-300-160 (34) “Trout” means brown trout, ~~bull trout~~, cutthroat trout, ~~Dolly Varden, Eastern brook trout~~, golden trout, grayling, ~~lake trout~~, rainbow trout (except steelhead), tiger trout, and in WAC 220-312-010 through 220-312-060, salmon from waters designated as “landlocked salmon rules apply.”*

*New 220-300-160 (35) “Char” means bull trout, Dolly Varden, Eastern brook trout, and lake trout.*

*New 220-310-090 Lake Trout No Daily Limit No Size Restriction*

*Corrected 220-310-090 Trout (~~except Eastern Brook trout and Kokanee~~)*

## **WAC’s**

220-300-160 (34) – Definitions-Personal-use fishing

220-310-090 – Game fish possession limits and size limits

## **Staff Contact:**

Steve Caromile

## **Written Testimony (58 comments)**

### Support (22):

Comments included: “I think this will help make it more clear that the taking of bull trout is not allowed in areas where trout take is allowed.” and “I support this rule, and further protections for native Bull Trout and Dolly Varden. This rule change should be accompanied by more liberal harvest opportunities for invasive brook trout and lake trout wherever they reside.”

### Oppose (19):

Comments included: “Is going to make the regulations more complex and confusing”, and “Seems like another way to keep lakes and rivers closed.”

**Public Hearing (comments):** None

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

## # 2. Clarifying Single hook definition for Selective Gear Rule, Whitefish Gear, and Fly Fishing

### Type of Rule Change

Rule Clarification

### Short Description

Clarifying intent of the “single point hook” as listed in definitions for Selective Gear Rules, Whitefish Gear Rules, or Fly Fishing Rules.

### Explanation

Definition of “single point hook” was inadvertently changed during our recent rule simplification process. Intent of the Selective Gear Rules, Whitefish Gear Rules, and Fly Fishing Rule is to require that anglers use a single-point or a single-point barbless hook.

The current wording implies that anglers may use a “treble hook”.

### Changes:

*Corrected 220-300-160 (26) "Selective gear rules" means terminal fishing gear is limited to artificial flies with barbless ~~single hooks~~ single-point hooks or lures with barbless ~~single hooks~~ single-point hooks and bait is prohibited. Up to three hooks may be used. Only knotless nets may be used to land fish. In waters under selective gear rules, fish may be released until the daily limit is retained.*

*Corrected 220-300-160 (35) "Whitefish gear rules" means terminal fishing gear is restricted to one ~~single hook~~ single-point hook, maximum hook size three-sixteenths inch point to shank (hook size 14), and bait is allowed. All species: Release all fish except whitefish.*

*Corrected 220-310-150 (1) (d) Not more than two flies each with a barbless ~~single hook~~ single-point hook.*

### WAC's

220-300-160 (26) – Definitions-Personal-use fishing – Selective gear rules

220-300-160 (35) – Definitions-Personal-use fishing – Whitefish gear rules

220-310-150 (1) (d) – Fly fishing

### Staff Contact:

Marc Divens

### Written Testimony (20 comments)

#### Support (17)

Comment included: “Adding this clarification gets to the intent of Selective Gear rules and will ensure the protection of the species where these regulations are present” and “Treble hooks should not be allowed anywhere except for when targeting bottomfish in the ocean. Single hooks are more effective and less damaging.”

Oppose (3):

Comment included: “Don't support. While I do agree that there should be regulations like this made, it should only be in some specific places. Trebles are on a lot of different bass lures and trout trolling lures. This would greatly decrease the popularity among anglers, and overall make the department lose money.”

**Public Hearing (comments):** None

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

### **# 3. Require separate containers for each smelt fisher**

#### **Type of Rule Change**

Gear requirement – aids in conservation and accounting

#### **Short Description**

Require each fisher to have a separate container for their limit of smelt (regardless of species). This rule would apply to smelt fisheries in both freshwater and marine waters and all methods of harvest, i.e. dipnet and jig.

#### **Explanation**

This change has been required through emergency rules during the Eulachon fishery on the Cowlitz River to aid in achieving conservation objective through increase accountability of harvest and would be applied statewide to aid in enforcing daily catch limits and tracking harvest. This change applies to all smelt fisheries statewide, including the Cowlitz River for consistency.

#### *Change:*

*Updated 220-315-040 Smelt—Unlawful acts. It shall be unlawful for any person taking smelt for personal use to fail to retain all smelt caught up to the daily limit. **In the field, each person taking smelt must use a separate container to hold their catch and the container must be in the harvester's presence or identified with the harvester's name.***

#### **WAC**

220-315-040 Smelt – Unlawful acts.

