2013-2014 SPORT FISHING RULE CHANGE PROPOSALS

May 17, 2013

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SPORTFISHING RULE CHANGE PROPOSALS

The Department solicited sportfishing rules from the public this year. However, rulemaking was limited due to continued budget and staffing reductions, and Governor Chris Gregoire's Executive Order 10-06 (effective November 2010), that suspended non-critical rule development and adoption through December 31, 2012. The Department limited rulemaking to the following criteria:

1) Rules addressing a critical conservation need; and
2) Rules providing significant recreational opportunities that generate revenue.

Written comments were due by January 29, 2013 and are summarized below. Oral comments were received at the Sportfishing Rule Public Hearing on February 8, 201. All comments may be reviewed in their entirety at WDFW's website: http://wdfw.wa.gov/fishing/regulations/rule_proposals/.

Adopted rules take effect May 1, 2013.

STATEWIDE

1. Remove internal combustion motors prohibition on small streams

Short Description
Remove internal combustion motor prohibition rule from small streams in Regions 3 and 6.

Explanation
This is a "housekeeping" change to remove the internal combustion motor (ICM) prohibition from small rivers and creeks where the use of a floating device equipped with an ICM is impractical and would not be considered feasible. Removes this rule from streams in the following counties: Grays Harbor, Kittitas, Lewis, Pacific, Pierce, Thurston, Wahkiakum, and Yakima.

County	Stream	Section	Region
King Co.	Pratt River	From mouth upstream	4
King Co.	Taylor River	From mouth upstream	4
King Co.	Tolt River	From mouth to USGS trolley cable near confluence of North and South forks	4
King Co.	Tolt River, North Fork	From falls in section 26 upstream	4
King Co.	Tolt River, South Fork	From dam upstream	4
Kittitas Co.	Cle Elum River	from mouth to Cle Elum and from Cle Elum to Hyas Lake	3
Kittitas Co.	Umtanum Creek		3
Kittitas Co.	Box Canyon Creek		3
Kittitas Co.	Cooper River		3
Kittitas Co.	De Roux Creek		3
Kittitas Co.	Kachess River		3
Kittitas Co.	Naneum Creek		3

Kittitas Co.	North Fork Teanaway River		3
Kittitas Co.	Swauk Creek		3
Kittitas Co.	Taneum Creek		3
Kittitas Co.	Teanaway River		3
Lewis/Thurston Co.	Skookumchuck River	from Skookumchuck Reservoir upstream	6
Pacific Co.	Cedar River		6
Pacific Co.	Naselle River	from the North Fork upstream	6
Pacific Co.	Naselle River, South Fork		6
Pacific Co.	Nemah River, Middle Fork	from Dept. of Natural Resources bridge on Middle Nemah A-line Rd. upstream	6
Pacific Co.	Nemah River, South Fork	from confluence with Middle Nemah upstream to 2nd Hwy 101 bridge crossing	6
Pacific Co.	Palix River	from the confluence with the Middle Fork upstream (all forks including South Fork Palix and Canon rivers)	6
Pacific Co.	Smith Creek near North River	from Hwy 101 Bridge upstream	6
Pacific Co.	Willapa River	from Fork Creek upstream	6
Pacific Co.	Willapa River, SF		6
Pacific/ Grays Harbor Co.	North River	from Fall River upstream to Raimie Creek	6
Pacific/Wahkiakum Co.	Salmon Creek		6
Pierce Co.	Nisqually River	from Alder Reservoir upstream (including Little Nisqually, Mineral Creek, and North Fork Mineral Creek) and all other tributaries of Alder Reservoir	6
Pierce Co.	Clearwater River		6
Pierce Co.	Nisqually River	from the military tank crossing bridge (located one mile upstream of the mouth of Muck Creek, river mile 12) to 400' below La Grande Powerhouse	6
Pierce Co.	Ohop Creek		6
Pierce Co.	Puyallup River	from Weyerhaeuser 6000 Rd. (Bridge Camp) upstream	6
Pierce Co.	White River	from Weyerhaeuser 6000 Rd. (Bridge Camp) upstream	6
Skagit Co.	Cascade River	From Rockport -Cascade Road upstream to headwaters	4
Snohomish Co.	All Tributaries to the South Fork Skykomish River above Sunset Falls		4
Snohomish Co.	Monte Cristo Lake	Note: Monte Cristo "lake" is just a wide spot in the South Fork Sauk River; rules need to be consistent with the South Fork	4

		Sauk river	
Snohomish Co.	Pilchuck Creek	Mouth to Highway 9 bridge	4
Snohomish Co.	Sauk River	From Darrington Bridge upstream including the forks	4
Snohomish Co.	Skykomish River, South Fork	From Sunset Falls upstream,	4
Snohomish Co.	Stillaguamish River, South Fork	From Mountain Loop Highway upstream	4
Snohomish Co.	Tye River	From Foss River upstream to Alpine Pass	4
Thurston Co.	Deschutes River	from Henderson Blvd. Bridge near Pioneer Park upstream	6
Thurston Co.	McAllister Creek		6
Whatcom Co.	Big Beaver Creek, Ross Lake Trib	Mouth to headwaters	4
Yakima Co.	Ahtanum Creek		3
Yakima Co.	American River		3
Yakima Co.	Bumping River		3
Yakima Co.	Cowiche Creek		3
Yakima Co.	Little Naches River		3
Yakima Co.	Rattlesnake Creek		3
Yakima Co.	Tieton River		3

Written Testimony (21 comments)
Support: Suggestion to apply this rule to the Humptulips, Wynoochee, and Satsop rivers as well.

Oppose: Comments include: (a) concern for jet sleds navigating streams and damaging salmon redds and habitat; (b) request to outlaw the operation of internal combustion motor for all systems where redds are present; (c) request to not allow fishing from a boat with an internal combustion motor specifically on the Cascade and Teanaway rivers only; (d) waters should be open to all users for fishing, regardless of boat type as most people can only afford one boat and not all are physically capable of rowing or walking in; (e) expand the ban further to provide quality angling experience and reduce pollution and degradation of habitat.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

2. Washington Administrative Code (WAC) language, maintenance, and technical changes

Short Description
Corrects Washington Administrative Code language to reflect rule adoptions made by the Commission (technical changes). Formats the language in a clear structure and corrects mistakes in spelling etc.

Explanation
This proposal corrects errors in WAC language and is a technical fix to address these errors. For example, some of the rules adopted by the Commission during the 2012-13 Sport Rules process were not written into WAC language correctly (e.g. Kettle River, San Poil River). This change is needed so that the WAC language matches the Commission's intent.

Americans with Disabilities Act related technical fixes.

Water	Rule Change
Bear Lake (Spokane Co)	Juvenile anglers, licensed adults accompanied by a juvenile, anglers with a disability who have a designated harvester companion card only.
Columbia Basin Hatchery Creek (Grant Co)	Juvenile anglers, anglers with a disability who have a designated harvester companion card only.
Columbia Park Pond (Benton Co)	Juvenile anglers, anglers with a disability who have a designated harvester companion card only.
Cowlitz River (Cowlitz/Lewis Co)	From mouth to Mayfield Dam: Closed waters within a 100 foot radius of the new Cowlitz Trout Hatchery outfall structure except for persons with disabilities who permanently use a wheelchair AND who have a designated harvester companion card may fish within posted markers when adjacent waters are open.
Dayton Pond (Columbia Co)	Juvenile anglers, anglers with a disability who have a designated harvester companion card only.
Fork Creek (Grays Harbor Co), Fork Creek Hatchery	CLOSED WATERS – Except for persons with disabilities who permanently use a wheelchair AND who have a designated harvester companion card.
Goose Creek (Lincoln Co)	Juvenile anglers, anglers with a disability who have a designated harvester companion card only.
Headgate Pond (Asotin Co)	Juvenile anglers, seniors, anglers with a disability who have a designated harvester companion card only.
Hoodsport Hatchery	Persons with disabilities who permanently use a wheelchair AND who have a designated harvester companion card may fish from the ADA accessible site at the Hoodsport Salmon Hatchery, provided such persons follow all applicable rules and regulations of the adjoining waters of Marine Area 12.
Kiwanis Pond (Kittitas Co)	Juvenile anglers, anglers with a disability who have a designated harvester companion card only.
Ping Pond (Grant Co)	Juvenile anglers, anglers with a disability who have a designated harvester companion card only.
Sarge Hubbard Park Pond (Yakima Co)	Juvenile anglers, anglers with a disability who have a designated harvester companion card only.
Satsop River and East Fork (Grays Harbor Co), Bingham Hatchery	CLOSED WATERS – Except for persons with disabilities who permanently use a wheelchair AND who have a designated harvester companion card.
Vance Creek Pond #1 (Grays Harbor Co)	Juvenile anglers, seniors, anglers with a disability who have a designated harvester companion card only.

Miscellaneous technical fixes

Water	Rule Change
Aldrich Lake (Mason Co)	Remove "no size restriction for kokanee"
Black Lake (Thurston Co)	Remove "no size restriction for kokanee"
Buck Lake (Kitsap Co)	Remove "no size restriction for kokanee"
Carney Lake (Pierce Co)	Remove "no size restriction for kokanee"
Chaplain Lake (Snohomish Co)	List as "Closed waters"
Coal Creek (Clallam Co)	Change the season ending date from October 15 to October 31.
Cougar Lake (near Winthrop) (Okanogan Co)	Selective rear rules and internal combustion motors prohibited were inadvertently left out of the WAC and pamphlet last year and need to be added to the following: All Game Fish Apr 1 - Aug 31, catch and release.
Jolanda, Lake (Chelan Co)	List this as its own entry in the WAC in addition to under the Wenatchee River entry; currently it is listed only under the Wenatchee River entry. This is basically a wide spot in the river.
Kettle River (Stevens Co)	Add the following: Selective gear rules are not required from Canadian border upstream to Highway 21 Bridge at Curlew for juvenile anglers (under 15 years old).
Rat Lake (Okanogan Co)	Provide an additional All Game Fish season, From December 1 through March 31, with statewide minimum size and daily limit rules.
Rufus Woods Lake (Douglas Co)	List as “Closed waters from Grand Coulee Dam downstream to State Route 155 Bridge.”
Samish River (Whatcom Co)	Change the county to Skagit
San Poil River (Ferry Co)	Add the following language as listed by section: From the western shoreline at the mouth of the San Poil Arm (as marked by a regulatory buoy) directly eastward across the San Poil Arm to the eastern shoreline of the San Poil Arm (as marked by a regulatory buoy) upstream to the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek: April 1 through January 31 season for Kokanee, Trout, Walleye, and Smallmouth Bass. From the north shore of the outlet of French Johns Lake (Manila Creek) northeast across the San Poil Arm to the north shore of the outlet of Dick Creek upstream to approximately five miles upstream from the outlet of French Johns Lake, as marked by regulatory buoys: Year-round season for Other Game Fish, Salmon, and Carp.
Silver Creek (Lewis Co)	Change the trout minimum length from 12” to 14”
Spokane River (Spokane Co)	Add the following language to this section: From SR 25 Bridge upstream to 400 feet below Little Falls Dam: April 1 through May 31 release all walleye.
Washougal River (Clark Co)	Revise the rule to state, “Anti-snagging rule and stationary gear restriction July 1 through Oct 31 from mouth to Mount Norway Bridge and from September 1 through Oct 31 from Mount Norway Bridge upstream.” --Previously the entire section was anti-snagging rule and stationary gear from July 1 through October 31st and now this rule is time-stepped.
Williams Lake (Lewis Co)	Change the spelling to Willame.
Wind River (Skamania Co)	Change to "closed waters" from 400 feet below to 100 feet above Shipherd Falls fish ladder, including all tributaries for the entire season. In addition, "closed waters" from the Moore Bridge on the Wind River Highway, approximately one mile north of the Carson National Fish Hatchery upstream including all tributaries.

Written Testimony (3 comments)
All comments are supportive.

Public Hearing (0 comments)
There were no comments.

