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Fish and Wildlife  
Enforcement Program

22431 NE 60th St.  
Redmond, WA 98053

Joanna Eide, Rules Coordinator  
Washington Department of Fish and Wildlife  
600 Capital Way N  
Olympia, WA 98501

Ms. Eide,

I am writing to request consideration for a change in the Fly Fishing Only regulations (WAC 220-56-210.) I recently became aware that the Japanese form of fly fishing known as tenkara does not meet the legal description of fly fishing and thus cannot be used on Fly Fishing Only waters in the state. On inquiry I received the following response from Steve Caromile, Fisheries Biologist:

*Mr. Harris;*

*Thanks for your question. What constitutes allowable types of fishing gear, as well as where and when that gear can be used is recorded in one or more state laws. To fish in "Fly fishing only waters" your gear to meet the definition of "fly fishing" as outlined by the appropriate state law (WAC 220-56-210). After reading the law, it appears that your assumption is correct, Tenkara does not meet the definition of fly fishing within the State of Washington. In my view, that is mainly a violation of:*

*(b) Fishing line other than conventional fly line, except that other line may be used for backing and leader if it is attached to not less than 25 feet of conventional fly line*

*As you said in your e-mail, as well as my brief look at the Tenkara website, conventional fly line is not used and line length is only 10-13' without the tippet. That is in direct conflict with the law. Another possible interpretation could be that complete lack of a reel would, in effect, make the gear a "fixed spool" by not allowing a fish to run for cover once hooked, stripping line in the process. This would depend on the definition/interpretation of "fixed spool".*

Section 1 (a) and (b) of the rule are the issue. It is defined as:

**WAC 220-56-210**

**Fly fishing.**

- (1) It is unlawful to fish in waters restricted to "fly fishing only" with the use of:
  - (a) A fixed spool reel.
  - (b) Fishing line other than conventional fly line, except that other line may be used for backing and leader if it is attached to not less than 25 feet of conventional fly line.
  - (c) Hooks that exceed 1/2 inch when measured from point to shank.

- (d) Not more than two flies each with a barbless single hook.
- (e) Bait.
- (f) Weight attached to the leader or line.

Other than those two provisions tenkara would be acceptable as Fly Fishing. With tenkara there is only one barbless fly which is usually #12-16 (c&d), no weight attached to the leader or line (f) and no bait(e). Tenkara does not use any reel and a fixed line of usually 11-15' though longer lines can be used. All fly fishing traditionally used a fixed line and the founders of western fly fishing in England used the same system as tenkara before the reel was invented. Section (b) even eliminates some forms of shooting lines popular with steelhead anglers since they use short 15-20' heads of fly line only.

I am glad that tenkara is legal within the Selective Fisheries regulation since many of the waters I fish are under those rules but it would be nice if it was legal under the Fly Fishing Only regulations too since tenkara is fly fishing.

Tenkara is a fast growing segment of the fly fishing world as it offers a very minimalistic approach to the sport. It actually makes fishing harder in many ways since you do not have the ability to cast a long line to reach fish further away than 25-30'. It also produces less stress to the fish since the fish cannot make long runs, the fight to land a fish is limited to the short length of line. Tenkara equipment is now available in Washington State at several local fly shops and through various web-sites. TenkaraUSA, the largest tenkara dealer in the US, attends the Fly Fishing Show in Lynnwood each year to promote tenkara.

I've attached a post from the TenkaraTalk site that argues for tenkara being included in Fly Fishing Only waters and the comments posted by readers. My site, [www.northwest-tenkara.com](http://www.northwest-tenkara.com) also has several posts now on this issue.

Thank you,



Tim Harris  
Northwest Tenkara  
[northwest-tenkara.com](http://northwest-tenkara.com)



**PETITION FOR ADOPTION, AMENDMENT, OR REPEAL  
OF A STATE ADMINISTRATIVE RULE**

Print Form

In accordance with [RCW 34.05.330](#), the Office of Financial Management (OFM) created this form for individuals or groups who wish to petition a state agency or institution of higher education to adopt, amend, or repeal an administrative rule. You may use this form to submit your request. You also may contact agencies using other formats, such as a letter or email.

The agency or institution will give full consideration to your petition and will respond to you within 60 days of receiving your petition. For more information on the rule petition process, see Chapter 82-05 of the Washington Administrative Code (WAC) at <http://apps.leg.wa.gov/wac/default.aspx?cite=82-05>.