#### **Staff Contact:**

Phillip Dionne, Ryan Lothrop, and Laura Heironimus

#### **Written Testimony (14 comments)**

Support (12):

Comment included: “Easier to manage and not difficult for the fisherpeople “, “This is consistent with shellfishing regulations and easy to implement” and “Aligns with other "separate container rules". Makes total sense as this fishery tends to attract resource abusers.”

Oppose (0):

Comment included: None

**Public Hearing (comments):** None

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

## # 4. Sea cucumber recreational dive harvest closures

### Type of Rule Change

Conservation

### Short Description

Close marine catch areas 8-1, 8-2, 10 and part of 9 (Sea Cucumber Management District 3) to recreational dive harvest of sea cucumber and establish statewide seasonal spawning closure for recreational sea cucumber harvest from March 1 – June 30.

### Explanation

To address conservation concerns, District 3 was closed to commercial sea cucumber harvest in 2014 by co-manager agreement and a seasonal spawning closure period was also instituted for commercial fisheries statewide in 2021. Closing the recreational sea cucumber fishery in District 3 and establishing the spawning season closure window are needed to allow cucumber populations to rebuild. Both rule changes align recreational harvest restrictions with comanager agreements. This change also corrects an incorrect geographical coordinate reference and makes one additional administrative change (text formatting).

*Change:*

(2) **Sea cucumbers ~~and sea urchins~~:** Open ~~year-round~~ July 1 through the last day of February in all waters, except ~~that it is unlawful to take sea cucumbers and sea urchins in Marine Area 12 and~~ in the following closed areas:

(a) All waters of Marine Area 12.

(b) All waters of Marine Area 8-1.

(c) All waters of Marine Area 8-2.

(d) All waters of Marine Area 10.

(e) Those waters of Marine Area 9 south of a line projected from Foulweather Bluff (47° 56.4'N, 122° 36.726'W) to Double Bluff (47° 58.054'N, 122° 32.78'W).

(af) Those waters of San Juan Channel and Upright Channel within the following lines: North and west of a line from the northernmost point of Turn Island on San Juan Island (48° 32.146'N, 122° 58.279'W) to Flat Point on Lopez Island (48° 33.060'N, 122° 55.181'W) and thence projected from Flat Point true west to Shaw Island (48° 33.062'N, 122° 56.509'W) north of a line projected from the northernmost point of Turn Island (48° 32.146'N, 122° 58.279'W) true west to San Juan Island (48° 32.146'N, 122° 59.033'W) west of a line from Neck Point on Shaw Island (48° 35.233'N, 123° 0.744'W) to Steep Point on Orcas Island (48° 36.559'N, 123° 1.387'W) and south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island (48° 37.348'N, 123° 6.450'W).

*(bg)* Those waters of Haro Strait north of a line projected true west from the southernmost point of Cattle Point on San Juan Island (48° 27.006'N, 122° 57.818'W) to the international border and south of a line projected true west from a point ~~one-quarter~~ ¼ mile north of Lime Kiln Light on San Juan Island (48° 31.202'N, 123° 9.162'W) to the international border.

*(eh)* Argyle Lagoon: Those University of Washington-owned tidelands and all bedlands enclosed by the inner spit of Argyle Lagoon on San Juan Island.

*(di)* Those waters within ~~one-quarter~~ ¼ mile of Tatoosh Island.

*(ej)* Those waters of the Strait of Juan de Fuca in the vicinity of Low Point west of a line projected true north from the shoreline at 123° 48.3'W longitude to the international border, and east of a line projected true north from the shoreline at 123° 52.7'W longitude to the international border at 123° 52.7'W longitude.

*(fk)* Those waters of Eagle Harbor west of a line projected from Wing Point (47° 37.241'N, 122° 29.535'W) to Eagle Harbor Creosote Light Number 1 (47° 36.975'N, 122° 29.792'W), then projected true west to the shore on Bainbridge Island (47° 36.975'N, 122° 29.977'W).

*(gl)* The waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner (47° 33.886'N, 122° 37.397'W) to landfall directly below the ~~Veteran's Home Kitsap Transit foot ferry terminal~~ in Annapolis (47° 32.868'N, 122° 36.973'W).