Modification:
Current proposal with the following changes:

Burbank Slough (Walla Walla County)

1. The text reads "It is unlawful to fish in the area…". Edit to read "It is unlawful to fish from any floating device in the area…".
2. Further define the exception to the area as "up to the fish screen at the Number 3 Pumping Station".

Calispell Creek Tributaries

Add “Selective Gear Rules” to align with the mainstem and address confusion.

Clearwater River (Jefferson County), from the mouth to Snahapish River.

Edit the steelhead retention timeframe from "February 16 through April 30", to "February 16 through April 15".

Nooksack River, South Fork (Skagit/Whatcom counties), from mouth to Skookum Creek.

Add "From the first Saturday in June through January 31" to the Selective Gear Rule language.

Palouse River (Whitman County), from the mouth to the base of Palouse Falls.

From September 1 through March 31, the text reads "no more than 3 steelhead may be retained". Edit this to state "no more than 3 hatchery steelhead may be retained".

Scooteney Reservoir (Franklin County):

Add "No more than one walleye over 22 inches in length may be retained," to align with Moses Lake.

Wenatchee River (Chelan County):

Edit the text to read “Open for whitefish only December 1 through March 31 from the mouth to the Highway 2 Bridge at Leavenworth only; whitefish gear rules apply.”

Staff Recommendation:
Adopt as modified.

Commission Action:
Adopted as modified.

3. Resident trout streams open on Saturday of Memorial Day Weekend

Short Description
Open all resident trout streams on Saturday of the Memorial Day weekend where anadromous fish are not present.

Explanation
The two most important times for outdoor recreation are Memorial Day and Labor Day weekends. Opening fishing in resident trout streams on Memorial Day weekend would increase recreational benefits that could be provided by these resources.

Region	Stream Name	County	Proposed Open/Closure Dates
1	Rock Creek from Endicott Rd. to the bridge on George Knott Rd. at Revere	Adams/Whitman	Saturday before Memorial Day to October

			31
1	Kettle River tributaries downstream of Barstow Bridge	Ferry	Saturday before Memorial Day to October 31
1	Sanpoil River and tributaries from headwaters to Colville Confederated Tribes reservation boundary	Ferry	Saturday before Memorial Day to October 31
1	Sherman Creek (except closed waters listed in Special Rules) and tributaries	Ferry	Saturday before Memorial Day to October 31
1	Kettle River and tributaries from Barstow Bridge upstream	Ferry/Stevens	Saturday before Memorial Day to October 31
1	Browns Creek	Pend Oreille	Saturday before Memorial Day to October 31
1	Calispell Creek from Calispell Lake upstream	Pend Oreille	Saturday before Memorial Day to October 31
1	Calispell Creek tributaries	Pend Oreille	Saturday before Memorial Day to October 31
1	Cedar Creek and tributaries	Pend Oreille	Saturday before Memorial Day to October 31
1	Indian Creek	Pend Oreille	Saturday before Memorial Day to October 31
1	LeClerc Creek and tributaries	Pend Oreille	Saturday before Memorial Day to October 31
1	Little Spokane River upstream of West Branch except closed waters listed in special rules	Pend Oreille	Saturday before Memorial Day to October 31
1	Mill Creek and tributaries	Pend Oreille	Saturday before Memorial Day to October 31
1	Pend Oreille River tributaries not listed in Special Rules	Pend Oreille	Saturday before Memorial Day to October 31
1	Priest Lake tributaries except those listed in Special Rules	Pend Oreille	Saturday before Memorial Day to October 31
1	Priest River tributaries	Pend Oreille	Saturday before Memorial Day to October 31
1	Ruby Creek and tributaries	Pend Oreille	Saturday before

			Memorial Day to October 31
1	Slate Creek and tributaries	Pend Oreille	Saturday before Memorial Day to October 31
1	South Fork of Salmo River and tributaries	Pend Oreille	Saturday before Memorial Day to October 31
1	Sullivan Creek from Mill Pond upstream and tributaries	Pend Oreille	Saturday before Memorial Day to October 31
1	Sullivan Creek from mouth upstream to Mill Pond	Pend Oreille	Saturday before Memorial Day to October 31
1	Sullivan Lake tributaries except Harvey Creek from mouth to Bridge 4830 on county road (about 1 1/2 upstream)	Pend Oreille	Saturday before Memorial Day to October 31
1	Tacoma Creek and tributaries	Pend Oreille	Saturday before Memorial Day to October 31
1	Upper Priest Lake tributaries	Pend Oreille	Saturday before Memorial Day to October 31
1	Tributaries to the Spokane River not listed in fishing pamphlet special rules	Spokane/Lincoln/Stevens	Saturday before Memorial Day to October 31
1	Little Spokane River - upstream of West Branch Little Spokane River	Spokane/Pend Oreille	Saturday before Memorial Day to October 31
1	Tributaries to the Little Spokane River not listed in fishing pamphlet special rules	Spokane/Pend Oreille/Stevens	Saturday before Memorial Day to October 31
1	Colville River from town of Valley upstream and tributaries	Stevens	Saturday before Memorial Day to October 31
1	Colville River tributaries downstream of town of Valley	Stevens	Saturday before Memorial Day to October 31
1	Little Pend Oreille River and tributaries	Stevens	Saturday before Memorial Day to October 31
1	Roosevelt Lake tributaries between Grand Coulee Dam and State Hwy. 25 Bridge at Northport - except Barnaby Creek, Nancy Creek, and tributaries listed elsewhere in Special Rules	Stevens, Ferry, Lincoln	Saturday before Memorial Day to October 31
2	Chikamin Creek	Chelan	Saturday before Memorial Day to October 31

2	Entiat River above Entiat Falls	Chelan	Saturday before Memorial Day to October 31
2	Icicle Creek- from Mouth to Leland Creek	Chelan	Saturday before Memorial Day to September 30
2	Nason Creek - from Smith Brook to Stevens Creek	Chelan	Saturday before Memorial Day to October 31
2	Phelps Creek - from mouth to falls at river mile 1	Chelan	Saturday before Memorial Day to October 31
2	Rock Creek	Chelan	Saturday before Memorial Day to October 31
2	Tributaries to Rufus Woods Lake	Douglas/Okanogan	Saturday before Memorial Day to October 31
2	Bonaparte Creek from falls (one mile upstream) upstream, including all tributaries not listed in fishing pamphlet special rules	Okanogan	Saturday before Memorial Day to October 31
2	Boulder Creek and all tributaries not listed in fishing pamphlet special rules	Okanogan	Saturday before Memorial Day to October 31
2	Chewuch River - mouth to Eight Mile Creek	Okanogan	Saturday before Memorial Day to August 15
2	Lost River - from Monument Creek to Cougar Lake	Okanogan	Saturday before Memorial Day to October 31
2	Methow River - County Road 1535 to Highway 153 Bridge at McFarland Creek	Okanogan	Saturday before Memorial Day to September 15
2	Methow River - Highway 153 Bridge at McFarland Creek to Gold Creek	Okanogan	Saturday before Memorial Day to September 30
2	Methow River - Gold Creek to Foghorn Dam	Okanogan	Saturday before Memorial Day to September 30
2	Methow River - Foghorn Dam to Weeman Bridge	Okanogan	Saturday before Memorial Day to August 15
2	North Fork Salmon Creek	Okanogan	Saturday before Memorial Day to October 31
2	Okanogan River - upstream of Malott	Okanogan	Saturday before Memorial Day to August 31

2	Similkameen River - upstream of Enloe Dam	Okanogan	Saturday before Memorial Day to October 31
2	Sinlahekin Creek from Palmer Lake to Cecile Creek Bridge	Okanogan	Saturday before Memorial Day to August 31
2	Sinlahekin Creek from Cecile Creek Bridge upstream including all tributaries	Okanogan	Saturday before Memorial Day to October 31
2	Tributaries to Methow River not listed in special rules	Okanogan	Saturday before Memorial Day to October 31
2	Twisp River from mouth to War Creek	Okanogan	Saturday before Memorial Day to August 15
2	West Fork Salmon Creek	Okanogan	Saturday before Memorial Day to October 31
3	Cooper River	Kittitas	Saturday before Memorial Day to October 31
3	Upper Cle Elum River and all tributaries not listed in fishing pamphlet special rules	Kittitas	Saturday before Memorial Day to October 31
3	Bumping River - upstream of Bumping Lake	Yakima	Saturday before Memorial Day to October 31
3	Deep Creek - upstream of closed section listed in fishing pamphlet special rules	Yakima	Saturday before Memorial Day to October 31
3	Indian Creek - upstream of closed section listed in fishing pamphlet special rules	Yakima	Saturday before Memorial Day to October 31
3	North Fork Tieton River	Yakima	Saturday before Memorial Day to August 15
3	South Fork Tieton River- upstream of closed section listed in fishing pamphlet special rules	Yakima	Saturday before Memorial Day to October 31
4	Boxley Creek (S. Fk. Snoqualmie R.) - upstream of falls located at river mile 0.9	King	Saturday before Memorial Day to October 31
4	Coal Creek - upstream of Interstate 90	King	Saturday before Memorial Day to October 31
4	Green River- upstream of Friday creek including all tributaries	King	Saturday before Memorial Day to October 31

4	Pratt River - catch and release selective gear rules	King	Saturday before Memorial Day to October 31
4	Snoqualmie River - upstream of Snoqualmie Falls, including tributaries of North and South Forks (except Tate, Sunday and Phillapa Creeks)	King	Saturday before Memorial Day to October 31
4	Taylor River - catch and release selective gear rules	King	Saturday before Memorial Day to October 31
4	Black Creek - from Bear Creek confluence upstream	Snohomish	Saturday before Memorial Day to October 31
4	Boulder River from Boulder Falls upstream	Snohomish	Saturday before Memorial Day to October 31
4	Chaplain Creek - upstream from falls to the dam at Chapman Lake, including tributaries and beaver ponds	Snohomish	Saturday before Memorial Day to October 31
4	East Fork Woods Creek and all tributaries- including beaver ponds, upstream of Old Pipeline Road	Snohomish	Saturday before Memorial Day to October 31
4	Marsh Creek - upstream from falls, including tributaries and beaver ponds	Snohomish	Saturday before Memorial Day to October 31
4	North Fork Skykomish - upstream form Deer Falls, including tributaries	Snohomish	Saturday before Memorial Day to October 31
4	North Fork Stilliguamish River- upstream of falls and all tributaries	Snohomish	Saturday before Memorial Day to October 31
4	North Fork Tolt River - upstream of falls in Section 26, including tributaries, selective gear rules, catch and release.	Snohomish	Saturday before Memorial Day to October 31
4	Olney Creek - upstream of Olney Falls, including tributaries and beaver ponds	Snohomish	Saturday before Memorial Day to October 31
4	Pilchuk Creek and tributaries- from Pilchuk Falls upstream, including tributaries to Lake Cavanaugh	Snohomish	Saturday before Memorial Day to October 31
4	South Fork Tolt River - upstream of dam, selective gear rules	Snohomish	Saturday before Memorial Day to October 31
4	Tokul Creek - upstream of Tokul Road S.E., including all tributaries	Snohomish	Saturday before Memorial Day to October 31
4	Wallace River - upstream of Wallace Falls, including all tributaries	Snohomish	Saturday before Memorial Day to October 31