**CONTACT INFORMATION** *(please type or print)*

Petitioner's Name Timothy Harris  
Name of Organization \_\_\_\_\_  
Mailing Address 22431 NE 60th St  
City Redmond State WA Zip Code 98053  
Telephone 206-399-3166 Email tim@northwest-tenkara.com

**COMPLETING AND SENDING PETITION FORM**

- Check all of the boxes that apply.
- Provide relevant examples.
- Include suggested language for a rule, if possible.
- Attach additional pages, if needed.
- Send your petition to the agency with authority to adopt or administer the rule. Here is a list of agencies and their rules coordinators: <http://www.leg.wa.gov/CodeReviser/Documents/RClst.htm>.

**INFORMATION ON RULE PETITION**

Agency responsible for adopting or administering the rule: \_\_\_\_\_

**1. NEW RULE - I am requesting the agency to adopt a new rule.**

The subject (or purpose) of this rule is: \_\_\_\_\_

The rule is needed because: \_\_\_\_\_

The new rule would affect the following people or groups: \_\_\_\_\_

**2. AMEND RULE - I am requesting the agency to change an existing rule.**

List rule number (WAC), if known: WAC 220-56-210

I am requesting the following change: remove 1a & 1b from the definition

This change is needed because: tentara fly fishing is currently not allowed in the definition in the law.

The effect of this rule change will be: \_\_\_\_\_

The rule is not clearly or simply stated: \_\_\_\_\_

**3. REPEAL RULE - I am requesting the agency to eliminate an existing rule.**

List rule number (WAC), if known: \_\_\_\_\_

*(Check one or more boxes)*

It does not do what it was intended to do.

It is no longer needed because: \_\_\_\_\_

It imposes unreasonable costs: \_\_\_\_\_

The agency has no authority to make this rule: \_\_\_\_\_

It is applied differently to public and private parties: \_\_\_\_\_

It conflicts with another federal, state, or local law or rule. List conflicting law or rule, if known: \_\_\_\_\_

It duplicates another federal, state or local law or rule. List duplicate law or rule, if known: \_\_\_\_\_

Other (please explain): \_\_\_\_\_

## Why Tenkara Should be Legal on "Flyfishing Only" Waters

Posted By Jason Klass on Feb 8, 2013 in Philosophy, Tenkara Blog | 26 comments




Ever since tenkara was introduced to the U.S., there has been quite a bit of discussion on whether or not it is legal on designated "fly fishing only" waters. There seems to be quite a bit of confusion over interpretation of the law—even among government officials since the legal definition often includes language dictating that a reel must be used. But if you look at the spirit of the law and the basic elements of fly fishing, I think it is very clear that tenkara should be (and, in essence really is) legal on fly fishing only waters.

There are basically three reasons. First, the use of a reel does not intrinsically define fly fishing. What does a reel have to do with it? If I took a normal fly rod, removed the reel and just cast the usual way with the line at my feet, would I be violating the law? I think it would be hard to argue that I am violating the law, since my presentation and everything at the business end would remain the same. On a trout stream, the reel is probably the least relevant piece of gear. And in fact, people have been fly fishing without reels far longer than they have been with reels so the notion that "fly fishing proper" necessitates a reel seems inaccurate and needs to be reexamined.

Second, tenkara is fly fishing. The main differentiator between fly fishing and other forms of fishing such as spin fishing or baitcasting, is that it is the weight and velocity of the line which propels the lure, rather than the other way around. Tenkara meets that criterion so is by definition, tenkara is indeed "fly fishing".

Third, tenkara not only meets the spirit of the law, but surpasses it when compared to western fly fishing. Some might chalk fly fishing only water up to snobbery, but the more generous presumption is that it provides a safe haven for our quarry free from the perceived unfair advantage of using bait or high tech lures such as spoons, spinners, or jointed plugs with treble hooks that might increase mortality rates. As I understand it, the idea is to give the fish a fighting chance by challenging the angler more. But if this is the spirit of the law, isn't tenkara actually more of a challenge? You can't boom out a 90 ft. cast or effectively wield bottom dredging split shot and an egg pattern (which might as well be bait) with tenkara. With tenkara, you're forced to put yourself in more risky situations, rely less on gear and more on skill, and fish flies that don't look like pellets or bait. So, doesn't that decrease the advantage of the tenkara angler and give back some advantage to the fish? I think it does. And if that's the case, then tenkara actually adheres more to the spirit of the law than conventional fly fishing does.

For these reasons, I believe tenkara is actually more in tune with the current "fly fishing only" laws in most states. The problem is that it isn't really being addressed, defined, or disseminated to the right people. If tenkara is specifically deemed illegal in your state on such waters, I urge you to take action. Personally, I have been checked out by many wardens, rangers, etc. while fishing tenkara and have never been issued a citation so it hasn't been an problem for me yet. But as the popularity of tenkara grows, there will be a need to match the spirit

 Jason Klass former fly guide who exclusively Tenkara fi the stream lakes of Colorado...Re

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of the law to the letter of the law. And if you need any muscle, the above logic might have your back.