*(h)* All waters of Hale Passage and Wollochet Bay within the following lines: ~~West of a line projected true south from the shoreline near Point Fosdick (47° 14'N, 122° 35'W), and thence projected true west to the shoreline of Fox Island (47° 14'N, 122° 35.368'W) and east of a line projected true south from the shoreline near Green Point (47° 16.5'N, 122° 41'W), and thence projected true east to the shoreline of Fox Island (47° 16.5'N, 122° 40.145'W) West and north of a line starting at Point Fosdick following longitude 122° 35' W southward to latitude 47° 14' thence true west to Fox Island, and east and north of a line starting at Green Point following longitude 122° 41' W southward to latitude 47° 16.5' N thence true east to Fox Island.~~

**(3) Sea urchins:** Open year-round in all waters, except in the following closed areas:

*(a)* All waters of Marine Area 12.

*(b)* Those waters of San Juan Channel and Upright Channel within the following lines: North and west of a line from the northernmost point of Turn Island on San Juan Island (48° 32.146'N, 122° 58.279'W) to Flat Point on Lopez Island (48° 33.060'N, 122° 55.181'W) and thence projected from Flat Point true west to Shaw Island (48° 33.062'N, 122° 56.509'W) north of a line projected from the northernmost point of Turn Island (48° 32.146'N, 122° 58.279'W) true west to San Juan Island (48° 32.146'N, 122° 59.033'W) west of a line from Neck Point on Shaw Island (48° 35.233'N, 123° 0.744'W) to Steep Point on Orcas Island (48° 36.559'N, 123° 1.387'W) and south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island (48° 37.348'N, 123° 6.450'W).

*(c)* Those waters of Haro Strait north of a line projected true west from the southernmost point of Cattle Point on San Juan Island (48° 27.006'N, 122° 57.818'W) to the international border and south of a line projected true west from a point ¼ mile north of Lime Kiln Light on San Juan Island (48° 31.202'N, 123° 9.162'W) to the international border.

*(d)* Argyle Lagoon: Those University of Washington-owned tidelands and all bedlands enclosed by the inner spit of Argyle Lagoon on San Juan Island.

*(e)* Those waters within ¼ mile of Tatoosh Island.

*(f) Those waters of the Strait of Juan de Fuca in the vicinity of Low Point west of a line projected true north from the shoreline at 123° 48.3'W longitude to the international border, and east of a line projected true north from the shoreline at 123° 52.7'W longitude to the international border at 123° 52.7'W longitude.*

*(g) Those waters of Eagle Harbor west of a line projected from Wing Point (47° 37.241'N, 122° 29.535'W) to Eagle Harbor Creosote Light Number 1 (47° 36.975'N, 122° 29.792'W), then projected true west to the shore on Bainbridge Island (47° 36.975'N, 122° 29.977'W).*

*(h) The waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner (47° 33.886'N, 122° 37.397'W) to landfall directly below the Kitsap Transit foot ferry terminal in Annapolis (47° 32.868'N, 122° 36.973'W).*

*(i) All waters of Hale Passage and Wollochet Bay within the following lines: West and north of a line starting at Point Fosdick following longitude 122° 35' W southward to latitude 47° 14' thence true west to Fox Island, and east and north of a line starting at Green Point following longitude 122° 41' W southward to latitude 47° 16.5' N thence true east to Fox Island.*

## **WAC**

220-330-090 (2) Crawfish, sea urchins, sea cucumbers, goose barnacles, scallops, squid, octopus  
– Areas and seasons.

## **Staff Contacts**

Aaron Dufault

## **Written Testimony (8 comments)**

### Support (6):

Comment included: General support

### Oppose Closure (2):

Comments included: “I oppose recreational harvest closure but support a spawning closure” and “Please define a define an intended duration for the closure or management targets that would reopen the recreational fishery. This will help improve transparency of WDFW and regain trust of recreational fishing people.” Another commenter opposed any closures in MAs 5, 6, 7 and suggests pursuing bag limit changes instead of closures.

**Public Hearing (comment):** None

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

## **# 5. Shellfish possession limit language**

### **Type of Rule Change**

Simplification

### **Short Description**

Clarify possession limits of shellfish through consistent language.



## **Explanation**

Currently there are conflicting definitions for possession limits in personal-use recreational shellfish fisheries. This rule change aligns the possession limit definitions and include the language “while in the field or in transit” as defined in WAC 220-300-160.

"Possession limit" means the number of daily limits allowed to be retained in the field or in transit.