4	Youngs Creek and all tributaries- upstream of Potson Road (299th Ave. SE Bridge)	Snohomish	Saturday before Memorial Day to October 31
4	Canyon Creek - upstream of Canyon Creek Road Bridge, including all tributaries	Whatcom	Saturday before Memorial Day to October 31
4	Cavanaugh Creek and all tributaries	Whatcom	Saturday before Memorial Day to October 31
4	Cherry Creek all tributaries and beaver ponds - upstream of Cherry Creek Falls	Whatcom	Saturday before Memorial Day to October 31
4	Cumberland Creek and all tributaries - Upstream from Forest Service Road 17	Whatcom	Saturday before Memorial Day to October 32
4	Howard and all tributaries	Whatcom	Saturday before Memorial Day to October 31
4	Howard Creek and all tributaries	Whatcom	Saturday before Memorial Day to October 31
4	Middle Fork Nooksack River - upstream of City of Bellingham Diversion Dam, including all tributaries	Whatcom	Saturday before Memorial Day to October 31
4	North Fork Nooksack River -upstream of Nooksack Falls, including all tributaries	Whatcom	Saturday before Memorial Day to October 31
4	O'Toole Creek - upstream of Marietta Falls	Whatcom	Saturday before Memorial Day to October 31
4	Plumbago and all tributaries - upstream from Sierra Pacific 140 Road bridge	Whatcom	Saturday before Memorial Day to October 31
4	Pressentin Creek and all tributaries - upstream from falls at river mile 0.3	Whatcom	
4	Roaring Creek and all tributaries - upstream of confluence with Deer Creek	Whatcom	Saturday before Memorial Day to October 31
4	Skookum Creek and all tributaries - upstream from confluence with Arlecho Creek	Whatcom	Saturday before Memorial Day to October 31
4	South Fork Nooksack River - from Wanlick Creek upstream, including all tributaries	Whatcom	Saturday before Memorial Day to October 31
5	Canyon Creek	Clark	Saturday before Memorial Day to October 31

5	Bird Creek	Klickitat	Saturday before Memorial Day to October 31
5	Outlet Creek	Klickitat	Saturday before Memorial Day to October 31
5	Spring Creek - Goldendale Hatchery	Klickitat	Saturday before Memorial Day to October 31
5	Little White Salmon River	Skamania	Saturday before Memorial Day to October 31
6	Dungeness River - from Gold Creek Upstream	Clallam	Saturday before Memorial Day to October 31
6	Quilcene River - From upper boundary of Falls View Campground upstream	Jefferson	Saturday before Memorial Day to October 31
6	Hamma Hamma River - from falls upstream	Mason	Saturday before Memorial Day to October 31
6	Hamma Hamma River - from mouth to 400' below falls - special rules as listed in the fishing pamphlet	Mason	Saturday before Memorial Day to August 31
6	Jefferson Creek	Mason/Jefferson	Saturday before Memorial Day to October 31
6	South Prairie Creek - form City of Buckley diversion dam (River Mile 15) upstream	Pierce	Saturday before Memorial Day to October 31
6	Voight Creek - from falls under power line upstream	Pierce	Saturday before Memorial Day to October 31
6	Kennedy Creek- from falls (River Mile 41)and all tributaries	Thurston	Saturday before Memorial Day to October 31
6	Nisqually River - upstream of Alder Reservoir to the Mount Rainier National Park Boundary	Thurston	Saturday before Memorial Day to October 31

Written Testimony (12 comments):
Support: Most comment is supportive. Comments include (a) requests for all streams and rivers to open on Memorial Day, and (b) that this aligns with Oregon State rules.

Oppose: There was opposing comment for any streams that hold spawning populations of native redband trout.

Public Hearing (0 comments)
There were no comments.

Modification: Remove the two Hamma Hamma River sections from the table (both in Mason County) because these are in anadromous waters.

Staff Recommendation:
Adopt as modified.

Commission Action:
Adopted as modified.

4. Statewide fishing closure for sixgill, sevengill and thresher sharks

Short Description
Close angling statewide for sixgill, sevengill and thresher sharks.

Explanation
There is concern regarding the status of these species. Given their life history they are highly susceptible to overfishing.

Written Testimony (54 comments)
Support: Comments recommend protection of all these species in all Washington waters.

Oppose: Most comment opposes. Comments include: (a) disagree specifically for thresher sharks; (b) this is premature as there is not data to support the rule; (c) catch and release should be allowed.

Public Hearing (4 comments)
All comment opposed. Requests were made to allow catch and release fishery, require corrosive circle hooks, and require that fish remain in the water.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.
This rule is within the same Washington Administrative Code as the cabezon season rule (#65). As a result, this rule change will be filed into law as part of the supplemental CR102 (WSR 13-10-083) process.

5. Evaluate two pole fishing opportunity on "quality water" lakes statewide *Updated 11/09/2012*

Short Description
Allow the use of two poles on "quality waters" statewide.

Explanation
Post implementation of the two-pole rule, WDFW is seeking to find additional waters where this rule can be applied to expand recreational opportunity. In addition: The "no two pole" icon was inadvertently left off of three selective gear rule waters in the sport fish pamphlet: Cougar, Buzzard and Little Twin. Since the inception of the two-pole rule, numerous anglers statewide have inquired about the possibility of allowing the use of two poles on "quality waters". DFW is soliciting comments from the public to determine if the two-pole rule should be placed on "quality waters". Options are: 1. No action, Leave the two-pole rule on "quality waters" the way it is; 2. Allow two-pole on all "quality Waters"; 3. Allow two-pole on a portion of "quality waters"-based on staff and public recommendations.

Lakes and ponds listed in this table are proposed as two-pole waters.

Region	Lake/Pond Name	County
1	Amber	Spokane
1	Bayley	Stevens

1	Browns	Pend Oreille
1	Coffeepot	Lincoln
1	Long	Ferry
1	McDowell	Stevens
1	Medical	Spokane
1	Muskegon	Pend Oreille
1	Rigley	Stevens
2	Aeneas	Okanogan
2	Beda	Grant
2	Big Twin	Okanogan
2	Black	Okanogan
2	Blue (near Wannacut Lake)	Okanogan
2	Blue (Sinlahekin Creek)	Okanogan
2	Brookies	Grant
2	Campbell	Okanogan
2	Chopaka	Okanogan
2	Cougar (Pasayten Wilderness)	Okanogan
2	Davis	Okanogan
2	Dry Falls	Grant
2	Dusty	Grant
2	Ell	Okanogan
2	Green	Okanogan
2	Grimes	Douglas
2	Hidden	Okanogan
2	Homestead	Grant
2	Lenice	Grant
2	Lenore	Grant
2	Lower green	Okanogan
2	Merry	Grant
2	Nunnally	Grant

2	Quail	Adams
2	Rat	Okanogan
3	Lake Easton	Kittitas
4	Lone	Island
4	Mountain	San Juan
4	Rattlesnake	King
4	Ravensdale	King
5	Fort Borst Park	Lewis
6	Anderson	Jefferson
6	Damon	Grays Harbor
6	Kennedy Creek	Thurston
6	McLane Creek	Thurston
6	Mooses	Pacific
6	Middle Nemah	Pacific
6	Owens	Pacific
6	Promised Land	Grays Harbor
6	Shye	Grays Harbor
6	Vance Creek #2	Grays Harbor
6	Wynoochee Reservoir	Grays Harbor

Written Testimony (45 comments)
Support: This is a great idea and will provide economic benefit to the state.

Oppose: Concerns are expressed that allowing two poles will not allow these lakes to remain quality fishing areas and will make them into crowded “meat” fisheries.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

6. Statewide white sturgeon rules

Short Description
This proposal modifies rules for white sturgeon that will be developed through a series of public meetings and Commission guidance for the purpose of managing harvest and fisheries. Possible options include, but are not limited to: changes in 1)areas and/or times including catch and release only; 2) size limits; 3) 2 fish annual limit; 4) terminal gear (i.e., circle hooks, etc.).

Explanation
Abundance and productivity of white sturgeon inhabiting or originating from the lower Columbia River has declined substantially over the past five years due in part to long-term reductions in key food resources and predation by Stellar sea lions. Washington and Oregon fishery managers responded by decreasing annual harvest guidelines in the lower Columbia River by 40% in 2010, 29% in 2011, and 39% in 2012 (74% reduction from 2009 levels). Corresponding reductions have been implemented to guidelines for Willapa Bay and Grays Harbor and a seasonal retention closure was implemented in 2012 for Puget Sound fisheries. The intent of these actions is to stabilize and rebuild the white sturgeon population. Assessments are conducted each summer to monitor population responses to management actions. Results of the surveys become available mid-fall and additional restrictions may be needed if the population does not respond as intended. Recent management actions have focused on retention seasons and no-fishing spawning sanctuaries. Changes to general statewide rules for sturgeon should be part of the suite of actions available to managers and stakeholders. Corresponding changes to sturgeon rules have been considered by Oregon and on September 7, 2012 the Oregon Fish and Wildlife Commission approved a reduction in the Oregon annual bag limit to 2 fish effective January 1, 2013.

Written Testimony (35 comments)
Support: Comments include these requests: (a) annual limit of 2 sturgeons; (b) gear restrictions that include circle hooks and Dacron leaders; (c) make the fishery catch and release for a limited period, or until the population increases.

Oppose: Comments include these concerns: (a) sea lion predation; (b) commercial fisheries; (c) stress on the species from catch and release rule.

Public Hearing (1 comment)
One person opposed the 2 fish bag limit and said this proposal will reallocate the fish from Washington sport fishers to Oregon guides.

Staff Recommendation:

Option 1: Catch and release from Bonneville Dam on the Columbia River downstream, Coast and Puget Sound and tributaries January 1, 2014. Maintain the 5 fish annual limit.

Option 2: Catch and release from Bonneville Dam on the Columbia River downstream, Coast and Puget Sound and tributaries January 1, 2014. Reduce the annual limit to two fish May 1, 2013.

Commission Action:
Adopted: Two sturgeon annual limit statewide effective May 1, 2013. Catch and release in the Columbia River from Bonneville Dam downstream, Coast, Puget Sound and their tributaries effective January 1, 2014.

EASTERN WASHINGTON AND COLUMBIA REGION FRESHWATER

7. Align Washburn Island Pond rules with Colville Tribes (Okanogan County)

Short Description
Internal combustion motors may be attached to floating devices, but must not be used.

Explanation
Washburn Island Pond regulations are governed by both DFW and the Colville Tribe. Rule consistency is important, and in this case tribal rules allow combustible motors to be attached, while DFW rules prohibit attachment, even though both agencies prohibit fishing by combustible motor. Many of the anglers that use Washburn Island Pond have larger boats, which make the removal of combustible motors unfeasible.

Written Testimony (15 comments)
Support: Comments support (a) making regulations consistent between the two agencies, and (b) the new rule allows more people to enjoy the fishery without the hassle and hazards of removing outboard motors.

Oppose: Most comment opposes. Concerns include: (a) there will be increased illegal activity and crime in the area; (b) searun cutthroat fishing should be catch and release only; (c) fishers will target salmon; (d) there will be trespass on private property.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

8. Increase Snake River hatchery summer steelhead harvest

Short Description
Develop consistent trout/steelhead rules on the Snake River to allow harvest of trout/steelhead from June 16 to March 31 with retention of up to 3 hatchery steelhead and barbless hooks required when fishing for steelhead.

Explanation
The existing rule(s) were put in place to protect smolts until June 16 and then allow for the removal of hatchery steelhead smolts that had not migrated. Currently, a restriction on steelhead retention from June 16 to August 31 prevents anglers from targeting wild steelhead during marginal summer water temperatures. However, water temperatures have decreased because court mandated cold water discharges from Dworshak Reservoir in Idaho now cool the water temperatures in the lower Snake River. Changing the regulation as proposed aligns the Snake River regulations better between the Snake and lower Tucannon rivers and allows the harvest of hatchery steelhead that DFW does not want to spawn naturally (as per the agency policy for segregated hatchery programs).

Written Testimony (12 comments)
Support: Most comments are supportive. Comments include: (a) we need to remove hatchery fish from the wild fish; (b) pool fishing for steelhead can be excellent in tributaries of the Snake River earlier in the summer; (c) the cooler water will present less of a hazard to wild fish; (d) the added angling opportunity will be well received.

Oppose: Concerns include (a) anglers will not follow the gear and retention rules and so request to increase enforcement to compensate for the inevitable loss, and (b) enforcement cannot know if fisher is fishing for steelhead, sturgeon, or salmon as all three species bite on fresh herring and shrimp.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

9. Remove or modify size and daily limits for bass, walleye, and channel catfish in the Columbia River, Snake River and their tributaries

Short Description
Below are two proposed rule options to reduce negative interactions between Endangered Species Act (ESA) listed anadromous fish and predatory warmwater fish:

Option 1 – Remove size and daily limits for bass and walleye and daily limits for channel catfish in the Columbia River, Snake River and their tributaries.