*Share the knowledge!*

45 9 9



**Author:** Jason Klass

Jason is an avid fly angler and backpacker. As a former fly fishing guide originally from Western New York, he moved to Colorado and became an early adopter of tenkara which perfectly suited the small, high altitude streams and lakes there. He has not fished a Western-style fly rod for trout since.

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## 26 Comments



**Craig**

FEBRUARY 8 2013

Great right up.



**Craig**

FEBRUARY 8 2013

Great write up.



**Sean Dzedzic**

FEBRUARY 8 2013

I must say I'm a little surprised that this is actually a problem. I was stopped out here in mass by a game warden, it was nearly impossible not to laugh when he said "where's your reel?" But my basic argument, like yours, was I couldn't boom out the 50-60 foot casts most guys do there so I had little chance of accidentally hitting fellow fishers with a backcast. Definitely nice to see this on a popular site, hopefully a few wardens read it and agree!



**Morgan Lyle**

FEBRUARY 8 2013

I agree 100 percent Jason. Tenkara is definitely fly-fishing and should be allowed on any fly-fishing-only water.



**Oleg Stryapunin**

FEBRUARY 8 2013

### Tweets

**Tenkara Centre UK**  
"FUJI ROD CAP" JUST AR STOCK.  
tenkaracentreuk.com/tenk  
pic.twitter.com/HiNe4sSoE



**Jason Klass**  
My review of a really unique box for #tenkara  
tenkaratalk.com/2013/12/1  
pic.twitter.com/vUwb1kpC



Enough to show the fly on the end of the tippet to the warden that appeal to you on "fly fishing only" waters. Words normally are no longer needed.

**Steve King**

FEBRUARY 8, 2013

Good stuff Jason, well said. A nice 3 point statement that I should be able to remember if I am ever confronted about the legality of tenkara. Thanks!

**vasco**

FEBRUARY 8, 2013

Totally agree with Oleg, I do not have to do anything here the type of rod or whether or not reel. What matters is what is on the end of the line and whether or not you release your catch.

**Lance Milks**

FEBRUARY 8, 2013

Hey Jason,

I couldn't agree more. I can't believe that there is an issue anywhere. I've talked with fish and game on the water and off in NY, VA, and NC and all of them are very intrigued and impressed with the method. I also agree with the statement of "what is proper fly fishing". Technically tenkara predates "western" and the invention of the reel so...? Also, like you explained the principle is the same, casting the line in order to present the fly. great write up man.

**HOSS**

FEBRUARY 8, 2013

I find it hard to believe that this would be an issue. Where my dad lives in MO. there is a fly fishing only season, but the regs state what style of hook can be used, i.e. single barbless hook fly, catch and release only rather than equipment such as specifically fly rods as opposed to spinning. SO tenkara would be fine by that standard. Here In TX. I don't think there are any rules that specify fly fishing only, that I know of.

**Daniel @ Tenkara USA**

FEBRUARY 8, 2013

Very well written, Jason.

Indeed one reason some states have decided to include the requirement for a "fly reel" in their language was simply to avoid people using a spinning reel with a fly rod.

Plus, most states probably do not give an explicit definition of a reel, which is a line storage device, and they do not explicitly state it needs to be attached to the rod. So, in the spirit of your other post (<http://www.tenkarakatalk.com/2012/04/how-to-be-a-tenkara-outlaw/>) having a line holder in your pocket could suffice.

However, keep in mind that I'm not a lawyer and do not intend to take the argument all the way to the Supreme Court. They are busy with more important stuff than interpreting "fly-fishing".

**Nate**



FEBRUARY 8 2013

I absolutely think tenkara should be allowed. I read somewhere that in Alaska, it's only the terminal tackle that determines whether you are fly fishing or not. This guy said something like "You can tie a coho fly onto 30 pound superbraid and dap the river with a halibut rod in the 'fly fishing only' sections of streams. Not sure if it's true or not.

**Thomas**

FEBRUARY 8 2013

Nice write up. I haven't been stopped by warden here in Wisconsin, but I'm more mentally prepared now if it happens. I think your write up is spot on and even more an interesting read. I don't see how Tenkara can be seen as anything but fly fishing.

**Jason Klass**

FEBRUARY 9 2013

Thanks for the comments everyone. Lie many of you, I can't see why it would be an issue but I know some people have been given a hard time or even been fined. I've been stopped by wardens here in Colorado several times to check my license but never once questioned about my tenkara rod.

**Greg**

FEBRUARY 9 2013

Can anyone tell me which states have a "fly fishing reel" requirement in their fishing regulations?

Are there other explicit requirements that might preclude the use of a no-reel-fixed-line rod? And if so, in what states?

