



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: 8:43 AM

WSR 24-24-072

Agency: Department of Fish and Wildlife (Order 24-276)

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 Willapa Bay tributaries. This rule will 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. Additionally, this rule will open or extend game fish seasons in portions of Palix River, North River, Willapa River South Fork, Smith Creek, Naselle River South, and Salmon Creek.

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- Repealed: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


New	1	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:

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

Effective immediately, through March 31, 2025, the following provisions of WAC 220-312-020, regarding gamefish seasons, wild rainbow trout retention, and gear and hook restrictions in Willapa Bay 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) **Bear River (Pacific Co.)**, from the Hwy. 101 Bridge to Longview Fiber Bridge: 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.
- (2) **Naselle River (Pacific Co.)**, from the Hwy. 101 Bridge to the North Fork: 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.
- (3) **Naselle River, South (Pacific Co.)**, from the mouth to Bean Creek: 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.
 - (c) Other game fish: Statewide minimum size and daily limit.
- (4) **Nemah River, Middle (Pacific Co.)**: 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.
- (5) **Nemah River, North (Pacific Co.)**, from Hwy. 101 Bridge to Cruiser Creek: 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.

- (6) **Nemah River, South (Pacific Co.):** 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.
- (7) **North River (Grays Harbor/Pacific Co.),** from the Hwy. 105 bridge to Raimie Creek: 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.
 - (c) Other game fish: Statewide minimum size and daily limit.
- (8) **Palix River (Pacific Co.):** From Hwy. 101 Bridge upstream and all forks (including South fork Palix River and Canon River): 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.
 - (c) Other game fish: Statewide minimum size and daily limit.
- (9) **Salmon Creek (Pacific/Wahkiakum Co.):** 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.
 - (c) Other game fish: Statewide minimum size and daily limit.
- (10) **Smith Creek (near North River) (Pacific Co.):** 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.
 - (c) Other game fish: Statewide minimum size and daily limit.
- (11) **Willapa River (Pacific Co.):**
- (a) From mouth (City of South Bend boat launch) to WDFW access at mouth of Ward/Wilson Creek: Effective immediately, through January 31, 2025:
 - (i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (ii) Trout: Statewide minimum size and daily limit, except cutthroat trout minimum size 14 inches. Release wild rainbow trout.

- (b) From the WDFW access at mouth of Ward/Wilson Creek to Hwy. 6 Bridge (near the town of Lebam): Effective immediately, through March 31, 2025:
 - (i) All species: Selective Gear Rules in effect, except only 1 single-point barbless hook is allowed.
 - (ii) Trout: Statewide minimum size and daily limit, except cutthroat trout minimum size 14 inches. Release wild rainbow trout.

(12) Willapa River, South Fork (Pacific Co.): 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.
- (c) Other game fish: Statewide minimum size and daily limit.