Option 2 – Remove daily limits and modify size limits for bass and walleye and remove daily limits for channel catfish in the Columbia River, Snake River and their tributaries.

- Bass – no daily limit, no more than 3 over 15 inches
- Walleye –no daily limit, no more than 1 over 24 inches
- Channel catfish - no daily limit

Rivers or portions of rivers affected by both proposed options:

Bass and walleye:

Stream	Portion of stream affected by proposal
Columbia River mainstem	McNary Dam upstream to Chief Joseph Dam
Yakima River and tributaries	All portions of the Yakima River and tributaries that are open to game fish angling
Okanogan River and tributaries	All portions of the Okanogan River and tributaries that are open to game fish angling
Walla Walla River and tributaries	All portions of the Walla Walla River and tributaries that are open to game fish angling
Snake River mainstem	Confluence with Columbia River upstream to the Idaho/Oregon border
Tucannon River and tributaries	All portions of the Tucannon River and tributaries that are open to game fish angling
Palouse River from mouth to Palouse Falls	All portions of the Palouse River that are open to game fish angling
Grande Ronde River and tributaries	All portions of the Grande Ronde River and tributaries that are open to game fish angling

Channel catfish: size and daily limits for channel catfish were removed in 2002 in the majority of waters listed above. Remove daily limits in the following:

Stream	Portion of stream affected by proposal
Columbia River mainstem	Priest Rapids Dam upstream to Chief Joseph Dam
Okanogan River and tributaries	All portions of the Okanogan River and tributaries that are open to game fish angling
Tucannon River and tributaries	All portions of the Tucannon River and tributaries that are open to game fish angling

Explanation
The proposal seeks to increase the harvest of bass, walleye and channel catfish in the Columbia River, Snake River and their tributaries to reduce competition and predation on Endangered Species Act (ESA) listed anadromous salmonids. This proposal is consistent with supporting The Department's conservation mission to support ESA listed salmon and steelhead recovery in the Columbia River Basin. Conserving ESA listed anadromous salmonids through sport fishing regulation is one of many strategies necessary to achieve salmon and steelhead recovery goals.

Written Testimony (259 comments)
Support: Most comments support Option 1. Requests include: (a) modify rule to include the entire Columbia River system, to include all tributaries below McNary Dam, to include all tributaries in the Lower Columbia River; (b) modify rule to specifically include Lake Rufus Woods (reservoir above Chief Joseph Dam), White Salmon River, Klickitat River, and Rock Creek; (c) remove the upper size limits. Further comments include: (a) adoption of Option 2 would imply the Department intends to maintain healthy populations of large non-native predators; (b) people are paid to reduce the population of native northern pike minnow, so it makes sense to prevent invasive, non-native species from proliferating and impacting salmon and steelhead smolts; (c) millions of dollars are spent to recover, enhance and protect salmon and steelhead populations (under legal obligation to do so) and so we should not allow these non-native species to flourish; (d) needs to be adopted as option 4 and in conjunction with proposal 15 in order to be effective,

as the predator species seed downstream; (e) will benefit non-listed native species such as red band trout, kokanee, and white sturgeon; (f) simplifies regulations; (g) should be managing for fewer non-native species; (h) Option 1 supports the Yakima Steelhead Recovery Plan, which was adopted by NOAA as part of the ESA Recovery Plan for MidColumbia River Steelhead.

Oppose: Comments include: (a) walleye provide a world class fishery in Eastern Washington, bringing much economic benefit to the local economy and WDFW (license sales), and removal of a limit would negatively affect the population and thus the fishery; (b) studies of bass and walleye as predators on anadromous fish show an impact but are not conclusive; (c) based on stomach sample surveys of bass, the large small mouth bass benefit salmonids as they consume high numbers of pike minnow and minimal numbers of salmonids; (d) the problem is the dams, not the walleye whose feeding habits have been shown to benefit salmon survival.

Public Hearing (0 comments)
There were no comments.

Modification:
Clarify the regulation is from the Washington/Oregon border above McNary Dam on the Columbia River upstream.

Staff Recommendation:
Adopt with modification

Option 1: Remove size and daily limits for bass and walleye and daily limits for channel catfish in the Columbia River, Snake River and their tributaries.

Option 2: Remove daily limits and modify size limits for bass and walleye and remove daily limits for channel catfish in the Columbia River, Snake River and their tributaries.

- Bass – no daily limit, no more than 3 over 15 inches
- Walleye –no daily limit, no more than 1 over 24 inches
- Channel catfish - no daily limit

Commission Action:
Adopted: Option 1 modifying the area "from OR/WA border above McNary Dam upstream" and clarifying the area on the Touchet River (no size and no daily limits for bass, walleye, and channel catfish).

10. Clarify boundaries for Burbank Slough (Walla Walla County)

Short Description
Burbank Slough is listed in the Special Rules section and includes that "fishing from any floating device is prohibited." The current rule is not clear that some areas of Burbank are open to angling from a floating device.

Explanation
The current rule is not clear that some areas of Burbank Slough are available for fishing from a floating device. Areas west of Highway 12 (Casey Pond) are open, as is the channel east of Highway 12 to the No. 3 Pumping Station.

Written Testimony (1 comment)
Support: Concern the shoreline poaching will further increase in this area of the river if boat fishing is not allowed.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

11. Clarify areas open to angling on the Walla Walla River *Updated 10/18/2012* (Walla Walla County)

Short Description
UPDATED: Clarify the wording for the upper zone of the Walla Walla River as follows: Walla Walla tributaries from the Touchet River to the Oregon border are closed, with the exception of Mill Creek and the Touchet River."

Explanation
Removes the need for separate listings of Yellowhawk Creek, Cottonwood Creek, East Little Walla Walla and Dry Creek as closed waters and clears up any uncertainty regarding other small tributaries in the upper zone of the Walla Walla River as to whether they are open or closed. These small tributaries are closed to protect them as production areas for ESA listed steelhead juveniles. Some of these streams are spring fed and are likely rearing areas for juvenile steelhead. Trout in these streams are from natural production of juvenile steelhead.

Written Testimony (4 comments)
Most comments are in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

12. Consistent internal combustion motor rules on the Grande Ronde River (Asotin County)

Short Description
The upper and lower zones of the Grande Ronde River have internal combustion motors prohibited. In the lower zone that prohibition is from Sept 1-May 31, and in the upper zone it is from Sept 1 to April 15.

Explanation
Make rules consistent between river zones. Be congruent with the Asotin County motorized boating ordinance that was passed a couple of years ago.

Written Testimony (4 comments)
Support: Most comments are in support, and requests include motorized boats be excluded for as long as possible.

Oppose: Opposed comment speaks to low availability of areas where you can fish by boat.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

13. Prohibit the use of internal combustion motors on Yocum Lake (Pend Oreille Co.)

Short Description
Prohibit the use of internal combustion motors on Yocum Lake.

Explanation
This lake is small and does not require an internal combustion motor to allow for good angling access. In addition, Pend Oreille County has requested that DFW fishing regulations align with the county ordinance that prohibits the use of internal combustion motors on Yocum Lake.

Written Testimony (0 comments)
No comment received.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

14. Convert Leader Lake to a year-round fishery
(Okanogan County)

Short Description
Create a year-round fishery and eliminate this lake as an opening day water.

Explanation
This lake has a good population of spiny ray fishes (e.g. black crappie; bluegill; yellow perch). The lake is normally closed to all fishing after September 30 each year. Having it open on a year-round basis will provide a winter ice fishery for Okanogan County residents and could help to keep in balance an ever increasing perch population.

Written Testimony (14 comments)
Most comments are in support. Comments include: (a) more fishing opportunity during long winters is always appreciated, as this is a great lake for ice fishing; (b) provides local economic benefit; (c) a good lake for children and novice fishers; (c) request that adoption not lead to the lake being rehabilitated due to spiny ray fish in the lake; (d) road access will need to be maintained.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

15. Liberalize bag limits for walleye on Lake Roosevelt and the Spokane Arm of Lake Roosevelt
Updated 10/18/2012 **(Stevens/Lincoln counties)**

Short Description
Increase harvest of walleye in Lake Roosevelt.

Explanation
Updated to clarify Table 1. The explanations for options 2 and 3 were reversed.
The Lake Roosevelt walleye population remains overabundant following the liberalization of harvest regulations in 2007, which were intended to reduce the abundance of walleye in the reservoir. Fall walleye index netting (FWIN) catch-per-unit-effort (CPUE) data indicates walleye abundance has not declined (Figure 1) and fish continue to exhibit slow growth and poor condition due to a predator/ prey imbalance within the reservoir. In addition, predation on other game and non-game fish species is a concern at the present abundance level. Creel data indicate that angler harvest (about 50,000 walleye annually) is not sufficient to achieve management objectives (Figure 2). Modeling suggests that an increase in angler harvest to 150,000 annually is necessary to meet management objectives. Opening the Spokane Arm during the walleye spawning season in April and May represents increased recreational opportunity, and four sportfishing regulation alternatives are being considered to allow for an increase in angler harvest

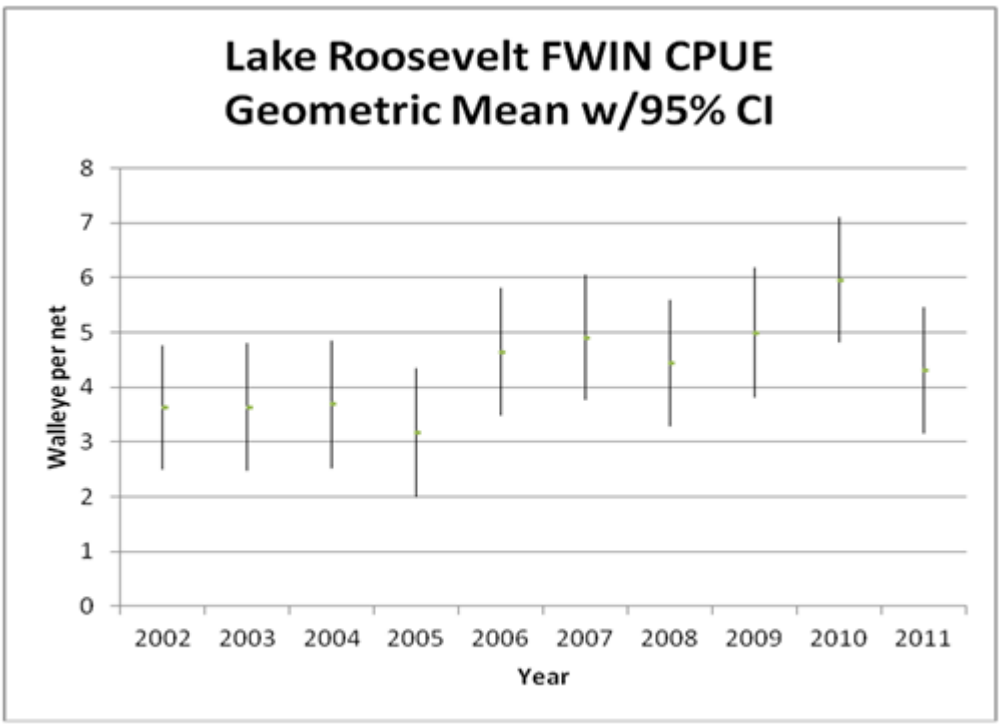

Figure 1. Mean FWIN CPUE for Lake Roosevelt walleye 2002 to 2011.