*Change:*

*220-305-110 (1) The personal-use possession limit of food fish shall include all fresh, frozen, canned and other processed fish in the immediate possession of an individual **while in the field or in transit**, together with fish held ~~for him~~ by a custom canner or processor, and fish consigned ~~by him~~ for processing, preserving, storing, or transporting to a place other than where such food fish were taken.*

*220-330-010 It is unlawful for any one person to possess **at any time** more than one daily limit of fresh shellfish **while in the field or in transit**. Additional shellfish may be possessed in a frozen or processed form. It is unlawful for any one person to take more than the following quantities of shellfish in any one day for personal use or take or possess shellfish that measure less than the caliper measurement described in this section. Caliper measurement is defined as a linear measurement when both points of a movable caliper are touching the shell of the shellfish. A fixed caliper gauge is the linear distance between points of the caliper gauge or the diameter of a circular gauge.*

## **WAC**

220-305-110 Possession of personal-use food fish and shellfish

220-330-010 Shellfish-daily limits, size restrictions, and unlawful acts

## **Staff Contact**

Aaron Dufault

## **Written Testimony (10 comments)**

Support (6):

Comment included: General support

Oppose (1):

Comment included: “I don't see it please be more specific I read 1 limit in fresh form. No conflicting definitions in the regs. “

**Public Hearing (comments):** None

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

## **# 6. Puget Sound spot shrimp head retention rule**



## Type of Rule Change

Simplification

## Short Description

Modify daily possession limit for shrimp after May 31 annually to no longer require retention of spot shrimp heads when only spot shrimp are being retained.

## Explanation

The current daily possession limit for all shrimp after May 31 is 10 pounds (whole shrimp) with a maximum of 80 spot shrimp as part of the 10-pound limit. Shrimp heads may be removed but are required to be retained after May 31 until ashore and finished fishing for the day. This rule change will no longer require the retention of spot shrimp heads when only spot shrimp are being retained. If any other shrimp species are being retained as part of the daily limit, shrimp heads for all species will still be required and count towards the 10-pound daily limit.

*Change:*

*220-330-010 (11) Shrimp:*

*(a) In Marine Areas 1, 2, and 3 and Marine Area 4 west of the Bonilla-Tatoosh line: Daily total weight limit is 25 pounds, maximum of 200 spot shrimp as part of the 25-pound limit.*

*(b)(i) In Marine Area 4 east of the Bonilla-Tatoosh line and Marine Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13: ~~First Saturday in May through May 31, daily~~ Daily limit is 80 spot shrimp; ~~during all other open periods with a daily total daily weight limit is of 10 pounds (whole shrimp) all species combined, maximum of 80 spot shrimp as part of the 10-pound limit.~~*

*(ii) ~~If retaining non-spot shrimp, Shrimp heads may be removed, but after May 31 all shrimp heads (spot and non-spot) must be retained in the field until ashore and finished fishing for the day.~~*

## WAC

220-330-010 (11) Shellfish-Daily limits, size restrictions, and unlawful acts.

## Staff Contact

Aaron Dufault

## Written Testimony (16 comments)

### Support (16):

Comments included: " Strongly support. This is a useful rule simplification, and few shrimpers are aware of or follow this existing rule at present." and "Agree in general, I think its still much more clear to just have the "count" limit and do away with the "10lb" clauses. Its insanely hard to keep track of the weight for the fisherman and the enforcement in the field. If you are worried about double dipping with spot and/or coon striped just make a total daily shrimp limit. Like we do with salmon and bottom fish."

### Oppose (0):

Comments included: NA

**Public Hearing (comments):** None  
**Modifications of Proposed Rule (CR 102):** None  
**Staff Recommendation:** Adopt  
**Commission Action:** Adopted

## # 7. Billy's Pond (Yakima Co.)

**Type of Rule Change**  
Simplification

### **Short Description**

Return this small, artificial pond in Yakima to Statewide Rules.

### **Explanation**

This small pond located in Yakima was added to freshwater special rules in 2020 as part of House Bill 1579 that directed the Washington Fish and Wildlife Commission to “adopt rules to liberalize bag limits” for non-native “bass, walleye and channel catfish in all anadromous waters of the state in order to reduce the predation risk to salmon smolts. However, the pond is located on city property without public access. As part of the 2020 commission process, waterbodies without public access were not included in the special rules designation related to the legislation. To be consistent, the pond should be removed from the list of waters with special rules.

*Change:*

~~*Removed (27) **Billy's Acclimation Pond (Yakima County): Game fish: Statewide minimum length/daily limit, except:***~~

~~*(a) Largemouth bass: Daily limit 10; no minimum length; only largemouth bass under 12 inches may be retained, except 1 over 17 inches may be retained.*~~

~~*(b) Smallmouth bass: Daily limit 15; no minimum length; only 1 smallmouth bass over 14 inches may be retained.*~~

~~*(c) Channel catfish: Daily limit 10; no size restriction.*~~

~~*(d) Walleye: Daily limit 16; only 1 walleye over 22 inches may be retained.*~~

### **WAC**

220-312-050 (27) Freshwater exceptions to statewide rules-East-side.

