



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: December 02, 2024

TIME: 8:26 AM

WSR 24-24-070

Agency: Department of Fish and Wildlife (Order 24-274)

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 emergency rule is to implement steelhead conservation measures in northern coastal tributaries. This rule will prohibit fishing from a floating device in some areas, reduce steelhead daily limit to two hatchery fish in areas that typically have a three fish limit, require the release of wild rainbow trout, and will implement Selective Gear Rules (except only one single point barbless hook allowed) in all waters listed within the text of this filing.

Citation of rules affected by this order:

- New:
- Repealed:
- 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: This emergency rule is necessary to protect wild steelhead stocks. Coastal wild steelhead runs have seen a negative trend for many years. Although there has been a recent increase on these populations, returns are still below long-term averages. Forecasts this year provide some additional opportunities, but precaution is necessary. The rules contained in this filing are expected to result in a reduction of wild steelhead encounters relative to permanent rules in place.

Enacting these rules follows an extensive public engagement process, which included a two-part virtual town hall series during the fall 2024. Hundreds of people joined WDFW fishery managers during these virtual meetings, and many provided feedback on the Department's coastal steelhead management web page through an online portal.

Tribal co-managers along the coast have also taken similar steps alongside the Department to advance recovery of wild steelhead.

WDFW continues to operate under its Statewide Steelhead Management Plan, which requires the Department to prioritize the sustainability of wild coastal steelhead runs by focusing on healthy levels of abundance, productivity, diversity, and distribution.

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	___
-----	---	---------	-----	----------	-----

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: December 2, 2024	Signature: 
Name: Kelly Susewind	
Title: Director	

NEW SECTION

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

Effective immediately, through March 31, 2025, the following provisions of WAC 220-312-020, regarding gamefish seasons, fishing from a floating device, and gear and hook restrictions for northern coastal tributaries shall be modified as described herein. All areas described as Closed Waters in WAC 220-312-020 remain Closed Waters. All other provisions of WAC 220-312-020 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

- (1) Big River (Clallam Co.),** outside Olympic National Park: Effective January 1 through February 28, 2025:
 - (a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (b) Trout: Statewide minimum size and daily limit, except cutthroat trout minimum size 14 inches. Release wild rainbow trout.

- (2) Bogachiel River (Clallam Co.):**
 - (a) From the mouth to Mill Creek: Effective immediately through March 31, 2025:
 - (i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (ii) Steelhead: Daily limit is 2 hatchery steelhead.

 - (b) From Mill Creek upstream to Olympic National Park Boundary: Effective immediately through March 31, 2025:
 - (i) All species: Fishing from a floating device prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (iii) Steelhead: Daily limit is 2 hatchery steelhead.

- (3) Calawah River: (Clallam Co.):**
 - (a) From the mouth to the Hwy. 101 Bridge: Effective immediately through March 31, 2025:
 - (i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (ii) Steelhead: Daily limit is 2 hatchery steelhead.

 - (b) From the Hwy. 101 Bridge to the forks: Effective immediately through March 31, 2025:
 - (i) All species: Fishing from a floating device prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (iii) Steelhead: Daily limit is 2 hatchery steelhead.

- (4) Calawah, South Fork (Clallam Co.),** from the mouth to Olympic National Park boundary: Effective immediately, through February 28, 2025:

- (a) All species: Fishing from a floating device prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (5) **Cedar Creek (Jefferson Co.)**, outside Olympic National Park boundary: Effective immediately, through February 28, 2025:
- (a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (b) Trout: Statewide minimum size and daily limit, except cutthroat trout minimum size 14 inches. Release wild rainbow trout.
- (6) **Dickey River (Clallam Co.)**, from the Olympic National Park boundary upstream: Effective immediately, through March 31, 2025:
- (a) All species: Fishing from a floating device prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (7) **Dickey River, East Fork and West Fork (Clallam Co.)**: Effective immediately, through March 31, 2025:
- (a) All species: Fishing from a floating device prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (8) **Goodman Creek (Jefferson Co.)**, outside of Olympic National Park boundary: Effective immediately, through February 28, 2025:
- (a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (b) Trout: Statewide minimum size and daily limit, except cutthroat trout minimum size 14 inches. Release wild rainbow trout.
- (9) **Hoh River (Jefferson Co.)**:
- (a) From Olympic National Park boundary (near mouth) upstream Morgans Crossing boat launch: Effective immediately through March 31, 2025:
 - (i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (ii) Steelhead: Daily limit is 2 hatchery steelhead.
 - (b) From Morgans Crossing boat launch to Olympic National Park boundary below mouth of South Fork Hoh River: Effective immediately through March 31, 2025:
 - (i) All species: Fishing from a floating device prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (iii) Steelhead: Daily limit is 2 hatchery steelhead.
- (10) **Hoh River, South Fork (Jefferson Co.)**, outside of Olympic National Park boundary: Effective immediately, through March 31, 2025:

- (a) All species: Fishing from a floating device prohibited.
 - (b) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (11) Kalaloch Creek (Jefferson Co.),** outside Olympic National Park boundary: Effective immediately, through February 28, 2025:
- (a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (b) Trout: Statewide minimum size and daily limit, except cutthroat trout minimum size 14 inches. Release wild rainbow trout.
- (12) Mosquito Creek (Jefferson Co.),** from Olympic National Park boundary upstream to Goodman 3000 Mainline Bridge: Effective immediately, through February 28, 2025:
- (a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (b) Trout: Statewide minimum size and daily limit, except cutthroat trout minimum size 14 inches. Release wild rainbow trout.
- (13) Quillayute River (Clallam Co.),** from Olympic National Park boundary upstream to confluence of Sol Duc and Bogachiel rivers: Effective immediately, through March 31, 2025:
- (a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (b) Steelhead: Daily limit is 2 hatchery steelhead.
- (14) Sol Duc River (Clallam Co.):**
- (a) From mouth to the concrete pump station at Sol Duc Hatchery: Effective immediately through March 31, 2025:
 - (i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (ii) Steelhead: Daily limit is 2 hatchery steelhead.
 - (b) From the concrete pump station at Sol Duc Hatchery to Hwy. 101 Bridge upstream of Klahowya campground: Effective immediately through March 31, 2025:
 - (i) All species: Fishing from a floating device prohibited.
 - (ii) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (iii) Steelhead: Daily limit is 2 hatchery steelhead.
- (15) Sooes River (Clallam Co.),** outside of Makah Indian Reservation: Effective immediately, through February 28, 2025:
- (a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (b) Trout: Statewide minimum size and daily limit, except cutthroat trout minimum size 14 inches. Release wild rainbow trout.

(16) Thunder Creek (Clallam Co.), from mouth to D2400 Rd.: Effective immediately, through March 31, 2025:

- (a) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
- (b) Trout: Statewide minimum size and daily limit, except cutthroat trout minimum size 14 inches. Release wild rainbow trout.