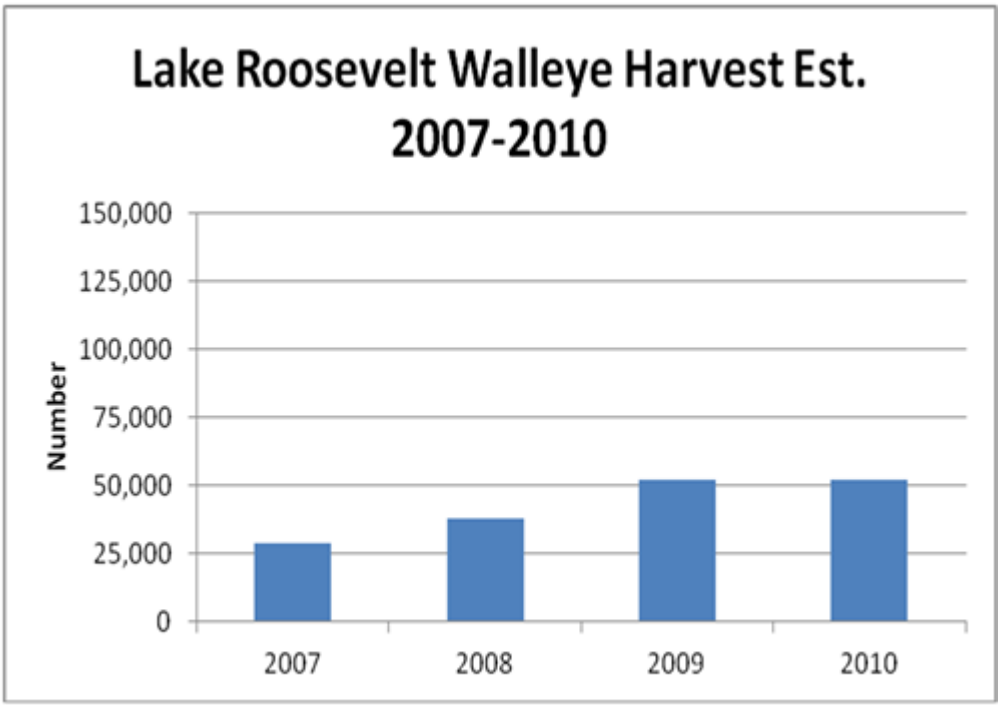

Figure 2. Lake Roosevelt angler harvest estimates 2007 to 2010.

Table 1. Lake Roosevelt sportfishing regulation alternatives. All to include opening of Spokane Arm during April – May.

Option 1	**Retain Current 8 fish limit with 1 over 22"** This regulation is not currently meeting the objective to reduce the population through angler harvest.
Option 2	**16 fish limit** Based on modeling results this regulation should increase angler harvest of walleye. Exploitation rates for age 9+ fish (22" length plus) will likely increase.
Option 3	**16 fish limit with 1 over 22"** Based on modeling results this regulation should provide for increased angler harvest of walleye, while maintaining the current exploitation rate for age 9+ fish (22" length plus) between 30-90%.
Option 4	**No regulation on daily limit or size** Biologically, a "no limit" would be acceptable in managing this population. Socially, WDFW understands that this proposal may be unacceptable to constituents.

Written Testimony (125 comments)
Support: General comments include: (a) need to manage for fewer, not more, non-native species; (b) concern for over fishing walleye not warranted as difficult to fish for and most fishers will catch minimal numbers; (c) fishing success will increase in April and May when waters are low and fish more concentrated; (d) request modify proposal to require retention of walleye less than 22 inches.
Most comments support Option 3 or 4. Option 3 support: adoption will keep the broodstock healthy and thin the population. Option 4 support: adoption will be the fastest way to reduce the population and increase salmon conservation, where millions of dollars have been spent on recovery. It will also benefit white sturgeon.

Oppose: Comments include: (a) the walleye fishery has a positive impact on the economy; (b) concern as to whether this rule is necessary and supported by science; (c) request to modify proposal to not open the fishery in the Spokane River arm during April and May due to low water levels which prohibit boat launching.

Public Hearing (1 comment)
Representatives from the Confederated Colville Tribe of Indians spoke about the efforts they are making to remove walleye from tribal fishing areas and the negative economic impact that walleye, an introduced species, have on tribal members.

Staff Recommendation:

All options include opening of Spokane Arm during April – May (year-round season).

Option 1: Retain Current 8 fish limit with 1 over 22"

Option 2: 16 fish limit

Option 3: 16 fish limit with 1 over 22"

Option 4: No regulation on daily limit or size

Commission Action:
Adopted: Spokane River mouth to 400 feet below Little Falls Dam-- year round season. Lake Roosevelt and Spokane River section-- Walleye 16 fish daily limit.

16. Increase Scooteney Reservoir daily bag limit for walleye (Franklin County)

Short Description
Increase daily walleye limit on Scooteney Reservoir from 5 to 8.

Explanation
The walleye population is abundant and does not require the current conservative daily bag limit. Many walleye are lost to the fishery prior to reaching the 12 to 16 inch size class because the irrigation system outflow carries them out of the reservoir. This makes the daily limit consistent with Moses Lake and Potholes Reservoir.

Written Testimony (6 comments)
All comments are in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

17. Convert North Silver Lake to a year-round fishery (Spokane County)

Short Description
Allow increased fishing and harvest opportunity for warmwater fish by removing this lake from the Special Rules section and manage it under Statewide Rules.

Explanation
There is no longer public access to this lake. Trout will no longer be stocked in this body of water, restrictive regulations are unnecessary.

Written Testimony (7 comments)
All comments are in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

18. Increase Touchet River hatchery summer steelhead harvest while protecting wild spawning summer steelhead (Walla Walla County)

Short Description
Extend steelhead season by 15 days on the Touchet River

Explanation
Balances the needs to protect wild spawning steelhead and to harvest hatchery steelhead from the river.

Written Testimony (6 comments)
Most comments are in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

19. Extend Okanogan River game fish season (Okanogan County)

Short Description
Extend the game fish season for the area upstream of the highway bridge at Malott to September 15.

Explanation
Recent permanent rule changes for salmon on the Okanogan River closes the season on Sept 15. It would be consistent with the salmon closure to close the "all other game fish" season at the same time (Sept 15th) to allow non-salmon anglers to fish this section of the river as well.

Written Testimony (5 comments)
All comments are in support. Suggestions include allowing harvest of all fish other than trout (e.g. bass, walleye, whitefish) during any steelhead season, with selective gear rules only for all species.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

20. Adjust angling regulations on Monument Creek to protect ESA listed bull trout (Okanogan County)

Short Description
Currently Monument Creek is managed under statewide general stream rules. General rules permit the use of barbed hooks and bait. The rules for Monument Creek should be adjusted to selective gear rules to protect federally threatened bull trout.

Explanation
Monument Creek is an important spawning area for federally threatened bull trout. Bull trout spawning in Monument Creek are comprised of both fluvial and resident fish. Fluvial fish have migrated to the area from the Methow River. Current rule allowing barbed hooks and bait is not consistent with WDFW and USFWS bull trout Management and Recovery Plans and should be changed to selective gear rules. Adjusting the regulation to selective gear rules still allows angling in this stream, while increasing protection of bull trout.

Written Testimony (4 comments)
All comments are in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

21. Adjust open area for trout fishing on the Methow River to protect steelhead (Okanogan County)

Short Description
Increase conservation measures by closing trout angling in a section of the lower Methow River. More details --Close trout angling on the section of river from Gold Creek to Highway 153 bridge at McFarlane Creek. New rule would read "Methow River from County Rd 1535 (lower Burma Rd) Bridge to Gold Creek, all gamefish, First Sat in June - Sept 15."

Explanation
During September, within the lower section of the Methow River, steelhead begin to move upstream into the section of the river

open for trout fishing. This rule change protects steelhead from incidental catch by closing a portion of the lower section to trout fishing.

Written Testimony (23 comments)
Support: Most comments are in support. Comments include (a) increased protection provided steelhead, and (b) requests the Department consider limiting guiding and floating from a fishing device due to substantial fishing pressure in this system.

Oppose: Current regulations are well balanced and serve the fish and fishermen.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

22. Remove daily limit on brook trout in Tucquala Lake

(Kittitas County)

Short Description
Change the rule in Tucquala Lake to no daily limit on brook trout.

Explanation
Provide additional opportunity to harvest non-native brook trout, which are prolific in this lake. Tucquala Lake is a wide, slow moving section of the upper Cle Elum River. Non-native char (brook trout and lake trout) in the upper Cle Elum drainage above Cle Elum Dam are an impediment to reintroduction/recovery of native bull trout and compete with native rainbow and cutthroat. Region 3 has adopted similar regulations to liberalize the daily limit for brook trout in other waters where bull trout and other native trout may be adversely impacted (e.g., Indian Creek, Yakima Co.; Yakima River from Easton Lake to Keechelus Dam).

Written Testimony (0 comments)
No comment received.

Public Hearing (0 comments)
There were no comments.

Modification:
Open the lake on the first Saturday before Memorial Day to be consistent with the river regulations on either side of the lake.

Staff Recommendation:
Adopt as modified.

Commission Action:
Adopted as modified.

23. Close to fishing year-round Gold Crk., Gold Crk. Pond and Outlet Channel (Kittitas Co.)

Short Description
Close the following: Gold Creek, Gold Creek Pond, and Outlet Channel (tributary to Keechelus Lake), including that portion of Gold Creek that flows through the dry lakebed.

Explanation
Extends closed waters into lake bed to protect a threatened adfluvial population of ESA listed bull trout that migrate between Keechelus Lake and Gold Creek to spawn. There have been documented problems with anglers fishing in the creek within the reservoir boundary and claiming they are fishing in Keechelus Lake, which is open to fishing year-round. Staging/migrating adult bull trout can be targeted by unethical or uninformed anglers who think it is legal to fish in Gold Creek within the reservoir boundary.

This change has already been made for the same reason at Box Canyon Creek (Kachess Lake), and Indian Creek and N.F. Tieton River (Rimrock Lake).

Written Testimony (1 comment)
Supportive comment that Yakima Basin Fish and Wildlife Recovery Board supports this proposal, as (a) it addresses ambiguities in the current regulations, and (b) better protects an at-risk population of bull trout.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

24. Prohibit the use of internal combustion motors on two reaches of the Yakima River (Yakima County)

Short Description
Prohibit the use of internal combustion motors on 2 reaches of the Yakima River. Reach 1 - from the Interstate 82 Bridge at Selah Gap to 3,500' below Roza Dam. Reach 2-from 3,500' below Roza Dam to Roza Dam.

Explanation
Reach 1-The Yakima River below the Naches River confluence is a relatively large river and fishermen enjoyed fishing for trout and other gamefish from boats with internal combustion motors (ICM) until DFW adopted selective gear rules (SGR) in this reach (May 1,2009). The SGR at that time included the ban on fishing from boats equipped with an ICM unless explicitly allowed by special rule. No special rule allowing ICMs was adopted for this river section. In 2010, the ICM ban was de-coupled from the SGR, but the ICM ban continues to apply in this reach except during the spring Chinook fishery. Use of boats with ICMs is allowed by e-reg during the salmon fishery downstream of the I-82 Bridge at Selah Gap (just upstream of the Naches R. confluence). This rule change makes the use of ICM boats permanent during the gamefish season. Fishing from ICM-equipped boats upstream of the I-82 Bridge will remain unlawful because the river is much smaller and WDFW has orderly fishery and safety concerns. Reach 2-Fishing from boats equipped with internal combustion motors (ICM) is unlawful in the river section immediately downstream. Due to an oversight, this short section was omitted from the ICM ban. Management's intent is for the ICM ban to apply up to Roza Dam. During the spring Chinook salmon season, we currently prohibit fishing from boats w/ ICMs in this section by e-reg. This change makes the ban permanent and includes the three-month winter whitefish season (Dec.-Feb.).

Written Testimony (4 comments)
Support: Comments that there is plenty of public access to fish this stretch of river.

Oppose: Comments include: (a) there is no public access to fish from the Selah gap to Rosa Dam, so this section will effectively be closed; (b) recently closing the area to bait fishing will result in juvenile fishers not being able to learn river fishing, and limits opportunity for those (both elderly and very young) who can't fly fish; (c) boats are present during the spring salmon season only and motor restrictions will make the area inaccessible; (d) there is already a nearby area that limits motor use and is fly fishing only; (e) rising fuel prices make this area important for local fishing.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

25. Change to Selective Gear Rules on multiple streams in Region 3 to protect ESA listed steelhead and bull trout and west slope cutthroat trout *Updated 11/09/2012*

Short Description
Extends selective gear rules protection (no bait, single barbless hooks) for salmonids in Manastash Creek, Little Naches River, Nile Creek, Oak Creek, Rattlesnake Creek, Taneum Creek, Teanaway River, Swauk Creek, North Fork Tieton River, and their tributaries.