### **Staff Contact**

Darren Friedel and  
Marc Divens

### **Written Testimony (4 comments)**

Support (4):

Comment included: Agree with proposal, but area should have public access.

Oppose (0):

Comment included: None

**Public Hearing (0 comments):** None  
**Modifications of Proposed Rule (CR 102):** None  
**Staff Recommendation:** Adopt  
**Commission Action:** Adopted

## # 8. Lake Wenatchee kokanee fishing closure

### Type of Rule Change

Conservation

### Short Description

Close kokanee fishing in Lake Wenatchee.

### Explanation:

In 2018, the daily bag limits for trout and kokanee were separated under the Statewide General Rules. This change resulted in kokanee retention being allowed under the “Other Game Fish” (year-round and statewide minimum size/daily limit) section of the current WAC for Lake Wenatchee. There are no known kokanee population present in Lake Wenatchee; all *Oncorhynchus nerka* are considered anadromous therefore all are either juvenile or adult Sockeye. Sockeye retention is only allowed under emergency rule when there is a harvestable surplus above spawner escapement targets. Further, tackle and fishing tactic used for kokanee increases encounters ESA listed spring Chinook, steelhead, and Bull Trout and unlisted Sockeye. WDFW Region 2 Police have contacted several anglers on Lake Wenatchee who claim to be fishing for kokanee, but are targeting Sockeye, Chinook, Steelhead, and Bull Trout. This rule closes that loophole and eliminates the unauthorized take of those ESA-listed species.

*Change:*

*(362) Wenatchee Lake (Chelan County):*

*(a) Selective gear rules.*

*(b) Game fish: Statewide minimum length/daily limit, except:*

*(i) Release trout.*

*(ii) Steelhead: Closed to fishing.*

*(iii) Kokanee: Closed to fishing.*

### WAC

220-312-050 (362) Freshwater exceptions to statewide rules-East-side.

### Staff Contact

Chad Jackson

### Written Testimony (8 comments)

Support (8):

Comment included: “Shouldn't be listed regulations for species not present” and “Support the proposal, however we should look into making selective rules for other fish such as trout only or selective catch and release for salmon and steelhead.”

Oppose (0):

Comment included: None

**Public Hearing (comments):** None

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

## # 9. Bogachiel Hatchery Pond South Closure

### **Type of Rule Change**

West side lake simplification

### **Short Description**

Revert the status of this pond from “open for fishing” to “Closed waters”.

### **Explanation**

Several years ago trout stocking of Wentworth Lake in Clallam County was discontinued due to changes in public access. To provide public fishing opportunity, an empty rearing pond at the hatchery was used. In 2020, needed improvements to the pond were made for the Bogachiel Wild broodstock program for rearing and releasing. This made the pond no longer available for rainbow trout. The rainbow trout formally destined for Calawah South Pond and Bogachiel Pond are being planted into Wentworth Lake and Leland Lake.

*Change:*

Corrected 220-312-080 (10) **Bogachiel Hatchery Pond, South (Clallam County):** ~~Open the fourth Saturday in April through October 31. Closed Waters.~~

### **WAC**

220-312-020 (10) Freshwater exceptions to statewide rules-Coast.

### **Staff Contact**

James Losee

### **Written Testimony (5 comments)**

Support (5):

Comment included: Support or Agree

Oppose (0):

Comment included: None

**Public Hearing (comments):** None

**Modifications of Proposed Rule (CR 102):** None  
**Staff Recommendation:** Adopt  
**Commission Action:** Adopted

## # 10. Carlisle Lake (Lewis Co.) season change

**Type of Rule Change**  
Enhanced opportunity

### Short Description

Open Carlisle Lake to year-round angling, with landlocked salmon rules.

### Explanation

During the 2017-2018 Rule Simplification process, the game fish season was shortened from 'the fourth Saturday in April through the last day in February' to 'the fourth Saturday in April through October 31'. That rule change did not support the fishery goal of maximizing harvest opportunity for catchable hatchery trout due to lost opportunity for anglers seeking to access a long-established winter brood-stock plant in December or January. The Onalaska Alliance (a local non-profit, and property owner associated with stocking the lake) is supportive of a longer fishing season.

*Change:*

*Corrected 220-312-030 (8) Carlisle Lake (Lewis County):*

*(a) Open ~~the fourth Saturday in April through October 31~~. Year-round.*

*(b) Landlocked salmon rules.*

### Staff Contact

Bryce Glaser and James Losee

### WAC

220-312-030 (8) Freshwater exceptions to statewide rules-Southwest.