Thanks.

**Kytroutbum**

FEBRUARY 9 2013

I believe some states define Flyfishing as "the line conveying or delivering the fly" which Tenkara is.

**Bob**

FEBRUARY 9 2013

Tenkara is not considered to be fly fishing when it comes to state and water body fish records in Texas. It has to be listed with trot lines, jug lines, and other methods.

I have emailed the fellow over this, at Texas Parks and Wildlife, but got nowhere. He keeps telling me I have to have a reel.

Bob

**Ray Sasaki**

FEBRUARY 9 2013

Jason, thank you for bringing this to everyone's attention. I live in WA state and did wonder about this



a while ago. I haven't been checked by wardens so I will see when it happen. Personally, I'd love to see "TENKARA ONLY" zones to be introduced in the future!

**Bob Foresti**

FEBRUARY 9, 2013

...take the TX dude Tenkara fishing...maybe he will change his mind.....as far as i'm concerned it is fly fishing...

**Daniel @ Tenkara USA**

FEBRUARY 9, 2013

For states that have dubious regulations and to get clarification about your state please take a look at our forum: <http://tenkarausa.com/forum/viewforum.php?f=21&sid=21b230c0fa47bb9f401cefd3ed942e82>

Bob, as for Texas, my understanding is that there shouldn't be a problem there as far as I have researched. Couldn't find anything specific about reels here:

[http://www.tpwd.state.tx.us/regulations/fish\\_hunt/](http://www.tpwd.state.tx.us/regulations/fish_hunt/)

**Bob**

FEBRUARY 9, 2013

Daniel,

No problem fishing. Tenkara does not qualify for fly fishing, when it comes to state or water body records in Texas. There are a lot of records that have not changed in years. I just thought it be nice to have a Tenkara record.

Bob

**Chris**

FEBRUARY 10, 2013

The only way around this is for those who sell, use, promote blog about Tenkara is to change the laws/regulations by being involved in their governmental agencies. All the bitchin and moanin about it will not change a thing. You either confront the "man" (term from the hippie days) and change the laws/regs or not. It's a simple thing. Those who have a vested interest (businesses, users) should be involved in changing the laws and regs for their State. Luckily I live in Texas. Fish mostly in Oklahoma where in both states common sense prevails. The use of Tenkara is just another method of fly fishing. Laws/regs are not a politically correct/detailed argument for monetary gain or regulation just another "method". I am currently working with the ODWC (Oklahoma Dept of Wildlife Conservation) to get Tenkara as a method of fly fishing written into any new trout fishing regulations. This topic is on the agenda for our next meeting for the LMFR Foundation on the 23rd of this month. Ya gotta start locally for what you do, elst wise this topic will be once again presented when your reg'd out by your State. Unless you are involved with those you elect to write your laws/regs to further your vote, then you have no right to bitch about the outcome.

**the tenkara ambassador**

FEBRUARY 10, 2013

Perhaps we're just catching too many fish with tenkara; kind of embarrasses the guy with the \$1,000 Orvis reel.

**Chris Kaminski**

FEBRUARY 10, 2013

A game warden stopped me for a license check (not in a fly-fish only) and was eyeing my rod. I told him it was a "Tenkara Fly Fishing rod from Japan". He seemed pleased by the answer and watched me fish a while. I have always had that phrase queued up in case I ever ran into a warden. By announcing that it is a fly fishing rod in the beginning you bypass the question.

**Alex**

FEBRUARY 11, 2013

Jason and other commenters, just wondering – has anyone ever actually been kicked off a river for not having a reel?

It's never happened to me. One time I thought a busybody on the Savage River in western Maryland was going to report me, but he didn't, just reverted to being a snob about everything else. He did sneer at me for not wearing waders, for not 'matching the hatch', and for fishing the fast water instead of the single tennis-court-sized pool that already had four or five of his friends in it. He also told me that tenkara was just dapping – so far the only time I've ever heard that one in person. I think of that guy every time I'm in the books section in my local Orvis and I see I've Never Met an Idiot on the River by Henry Winkler (<http://www.amazon.com/Ive-Never-Met-Idiot-River/dp/1608870200>). *I have. I think to myself.*

**Nick**

FEBRUARY 17, 2013

I have no problem with Tenkara fishing Fly Fishing Only waters. It would simplify things greatly if they just put a maximum length on any rod used in those waters as g'. Then it wouldn't matter if there was a reel or not.

**thetroutfly**

FEBRUARY 28, 2013

Good points made Jason.

Ray...tenkara only zones would be catastrophic and would only serve to separate tenkara even further from fly fishing in the eyes of those who don't believe it to be fly fishing. An inclusive approach is what's needed!

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