Explanation
Recent improvements in passage conditions, fish screening and habitat flow enhancements in Manastash and Taneum creeks are allowing for increased numbers of adult steelhead to enter the drainage to spawn. The other listed systems have recently emerged as important steelhead spawning and rearing areas, contributing to the Mid-Columbia Distinct Population Segment for population recovery. It is important to protect the spawning/rearing areas of this ESA listed threatened species in the Yakima Basin. Protecting juvenile steelhead (and West slope cutthroat trout) from mortality associated with bait fishing is a needed conservation action. Bull trout spawning in Monument Creek is comprised of both fluvial and resident fish, and this is an important spawning area for federally threatened bull trout.

Written Testimony (16 comments)
All comments are in support. Comments include that adoption will benefit fishermen, the environment, and multiple species that include bull trout and westslope cutthroat trout.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

26. Black Friday trout opener on Region 5 lakes

Short Description
Provide additional holiday fishing opportunity through closing some lakes the Monday before Thanksgiving and re-opening them the Friday after Thanksgiving.

Explanation
Lakes are being planted the week of Thanksgiving with rainbow trout averaging over a pound each. The opener allows anglers to plan their trips to these lakes and provides time for all the lakes to be planted for this holiday fishery. List of Lakes: Fort Borst Park Pond; South Lewis County Park Pond; Kress Lake; Battle Ground Lake; Klineline Pond; Rowland Lake

Written Testimony (2 comments)
Both comments are in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

27. Prohibit removal of salmon, steelhead, and dolly varden/ bull trout from the water on the Columbia River if intending to release

Short Description
Require that in freshwater areas (except in the Columbia River between the Buoy 10 line and the Rocky Point/Tongue Point line) salmon, steelhead, dolly varden/bull trout that are to be released may not be totally removed from the water.

Explanation
Aligns with Oregon's existing rule and would be required from February 15 through June 15, when fishing from vessels less than 30 feet in length (substantiated by Coast Guard documentation or Marine Board registration). For the past several years, Washington has adopted this rule via emergency regulation.

Written Testimony (12 comments)
Support: Most comments are in support. Comments include: (a) this may be difficult to enforce; (b) good to make the rules consistent for both Washington and Oregon states; (c) request for modification to apply proposal from Buoy 10 upstream as well.

Oppose: Comments include (a) proposal compromises fisher safety when fishing alone in rough water, and (b) it is very difficult to remove the fish from the hook when bank fishing.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

28. Change opening date on Swift Reservoir (Skamania County)

Short Description
Delay the opening to the first Saturday in June, add landlocked salmon rules with a maximum size of 15 inches, and increase the trout daily limit to 10 fish in September for the area from the dam to markers to 3/8 mile below Eagle Cliff Bridge.

Explanation
Salmon and steelhead are being reintroduced into the waters above Swift Reservoir and a smolt collector is being installed to capture migrating juvenile fish so that they can be moved out of the reservoir each spring starting in 2013. The reservoir is home to a very popular sport fishery for trout and landlocked salmon. The later opener is to protect migrating smolts, and the maximum size for land locked salmon is to protect adult salmon which may be in the reservoir. The trout limit is increased in September to increase angler participation and make up for the later opener.

Written Testimony (5 comments)
Support: Most comments are in support. Comments include: (a) there is need to increase the return of spawning adults, enhance the overall fishery, and provide conservation of the North Fork Lewis salmon and steelhead; (b) the Department could plant more trout in the Power Canal when Swift Reservoir is closed, because bird predation does not seem to be an issue in that area, and this would provide a different area to fish in late winter to early spring.

Oppose: Comments include: (a) will have minimal impact on the fishery; (b) there are landlocked and hatchery salmon over 15” that need to be harvested; (c) Swift Reservoir does not get enough early season fishing pressure to significantly impact out-migrating smolts.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

29. Change closure date on Vancouver Lake Flushing Channel (Clark County)

Short Description
Increase smolt protection by extending the closed waters rule in the Vancouver Lake flushing channel.

Explanation
The closure protects out-migrating smolts. To be clearer the closure date would change from May 30 to May 31.

Written Testimony (1 comment)
Comment is in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

30. Expand fishing opportunity to families, disabled and seniors on Fort Borst Park Pond (Lewis County)

Short Description
Allow family, disabled, and senior fishing opportunity on this lake.

Explanation
The lake can withstand more fishing pressure and public fishing access is limited in this area. Fishing events can still be held to provide juvenile only fishing opportunities.

Written Testimony (2 comments)
Both comments are in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

31. Lake Scanewa year-round fishing (Lewis County)

Short Description
Provide year-round fishing.

Explanation
Extend the current salmon fishery by opening the lake to salmon fishing from March through May; creating a year-round salmon fishery. Due to the type of terminal fishing gear used for salmon there is no significant negative impact on salmonid smolts. This rule change is supported by abundant hatchery origin spring Chinook salmon that are released in Lake Scanewa in the spring. Also, this rule change matches the current fishing rules in the adjacent waters of the upper Cowlitz and Cispus rivers.

Written Testimony (10 comments)
All comments are in support. Comments include: (a) expands hatchery fish opportunity; (b) makes the rules consistent for the upper watersheds above the Cowlitz Falls Dam; (c) enables fish to be caught in prime physical condition.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

32. Increase daily bag limit for kokanee on Lake Merwin (Clark and Cowlitz counties)

Short Description
Increase daily limit to 10 kokanee plus 5 trout.

Explanation
Adult kokanee returns to Speelyai Hatchery have consistently exceeded escapement needs for broodstock collection for the last several years --escapement need is 160 pairs and several thousand over this have been returning annually.

Written Testimony (8 comments)
Support: Most comments are in support. Comments include: (a) bag limit could be increased to 15; (b) there has been too many hatchery fish spawning; (c) more harvest is needed; (d) the Department should increase the number of fish being stocked.

Oppose: Comments include: (a) Merwin provides a quality fishery from March through September, and this rule change could result in too many fish being caught, particularly when spring Chinook fishing is poor and crowds are large; (b) there is limited parking available to accommodate more fishers; (c) suggestion to provide other fishery options; (d) suggestion more fish be added from hatchery stocks; (e) suggestion the ramp at Cresap Bay be opened earlier.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

33. Create new Rainey Creek rainbow trout fishery (Lewis County)

Short Description
Provide an adipose fin clipped rainbow trout harvest season in this tributary at the upper end of Riffe Lake.

Explanation
In 2013, Tacoma Power will begin stocking rainbow trout in Rainey Creek as a partial replacement for lost opportunity in the Tilton River and Skate Creek. The Tilton River and Skate Creek will no longer be stocked because of the Statewide Steelhead Management Plan to remove hatchery trout plants from wild steelhead waters.

Written Testimony (1 comment)
Comment is in support, but suggests the Department should then also stock Skate Creek and the Tilton River.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

34. Increase angling opportunity on Blue Creek (Cowlitz River) (Cowlitz County, Blue Creek tributary to Cowlitz River)

Short Description
Open the fishery to all anglers and remove requirement that only anglers who permanently use a wheelchair may fish for the following section: from the posted sign at fence (about 40 feet downstream from rearing pond outlet) to the posted sign above the rearing pond outlet.

Explanation
This area no longer meets the American's with Disabilities Act (ADA) standards. A new ADA Access has been constructed nearby on the Cowlitz River to take its place. Open fishery dates have been changed to provide additional opportunity to harvest straying hatchery steelhead, thereby keeping them off the spawning ground and negatively impacting wild winter steelhead in the lower Cowlitz River. Retention of only hatchery steelhead is clarified.

Written Testimony (6 comments)
Most comment is in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

35. Increase open angling area on Coweeman River
(Cowlitz County)

Short Description
Extend area open to fishing approximately 5 miles, from mouth to Baird Creek.

Explanation
Adds an additional five miles of area open to hatchery winter steelhead fishing, thereby increasing the harvest rate of hatchery winter steelhead and reducing the number of hatchery steelhead that may stray onto the spawning grounds and negatively impact wild winter steelhead.

Written Testimony (0 comments)
No comment received.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

36. Increase hatchery summer steelhead harvest opportunity on the South Fork Toutle River
(Cowlitz County)

Short Description
Provide a new season from the mouth to 4700 Road Bridge from the last Saturday in May to the first Friday in June, with selective gear rules and catch and release except up to two hatchery steelhead may be retained.

Explanation
Proposed by the Region 5 Steelhead Management Work Group (Public), this rule provides additional harvest opportunity on

hatchery summer steelhead and increases the harvest rate and reduces the number of hatchery summer steelhead that may stray onto the spawning grounds and negatively impact wild winter steelhead. This rule change has been accomplished by emergency regulation for a number of years and it is reasonable to make it permanent.

Written Testimony (2 comments)
Both comments are in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

37. Increase hatchery summer steelhead harvest opportunity on the Green and Toutle rivers
(Cowlitz County)

Short Description
Increase the harvest opportunity on hatchery summer steelhead. Open from mouth to 400 feet below the Toutle Hatchery water intake. All Game Fish: Last Saturday in May to the first Friday in June under selective gear rules.

Explanation
Reduces the potential spawning and ecological interaction between hatchery summer steelhead and wild winter steelhead. This rule has been implemented for many years via emergency regulation.

Written Testimony (2 comments)
Both comments are in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

38. Increase hatchery steelhead harvest opportunity in the Kalama River (Cowlitz County)

Short Description
Allow retention of hatchery steelhead from Summers Creek upstream to Kalama Falls.

Explanation
Hatchery (ad-clipped)steelhead are volitionally passed over (lower) Kalama Falls and are reaching upstream spawning areas. This rule will reduce the numbers of hatchery fish that may spawn naturally and negatively impact wild steelhead.

Written Testimony (3 comments)
All comment is in support. There is concern about the ability to enforce it, as currently anyone retaining a steelhead is in violation.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

39. Open steelhead fishery on White Salmon River (Skamania County)

Short Description
Open hatchery steelhead angling on the White Salmon River from the county road bridge below the former powerhouse to Northwestern Lake Road Bridge and require selective gear rules.

Explanation
Condit Dam on the White Salmon River was breached in the fall of 2011 and salmonids now access the upper river. There has been a closure to fishing around the dam area due to safety concerns while the structure was being removed, In 2013 the area will be back open to the public. This regulation opens that area to sport fishing under selective gear rules and allows the retention of hatchery steelhead. These rules protect spawning salmonids as they recolonize this new area.

Written Testimony (4 comments)
All comment is in support. Comments include: (a) support of all proposals providing more angling opportunities, especially under selective gear rule regulations; (b) suggestion to consider opening the area of the river above the northwest lake bridge during the winter months, as without the dam there is no need to arbitrarily close the river at the old reservoir.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

40. Change trout fishing rules on Skate Creek and Tilton River (Lewis County)

Short Description
Change trout rules to daily limit 2, minimum size 8 inches.

Explanation
Beginning in 2013 adipose fin clipped hatchery trout will no longer be stocked in these waters. Implement statewide rules for resident trout fisheries.

Written Testimony (4 comments)
Support: Most comment is in support. Comment includes a request that these rivers be catch and release only, to build up the population since they will no longer be stocked.

Oppose: Comments include (a) that this is a hatchery trout fishery and there is a need to remove as many hatchery trout as we can, and (b) this is a long distance to travel for just two fish.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

PUGET SOUND REGION FRESHWATER

41. Allow angling in beaver ponds on or adjacent to streams open to angling

Short Description
Beaver ponds located within or adjoining streams that are currently listed as open to trout and other gamefish follow the same rules and regulations as the stream unless otherwise regulated by special rules.

Explanation
The current fishing rules do not address beaver ponds located on and adjacent to streams that are open, so by definition, beaver ponds located on an open stream (unless the pond is named and listed as open) are closed. This was not the intent of the regulation, is confusing to the public, WDFW staff, and enforcement, and is unnecessary for conservation.