### Written Testimony (12 comments)

#### Support (12):

Comment included: "I am in support of opening Carlisle Lake for year around fishing. This is the best use of our resources" and "Please open this year round!! Fishing that occurs here often goes straight to a fry pan/dinner table. Plus it gives our children something to do."

#### Oppose (0):

Comment included: None

**Public Hearing (comments):** None

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

## **# 11. Release cutthroat trout and wild rainbow trout in select rivers in Kitsap, Mason, Pierce, and Thurston counties.**

### **Type of Rule Change**

Conservation

### **Short Description**

Select rivers and streams in Kitsap, Mason, Pierce, and Thurston counties would require release of all cutthroat trout and wild rainbow trout.

### **Explanation**

This proposal is based on a conservation concern for populations of wild trout in independent tributaries of south Puget Sound. Data from coastal cutthroat stock assessment work conducted in south Puget Sound indicates many cutthroat populations in small independent tributaries consist of less than 30 individuals, and wild rainbow trout populations are typically even smaller. The small size of these populations makes them vulnerable to over harvest at even low levels of retention especially during the summer period when anadromous trout are congregating in freshwater systems for thermal refuge. This rule change will help ensure the sustainability of wild trout populations in the affected tributaries while maintaining fishing opportunity.

*Change:*

*Updated 220-312-040 (23) **Blackjack Creek (Kitsap County):***

*(a) Selective gear rules.*

*(b) Game fish: Statewide minimum length/daily limit, except: **Release** ~~C~~cutthroat trout and wild rainbow trout. ~~Minimum length 14 inches.~~*

### **Kitsap County:**

Blackjack, Burley,  
Dogfish, Eglon (Silver), Gorst, Grovers, Illahee,  
Kitsap, Little Scandia, Olalla, Salmonberry, and Wildcat creeks

### **Mason County:**

Mill Creek and Tahuya River- From the Belfair Tahuya Road Bridge upstream

### **Thurston County:**

McAllister and Woodland creeks

### **Pierce County:**

Chambers Creek- From Boise-Cascade Dam to Steilacoom Lake

### **WAC**

220-312-040 Freshwater exceptions to statewide rules-Puget Sound.

### **Staff Contact**

James Losee and Gabe Madel

## **Written Testimony (18 comments)**

### Support (13):

Comment included: “These fish populations should not be fished in any form or fashion. They get plenty of bird and small mammal predation as it is. Selective or non-selective fisheries only add to their demise” and “Why limit C&R regulations on wild cutthroat and rainbow trout populations to only south puget sound tributaries where data is available but continue allowing retention in north sound tributaries where data is not available? “

### Oppose (5):

Comment included: "Then just close the rivers." " In the rivers I've fished with or without the 14" minimum, I've never caught a cutthroat or rainbow over 10". " Unless these streams receive a ton of fishing pressure (which I would assume most do not), I would continue to allow harvest with the size restrictions currently in place.”

**Public Hearing (comments):** None

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

## **# 12. Aligning Snake River Steelhead Rules with Idaho**

### **Type of Rule Change**

Conservation

### **Short Description**

Align Steelhead rules with Idaho on concurrent waters of the Snake River.

### **Explanation**

Washington State has entered into an agreement with Idaho to maintain concurrent steelhead fishing rules in the main stem of the Snake River. Along with maintaining agreed upon rules, this change will also provide a conservation gain for the steelhead stocks on the Snake River.

### *Change:*

*(305) Snake River:*

*(a) Tributaries except Palouse River, Tucannon River, Asotin Creek, and Grande Ronde River: Closed waters.*

*(b) Columbia River rules apply downstream of the Burbank-to-Pasco railroad bridge at Snake River mile 1.5.*

*(c) Within 400 feet of the base of any dam: Closed waters.*

*(d) Within a 400 foot radius around the fish ladder entrance at Lyons Ferry Hatchery: Closed waters.*

*(e) Within a 200 foot radius upstream of the fish ladder exit above Lower Granite Dam: Closed waters.*



(f) Within an area 1,200 feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and 100 feet out into the river from the south river bank: Closed waters.

(g) Game fish: Open year-round; statewide minimum length/daily limit, except:

(i) Trout: Open the Saturday before Memorial Day through October 31.

(ii) Steelhead:

~~(A) Open the Saturday before Memorial Day through July 3 June 30; daily limit 2; barbless hooks required.~~

(A) Open July 1 through August 31; Catch and Release only. Barbless hooks required.

(B) Open ~~August~~ September 1 through March 31; Daily limit 3 hatchery steelhead; barbless hooks required.