Written Testimony (12 comments)
All comment is in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

42. Change Ebey Lake fishing rules (Snohomish County)

Short Description
Change to statewide freshwater general rules and remove from the Westside Lakes special rules section of the regulation pamphlet.

Explanation
Historically, Ebey Lake was managed as a quality fly fishing destination lake. DFW last stocked the lake in 1999 with 2000 cutthroat fry. There are two separate private properties that anglers must cross to access this lake. The entire shoreline of the lake is privately owned. Angler access to the lake was permitted historically by an agreement between WDFW and the shoreline owner for “use limited to fishermen only & only in season” but the agreement expired in 1962 according to WDFW records. The road that accesses Ebey Lake crosses private property and has been gated by the landowners. Including Ebey Lake under the Westside lakes special rules section of the pamphlet gives anglers a false impression that this is an accessible, quality fly fishing lake. Anglers interested in fishing Ebey Lake contact DFW and/or DNR only to discover there is no legal access to the lake. There have been confrontations between landowners and fishermen attempting to access the lake.

Written Testimony (5 comments)
Support: Most comment is in support.

Oppose: Comment that most lakes in this area are “opening day” lakes and this proposal removes a quality fly fishing lake without providing an alternative, and consequently supports the rule proposal to make Lake 16 a quality fly fishing lake in place of Lake Ebey.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

43. Convert Long Lake to a year-round fishery (Thurston County)

Short Description
Eliminate this lake as an opening day water and make it a year-round fishery.

Explanation
Several lakes are located within the city limits of Lacey and Olympia but most are managed as Opening Day trout fisheries. Opening this lake year-round offers a fishing opportunity in a downtown setting where none currently exists. Additionally, hatcheries are having a difficult time getting all of the fish into lakes within a few weeks of the opener. This change would give hatchery staff flexibility when stocking year-round waters and could reduce predation by birds by stocking the other opening day managed waters closer to the opener. The lake also offers excellent fishing for warmwater fish that could be targeted year-round.

Written Testimony (6 comments)
All comment is in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

44. Convert Ohop Lake to a year-round fishery (Pierce County)

Short Description
Eliminate this lake as an opening day water and make it a year-round fishery.

Explanation
In 2011, WDFW adipose clipped the catchable rainbow trout stocked into Ohop Lake to determine if fish were entraining out of the lake into the Nisqually River. Shortly after being stocked, adipose clipped rainbow trout were detected at the downstream smolt trap in the Nisqually River. In 2012, WDFW increased the mean size of the rainbow trout stocked into Ohop Lake in an attempt to reduce entrainment. No hatchery fish were detected at the downstream trap in 2012. Because larger fish are more expensive, WDFW will not be able to stock larger fish at a high enough density to reach the harvest goal desired for lakes managed with trout for opening day. This change will also increase the opportunity for fall and winter trout and warmwater fishing in South Sound.

Written Testimony (8 comments)
Support: Most comment is in support.

Oppose: Comments include (a) concern for unlawful activities at the lake boat ramp and parking lot, including increased burglaries, and (b) increased litter.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

45. Change Shady Lake opening date (King County)

Short Description
Open the season on the fourth Saturday in April.

Explanation
Shady Lake is the only seasonal fishing opportunity in Region 4 that is delayed until June and there are no alternative opening day lakes in the immediate vicinity of south-central King County. According to historic WDFW regional files, the current regulation at Shady Lake was implemented in 1986 to evaluate the effects of a delayed opener and special bag limit on the trout fishery. These changes were never evaluated. Thus, there is no compelling evidence for maintaining a shortened fishing season with restrictive harvest regulations. This will expand opportunity in this populous area of Washington State and improve the ability of WDFW to attract new anglers to the sport.

Written Testimony (1 comments)
Comment is in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

46. Reduce waterfowl hunter/angler use conflicts on Fazon & Tennant Lakes *Updated 10/18/2012*
(Whatcom County)

Short Description
UPDATED: Change seasons to not allow fishing from a floating device until January 28th -- to coincide with the closing date of waterfowl hunting season.

Explanation
Balance opportunity for water fowl and fishing. Fazon Lake is a 32 acre lake with 6 duck blinds & one DFW access launch. Fishers in a boat or floating device cause ducks to flare or leave because of sight exposure.

Written Testimony (11 comments)
All comments are in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

47. Open most tributaries to Ross Lake to angling (Whatcom County)

Short Description
Open Ross Lake Tributary Streams and their tributaries from one mile upstream of Ross Lake to headwaters (except Ruby Creek closed and its tributaries open) under the following rules: All Game Fish: July 1-October 31, statewide minimum size/daily limit.

Explanation
These tributaries were dropped from the open list during the Stream Strategy process. All are above the anadromous zone and together constitute a very significant increase in stream miles open for fishing.

Written Testimony (4 comments)
All comments are in support; however one comment supports only if the tributary streams are catch and release only. Concerns include that the only access is in Canada and would like the ability to launch in Washington State.

Public Hearing (0 comments)

There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

48. Require seasonal use of single point barbless hooks to protect Lake Sammamish Kokanee
(King County)

Short Description
Daily bag limit of five trout remains the same but to protect kokanee, only single point barbless hooks will be allowed from January 1 through April 30.

Explanation
Single point barbless hooks are to allow for the safe release of kokanee. Incidental catch of kokanee has increased during the winter. Kokanee in the lake are native and this regulation will help protect supplementation efforts that are currently underway. This regulation will also assist in the protection of native trout that are released.

Written Testimony (23 comments)
Support: Comments include (a) that this will protect kokanee and native trout, and (b) a recommendation to require barbless hooks for all species in this lake.

Oppose: Most comment is opposed. Comment includes: (a) concern for the impact on the bass fishery; (b) the loss of spawning habitat and water quality have greater impacts on kokanee than hook type; (c) the kokanee population is abundant;
(d) recommendations for a shorter season, from January 1 through March 31, because bass anglers are more likely to modify tackle this time of year; (e) enforcement presence should be increased.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

49. Increase daily bag limit on Cascade Creek brook trout *Updated 10/18/2012* (San Juan County)

Short Description
UPDATED: Provide a season for Cascade Creek (on Orcas Island, from mouth to Cascade Lake) from the first Saturday in June through October 31, with selective gear rules and a 10 fish daily limit.

Explanation
Brook trout are abundant in Cascade Creek, particularly in the non- anadromous zone. Coastal cutthroat are also present in limited numbers and appear to be getting out competed by non-native brook trout. No steelhead are present in the very short anadromous reach of this stream so there are no conservation concerns related to steelhead catch and release mortality.

Written Testimony (3 comments)
Both comments are in support. Comments include (a) a recommendation that this be changed to a juvenile only fishery, and (b) concern for impact to steelhead and other native fishes.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

50. Increase angling opportunity on the South Fork Nooksack River (Skagit/ Whatcom counties)

Short Description
South Fork Nooksack River and all tributaries, upstream from and including Wanlick Creek. Season first Saturday in June through October. Fly fishing only, catch and release.

Explanation
Salmon and steelhead have never been sighted in the South Fork Nooksack River upstream from Wanlick Creek. The South Fork Nooksack River and Wanlick Creek, as well as all their tributaries, host a mix of native fishes that are abundant into the very headwaters. The aquatic environment there is excellent. Listing this isolated stream system will offer more than 30 miles of excellent and diverse angling opportunities to sport fishermen. This gently sloped valley and the easily waded streams are unusually friendly to outdoor enthusiasts. The drainage encompasses mountain forests and spectacular alpine cirques. It includes a unique, New Zealand like botanical and physical environment that is the largest display of this kind in the western hemisphere. Sport fishermen will be able to wade and fish all the way up the ice fields.

Written Testimony (11 comments)
Support: Most comment is in support. Comment includes request to also open up South Fork Nooksack River and all tributaries, upstream from and including Wanlick Creek.

Oppose: Comment includes (a) recommendation adopt barbless hooks only instead, and (b) concern for impacts to smolts.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

51. Open Minter Creek to trout fishing (Pierce/Kitsap counties)

Short Description
Open Minter Creek to trout fishing the first Saturday in June-October 31 with selective gear rules, a minimum size 14 inches and a 2 fish daily limit.

Explanation
Increase opportunity and maintain consistency with Puget Sound Stream Strategy.

Written Testimony (8 comments)
Oppose: Most comment is opposed. Comments include: (a) concern for illegal activity and crime in the area; (b) that searun cutthroat fishing should be catch and release only; (c) fishers will target salmon; (d) concern for trespassing on private property.

Public Hearing (1 comment)
Comment was opposed to proposal.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

52. Deschutes River year-round fishery
(Thurston County)

Short Description
Modify the fishing season for the section from Old Highway 99 Bridge on Capitol Boulevard (in city of Tumwater) upstream to the Henderson Boulevard Bridge near Pioneer Park so that trout fishing is open year-round for catch and release. Require selective gear rules except from September 1 through October 15, when bait is allowed and barbless hooks are required.

Explanation
Increase opportunity and consistent with fish management above Pioneer Park.

Written Testimony (4 comments)
Support: Comment includes this area will give fishermen much better access.

Oppose: Concern is that bait allowance from September 1 through October 15 will increase mortality rate for wild searun cutthroat.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

53. Shorten fishing season on Channel Creek to protect spawning sockeye (Whatcom County)

Short Description
Change the fishing season to the first Saturday in June through August 30, with statewide rules for minimum size and daily limit.

Explanation
Protect spawning sockeye. This action is in compliance with language in an agreement between WDFW and the Skagit Tribes.

Written Testimony (4 comments)
Support: Two comments are in support.

Oppose: Comments include (a) that fish don't spawn here during the proposed time period and so there will be no impact to the fish, and (b) this should go through North of Falcon process because it has to do with sockeye.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

54. Open a selective gear rules trout fishery in the lower Skagit River (Skagit/ Whatcom counties)

Short Description
Open a trout fishery from the mouth to Highway 536 Memorial Bridge from March 1 through May 31. Anglers must use hooks with a 1/2 inch gap (approximately a size 2 hook) and follow selective gear rules.

Explanation
This section of river is a popular trout fishery. This rule change will provide significant recreational trout fishing opportunity. Opening this fishery is not expected to have significant impacts on ESA listed anadromous fish.

Written Testimony (14 comments)
Support: Most comments are in support. Comment includes there is limited access in the Skagit River and this proposal restores fishing opportunity for Dolly Varden and searun cutthroat in the spring.

Oppose: Comment includes (a) there are plenty of other places to fish for trout, and (b) this will be counter-productive to protecting wild steelhead.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

55. Close angling on Hutchinson Creek (Whatcom County)

Short Description
Close to fishing to protect wild steelhead.

Explanation
Shortly after the stream strategy implementation, a comprehensive winter steelhead census was conducted on the Nooksack River in order to devise methods to estimate escapement on any given year. It was discovered that in the South Fork, 60% of the total spawning was occurring in Hutchinson Creek alone. Basin wide, Hutchinson Creek had 17% of the total winter steelhead escapement. Given the purpose of the stream strategy was to protect juvenile anadromous fishes while rearing, steelhead juveniles in particular, and the high density of steelhead spawning in Hutchinson Creek, closing for protection of rearing steelhead is consistent with the intent of the stream strategy concept.

Written Testimony (9 comments)
Support: Most comments are in support. Comments include: (a) closing the creek to all fishing would greatly reduce the risk of wild juvenile steelhead mortality due to retention as well as hook and line mortality; (b) second-hand account of verbal support from residents living on the creek; (c) support because the Department no longer plans to plant the creek for fishing derbies.

Oppose: Comment includes this proposal is an over-exaggeration of the impact that current fishing is having on the spawning steelhead in the creek.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

56. Extend night closure and anti-snagging rules on the Wallace River (Snohomish County)

Short Description
Extend night closure and anti-snagging rules from the mouth (farthest downstream railroad bridge) to 363rd Avenue SE/Reese Road (Dike Road)from June through February 15.

Explanation
Currently the anti-snagging rule starts with the salmon season. Chinook and coho are present in the river during the trout and game fish seasons. Enforcement reports concerns with salmon snagging during the trout and game fish season. This regulation change would make it easier to enforce anti-snagging. Additionally, the Wallace Hatchery is on this river and they have had difficulty meeting Chinook brood stock goals for the past three years. ESA listed Chinook spawn in the Wallace River so extending anti-snagging rules during the trout and game fish seasons would reduce impacts on wild spawning Chinook.