(C) April 1 through June 30: Closed to fishing.

## WAC

220-312-050 (305) Freshwater exceptions to statewide rules-Ease side.

## Staff Contact

Chris Donley

## Written Testimony (9 comments)

### Support (6):

Comment included: "Having both states on the same page makes sense."

### Oppose (3):

Comment included: "I do not support. ID has continued to show that they don't truly care about steelhead populations. Consistency is not a sufficient reason for bad regulations" and "Its not a good idea to make rules with other states just because the waters are connected. The rules should be based on area and populations of fish, as well as the amount of anglers currently fishing those areas."

**Public Hearing (comments):** None

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

## # 13. Closing Steelhead fishing on the Methow River

### Type of Rule Change

Conservation

### Short Description

Add "Steelhead: Closed to fishing" to all sections of the Methow River.

## **Explanation**

Steelhead (both hatchery and wild) returning to the Methow River are ESA-listed. Under the current WAC, steelhead can technically be caught-and-released under the "All Game Fish" listing. Steelhead fishing is listed as closed in neighboring Okanogan River and mainstem Columbia River. This issue was created with the change in the statewide general rule "Open during salmon and game fish seasons unless as otherwise listed" which allows anglers to fish for trout. Closure of steelhead will ensure compliance with federal ESA take authorization permits.

*Change:*

*Updated 220-312-050 (218) **Methow River (Okanogan County):***

*(a) From mouth to County Road 1535 (Burma Road) Bridge: Closed waters.*

*(b) Tributaries from mouth to County Road 1535 (Burma Road) Bridge except Black Canyon Creek:*

*(i) Release all fish, except: Eastern brook trout: No minimum length/daily limit.*

*(ii) Steelhead: Closed to fishing.*

*(c) From County Road 1535 (Burma Road) Bridge to Gold Creek:*

*(i) Open the Saturday before Memorial Day through September 15.*

*(ii) Selective gear rules.*

*(iii) Release all fish.*

*(iv) Steelhead: Closed to fishing.*

*(d) All tributaries from the County Road 1535 (Burma Road) to Gold Creek except Gold Creek:*

*(i) Selective gear rules.*

*(ii) Release all fish, except: Eastern brook trout: No minimum length/daily limit.*

*(iii) Steelhead: Closed to fishing.*

*(e) From Gold Creek to Foghorn Dam:*

*(i) Open the Saturday before Memorial Day through September 30.*

*(ii) Selective gear rules.*

*(iii) Release all fish.*

*(iv) Steelhead: Closed to fishing.*

*(v) Whitefish:*

*(A) Open December 1 through the last day in February for whitefish only.*

*(B) Whitefish gear rules.*

*(f) Methow River tributaries from Gold Creek to Foghorn Dam; except Twisp River, Chewuch River, Libby Creek, and Beaver Creek:*

*(i) Release all fish, except: Eastern brook trout: No minimum length/daily limit.*

*(ii) Steelhead: Closed to fishing.*

*(g) From Foghorn Dam to Weeman Bridge including tributaries:*

*(i) Open the Saturday before Memorial Day through August 15:*

*(A) Release all fish.*

*(B) Selective gear rules.*

*(C) Steelhead: Closed to fishing.*

*(ii) Whitefish:*

*(A) Open December 1 through the last day in February for Whitefish only.*

*(B) Whitefish gear rules.*

*(h) From Weeman Bridge to the falls above Brush Creek: Whitefish:*

*(i) Open December 1 through the last day in February for whitefish only.*

- (ii) *Whitefish gear rules.*
- (i) *Methow River tributaries from Weeman Bridge to the falls above Brush Creek; excluding Lost River, Goat Creek, Early Winters Creek, and Wolf Creek:*
  - (i) *Selective gear rules.*
  - (ii) *Release all fish.*
  - (iii) *Steelhead: Closed to fishing.*

**WAC**

220-312-050 Methow River (218) Freshwater exceptions to statewide rules-East side.

**Staff Contact**

Chad Jackson

**Written Testimony (14 comments)**

Support (5):

Comment included: "I support the closure as long as hatcheries also stop releasing steelhead. Hatchery steelhead have been shown to be detrimental to wild steelhead populations. If we're going to keep releasing hatchery steelhead then we should be allowed to fish for them."

Oppose (9):

Comment included: "Why release hatchery fish then not allow the public to fish for them. Seems pretty silly to me" and "Oppose. Increase hatchery output to offer more angling opportunity", "Catch and release has very low mortality. At least keep catch and release open as steelhead opportunity is getting worse each year."