Written Testimony (7 comments)
All comments are in support. Comments include: (a) request to plant more Chinook and steelhead in the Wallace; (b) much snagging occurs and support any effort to reduce this problem; (c) further enforcement would be better, and is needed if adopted.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

57. Change to selective gear rules on Canyon Creek to protect wild summer steelhead (Snohomish County)

Short Description
Require selective gear rules in Canyon Creek to reduce hooking mortality of wild summer steelhead.

Explanation
Canyon Creek has a catch and release fishery except for hatchery steelhead. There are no longer hatchery releases of summer or winter steelhead into Canyon Creek. Selective gear rules would reduce hooking mortality of non-hatchery summer steelhead in Canyon Creek.

Written Testimony (5 comments)
Support: Three comments are in support.

Oppose: Comments include (a) the river is not over fished, and (b) the wild population is not threatened.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

58. Quilcene trout retention (Jefferson County)

Short Description
Remove the current regulation requiring catch and release and allow retention of trout from Rodgers Street to Highway 101 with a daily bag limit of 2 and a minimum length of 14 inches.

Explanation
WDFW snorkel surveys in August indicate harvestable adult searun cutthroat stage in the Quilcene River ahead of the summer chum and coho return to the river. This rule would provide an important recreational harvest opportunity while still protecting sensitive species.

Written Testimony (10 comments)
Most comment is opposed. Comments include: (a) it does not make sense to offer a retention fishery in an area where fragile coastal cutthroat spawn; (b) cutthroat trout should not be harvested but fished only as catch and release; (c) it has taken years to rebuild these populations and they are still recovering from overfishing and habitat degradation.

Public Hearing (1 comment)
Comment was opposed to proposal.

Staff Recommendation:
Do not adopt because nearly all comment is opposed.

Commission Action:
Did not adopt.

59. Change harvest regulation on Clover Creek for salmonid smolt protection (Pierce County)

Short Description
Change the minimum length to 14 inches and require selective gear rules.

Explanation
Consistent with Puget Sound Stream Strategy for protecting salmonid smolts.

Written Testimony (2 comments)
One comment is opposed, one comment in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

COASTAL REGION FRESHWATER

60. Allow retention of hatchery trout (ad-clipped) of any size in coastal streams (Grays Harbor, Willapa Bay, North Coast)

Short Description
Allow retention of any hatchery (ad-clipped) trout under 14 inches in coastal streams (anadromous waters) where trout regulations stipulate a bag limit of minimum size 14 inches and daily limit 2.

Explanation
Allow anglers to further DFW's conservation efforts and hatchery management practices by removing hatchery origin steelhead juveniles that delay migration from freshwater areas or residualize after release. The benefits include reduced competition with rearing wild juvenile steelhead and other wild stocks, and potentially reduced genetic crossing with wild steelhead by reducing the presence of hatchery rainbow in spawning areas.

Written Testimony (5 comments)
Support: Comments in support include support only if selective gear rules are also required so as not to accidentally deep-hook wild smolts.

Oppose: Comments include (a) 14 inches should be consistent for coastal rivers, and (b) it doesn’t increase opportunity.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

61. Require release of kokanee in Elk Lake and Umbrella Creek (Clallam County)

Short Description
Require the release of kokanee in Elk Lake and Umbrella Creek and all tributaries to protect Lake Ozette sockeye.

Explanation
Provide additional protection for Ozette Lake Sockeye that are federally listed under the Endangered Species Act. This rule brings these waters into uniformity with the other tributary waters to Ozette Lake.

Written Testimony (1 comment)
Comment is in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

62. Convert Middle Nemah Pond and Mooses Pond to year-round fisheries (Pacific County)

Short Description
Change current rules on these bodies of water to year-round fisheries.

Explanation
Provide additional trout fishing opportunity in a region of the state with limited trout fishing opportunities in lake environments.

Written Testimony (1 comment)
Comment is in support.

Public Hearing (0 comments)
There were no comments.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

COASTAL REGION MARINE

63. Increase daily harvest quota for spot shrimp (Marine Areas 1-4)

Short Description
Change spot shrimp daily quota from 80 to 200 per person in the Pacific Ocean, Marine Areas 1-4 (Marine Area 4 west of Bonilla-Tatoosh) only.

Explanation
The recreational spot shrimp fishery in the ocean is very limited due to the distance of fishing grounds from shore. There are available spot shrimp to harvest recreationally. Increasing the daily limit will offset the high costs to participate in this fishery and may increase participation.

Written Testimony (109 comments)
Support: Most comments are in support. Comments include: (a) this will provide economic benefit; (b) request to include all marine areas; (c) request to keep fishery open continuously for two weeks; (d) provides a new fishery as inside fishery maxes; (e) current daily limit of 80 makes it cost prohibitive.

Oppose: Comments include: (a) 200 per person may not be enough given the expense to travel to the fishing grounds; (b) concern for impact to gray whales who frequent these areas; (c) concern whether resource can handle the impact; (d) concern for tribes exercising their fishing rights and thus cut our quota at any time; (e) not traditionally recreational fishery in distant waters due to safety concerns, and this will encourage poorly equipped fishers to venture further out to sea; (f) potential gear conflicts with commercial prawn fishers; (g) give false impression that this is a lucrative fishery.

Public Hearing (2 comments)
Comments supported proposal.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

64. Anchovy and sardine daily limit and use of cast net gear (Marine Areas 1-4, Willapa Bay and Grays Harbor)

Short Description
Fishery for anchovy and sardine (25 pounds in aggregate) taken by dip net, cast net, angling and jigs. Cast net must be in immediate control of the angler. Mesh size limited to 1 inch maximum, no larger than 10 feet in diameter. Angler must have retrieval cord in their hand at all times when the cast net is deployed.

Explanation
Allow recreational fishers to catch their own live bait for use while fishing for tuna offshore. Current rules prohibit the use of a cast net. The effort would be limited to Marine areas 1-4, Willapa Bay and Grays Harbor. Maintain daily limit of 10 pounds for herring and smelt species.

Written Testimony (97 comments)
Most comment is in support. Comments include (a) suggestion that the maximum diameter of the cast net should be 14 feet, and (b) the net retrieval cord have a maximum length of 100 feet.

Public Hearing (1 comment)
Comment supported proposal.

Staff Recommendation:
Options as presented.

Commission Action:
Adopted as proposed.

65. Cabezon minimum size requirement

Short Description
Marine Area 4-11 and 13: Cabezon minimum size 18 inches.

Explanation
Cabezon are at low but stable numbers in Puget Sound. This regulation will provide additional protection by allowing the majority of adult cabezon to mature and reproduce prior to being subject to harvest.

Written Testimony (81 comments)
Support: Comments include: (a) provides some opportunity while still protecting the species; (b) provide protection for rockfish, typically a bycatch in this fisher.

Oppose: Comments include: (a) no data to support this proposal; (b) rarely targeted, and few cabezon are caught; (c) this proposal will have negative impact on rockfish; (d) another rule which decreases opportunity in Neah Bay; (e) suggestion that the Cabezon minimum size be area specific, not all marine areas (i.e. not MA 4).

Public Hearing (3 comments)
Comments opposed proposal.

Staff Recommendation:
Option 1: (proposed) Minimum size 18 in.

Option 2: Closed to fishing for cabezon in Marine Areas 4-11 and 13

Option 3: Daily limit 1 cabezon

Option 4: Reduce season to May 1-June 15

Commission Action:
In Marine Areas 4-11 and 13 adopted minimum size 18 inches and daily limit of one fish. Directed staff to file a supplemental notice (WSR 13-10-083) to consider a May 1 to June 15 season for cabezon in these areas as the changes considered are substantial changes from the original proposed rule.

66. Rockfish species retention in Marine Area 4 west of the Bonilla-Tatoosh Line

Short Description
Marine Area 4 west of the Bonilla-Tatoosh Line: Only black, blue and yellowtail rockfish may be retained.

Explanation
This regulation will provide additional protection for non-target rockfish species and is intended increase the number of these rockfish available for recruitment into the Puget Sound.

Written Testimony (222 comments)
Support: Comment includes support of good conservation move.

Oppose: Most comment is opposed. Comments include: (a) concern there is not sufficient data to support this proposal; (b) 85% of the area is already under closure protection, and that this is unfair to small recreational boaters, and will have a negative impact on Neah Bay; (c) suggestion to not allow rockfish retention for five years instead of proposed rule; (d) suggest reduced size requirement and increased catch limit for lingcod instead (predator); (e) suggestion that the closure be area specific, not all marine areas (i.e. not MA 4); (f) will limit halibut catch; (g) suggest daily limit and minimum size instead.

Public Hearing (9 comments)
Comments opposed proposal. A few people stated that this proposal will result in more time spent fishing, and so increase the bycatch and ESA impacts.

Staff Recommendation:
Option 1: Retain current regulation

Option 2: Adopt as proposed

Commission Action:
Adopted option 1, retaining current regulation: no retention of yelloweye and canary rockfish.
This rule is within the same Washington Administrative Code as the cabezon season rule (#65). As a result, this rule change will be filed into law as part of the supplemental CR102 (WSR 13-10-083) process.

67. Tuna daily limit

Short Description
Implement two fish daily limit for yellowfin, skipjack and northern bluefin tuna.

Explanation
These species are rarely caught in Washington coastal waters. This regulation will align the daily limit for these tuna species with other marine food fish not common in Washington.

Written Testimony (145 comments)
Most comment is opposed. Comments include: (a) the rule is unnecessary; (b) there is not sufficient data; (c) albacore tuna fishing will be impacted in the future.

Public Hearing (1 comment)
Comment opposed proposal.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.

68. Reduce lingcod minimum size in Marine Area 4

Short Description
Marine Area 4: Reduce the minimum size for lingcod to 22 inches.

Explanation
Lingcod are healthy on Washington's coast. This regulation will align the minimum size limit with Marine Areas 1-3 and is intended to reduce bycatch of non-target species.

Written Testimony (93 comments)
Support: Comments include: (a) will allow someone to catch target sooner (so less bycatch); (b) very few are over 24" so increase in opportunity; (c) benefits the rockfish.

Oppose: Most comments are opposed. Comments include: (a) concern that 22" is too small, and (b) suggestion that instead of changing the minimum size, the daily limit be increased.

Public Hearing (5 comments)
All comments opposed proposal.

Staff Recommendation:
Adopt as proposed.

Commission Action:
Adopted as proposed.
This rule is within the same Washington Administrative Code as the cabezon season rule (#65). As a result, this rule change will be filed into law as part of the supplemental CR102 (WSR 13-10-083) process.

69. Reduce lingcod season in Marine Area 4B

Short Description
Marine Area 4B East of the Bonilla-Tatoosh Line: Lingcod season May 1-June 15.

Explanation
This regulation is intended to reduce the bycatch of rockfish species during the lingcod fishery.

Written Testimony (274 comments)
Support: Comment includes that this is a necessary step due to the significant protected rockfish bycatch associated with the Area 4B Lingcod season in July, August and September, as documented in the WDFW 2011 Area 4B test fishery.

Oppose: Comment includes: (a) by limiting lingcod, more people will fish for rockfish; (b) lingcod are voracious predators of rockfish; (c) suggestion to require a venting tool instead; (d) WDFW 2011 Area 4B test fishery study results are not accurate; (d) the 120 foot depth restriction already closes off about 85% of the area and sufficiently protects rockfish.

Public Hearing (8 comments)
All comments opposed proposal, with many people commenting that this proposal would negatively impact small boat (including kayak) fishers and in doing so, have a negative impact on the local economy.

Staff Recommendation:
Option 1: (status quo) April 16 - October 13

Option 2: (proposed) May 1 – June 15

Option 3: Reduce daily limit to 1 lingcod in Marine Area 4

Commission Action:
Adopted option 1, retaining current lingcod season in Marine Area 4B-- April 16 through October 15.