**Public Hearing (comments):** David Moskowitz (The Conservation Angler), expressed concern with regard to allowing any fishing for steelhead on the Methow River.

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

## **# 14. Increased angling opportunity in the Muddy River (Lewis River tributary)**

**Type of Rule Change**

Conservation

**Short Description**

Provides additional conservation for Bull Trout while increasing angling opportunity by moving the Muddy River to the statewide stream rules, with selective gear and release of all fish.

## Explanation

Current rules include Muddy River with mainstem and tributary reaches downstream that have selective gear rules, release of wild trout regulations, and a July 16<sup>th</sup> closure intended to provide protection to bull trout that stage in these areas. This rule change would align Muddy River regulations with the mainstem and tributary reaches upstream, which also have selective gear rules and a requirement to release all fish, but follow the statewide standard fishing period of Saturday before Memorial Day through October 15<sup>th</sup>. This rule change would provide a longer fishing period in Muddy River while still providing protection for bull trout through the requirement to release all fish (i.e., catch and release).

*Change:*

*Updated 220-312-030 (44) **Lewis River (Clark County):***

*(i) From Eagle Cliff Bridge up to ~~and including~~ Muddy River, including **all** tributaries **except the Muddy River**:*

*(i) Selective gear rules.*

*(ii) Open the Saturday before Memorial Day through July 15.*

*(iii) Game fish: Statewide minimum length/daily limit, except:*

*(A) Trout: Daily limit 10; minimum length 8 inches.*

*(B) Release wild trout.*

*(j) From ~~above the~~ Muddy River to the lower falls and tributaries (**including the Muddy River**):*

*(i) Selective gear rules.*

*(ii) Release all fish.*

## WAC

220-312-030 Lewis River (44) (i) Freshwater exceptions to statewide rules-South-west.

## Staff Contact

Bryce Glaser

## Written Testimony (3 comments)

Support (4):

Comment included: “Approve” and “Support”

Oppose (0):

Comment included: None

**Public Hearing (comments):** None

**Modifications of Proposed Rule (CR 102):** None

**Staff Recommendation:** Adopt

**Commission Action:** Adopted

## # 15. Adding jointly managed off-channel selected areas to WAC/Pamphlet

### Type of Rule Change Proposal

Columbia Basin River Simplification

### **Short Description**

Adds Oregon and Washington jointly managed off-channel waters in the Columbia River to WAC/Pamphlet. These locations are Blind Slough and Knappa Slough.

### **Explanation**

This rule would create defined waters that allow Catch Record Card areas to be created in order to improve catch accounting and allow Washington anglers and enforcement to better understand the fishing regulations in these concurrently managed off-channel areas on the Oregon side of the Columbia River. Blind Slough and Knappa Slough are the two water bodies being considered to create regulations that would correspond with the Oregon rules (concurrent waters).

### *Change:*

- The Blind Slough Select Area is defined as waters of Blind Slough and Gnat Creek from a north-south line represented by regulatory markers at the mouth of Blind Slough upstream to a regulatory marker in Gnat Creek located approximately 0.5 miles southeasterly (upstream) of the Barendse Road Bridge.
- The Knappa Slough Select Area is defined as waters of Knappa Slough, Calendar Slough, and Big Creek Slough bounded to the north (upstream) by a line projecting from a regulatory marker on the eastern shore of Karlson Island to the northernmost regulatory marker at the mouth of Blind Slough and bounded to the west (downstream) by a line projecting southerly from a regulatory marker on the southwestern tip of Karlson Island through regulatory markers on the western tips of Minaker Island to a marker on the Oregon shore.
  - Gamefish: Statewide minimum length/daily limit, except: Release trout.
  - Salmon: Daily limit is 2 adult salmon or 2 steelhead or 1 of each and 5 jacks. No more than 2 daily jack limits in possession. 12” minimum size. Release all salmon other than hatchery Chinook, hatchery coho and hatchery steelhead. Use of barbed hooks allowed.
  - Shad: Open year-round.

### **WAC**

220-312-060 Freshwater exceptions to statewide rules-Columbia River.

### **Staff Contact**

Ryan Lothrop  
Quinten Daugherty  
Captain Chadwick

### **Written Testimony (3 comments)**

Support (2):

Comment included: “Aligning with Oregon would be a smart thing to do. That seems to be a bit of a challenge these days from the advisory group and current WDFW leadership.”

Oppose (0):

Comment included: None

**Public Hearing (comments):** None  
**Modifications of Proposed Rule (CR 102):** None  
**Staff Recommendation:** Adopt  
**Commission Action:** Adopted