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DEPARTMENT OF FISH AND WILDLIFE
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Dear Interested Party:

Thank you for participating in the sportfishing rule development process for 2004-2005. The enclosed document, the Concise Explanatory Statement, is the final step in the adoption of the sportfishing rules. This document contains an explanation of all the rule proposals that were sent out for comment last fall, a summary of the testimony received on each proposal, and any modifications or additions made to the original proposals, as well as the staff recommendation and Commission action on each proposal.

You were sent this document because you have participated in the sportfishing rule process in some way either this year, or in the past; perhaps by requesting to be on the mailing list, sending in a proposal, attending a meeting, or submitting testimony. If you do not want to continue to receive mailings about this process, please contact us either by either mail, telephone, or e-mail at the contact addresses listed below. Because this document is very large and costly to mail, we would appreciate your letting us know if you are no longer interested in receiving it. Another way you can help cut the cost of this process is to allow us to contact you by e-mail rather than US mail. If you were mailed this document but would be willing to receive it by e-mail instead, please send us an e-mail to let us know. Be sure to include the exact name and address we have been mailing to so we can delete it from our US mail list.

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Thank you again.

Patricia Michael
Sportfishing Rules Coordinator

Concise Explanatory Statement Regarding 2004-2005 Sportfishing Rule Proposals

March 2004

Washington Department of FISH and WILDLIFE

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STATEWIDE RULES

1. DAILY LIMIT FOR EASTERN BROOK TROUT

PROPOSAL: Remove the daily limit for Eastern brook trout in all rivers, streams, and beaver ponds.

EXPLANATION: Currently there is no minimum size and anglers may keep up to 5 Eastern brook trout in streams, but no more than 5 trout total, and no more than 2 can be other trout species. If this proposal is adopted, other trout species would still have a daily limit of 2 (unless otherwise noted), but there would be no minimum size and no daily limit for Eastern brook trout. Brook trout are an introduced, non-native species and are numerous and widespread in Washington. They have been identified as a threat to native bull trout populations through interbreeding and competition for food and habitat. The intent of this regulation is to reduce Eastern brook trout populations in streams, to reduce their impact on bull trout, and secondarily provide additional harvest opportunity for anglers.

TESTIMONY :

I support the removal of the daily limit on Eastern Brook Trout in state waters. I also wonder about other introduced species currently classified as game fish including brown trout, walleye, smallmouth, tiger muskie, etc. They exist in waters important to migration of salmonids - should we be giving consideration to liberalizing bag/possession limits on them, too?

Support (3)

Lower Columbia River Fly Fishers support

Support proposal. Brook trout are non-native and unfavorably impact our native species.

Support. These exotic fish have overpopulated numerous lakes and streams. Exceptions should be made where trophy brook trout exist.

Colville National Forest fish biologist supports proposal. Would give the public the incentive to fish for small fish and give the agency limited control of brook trout. Forest Service is doing their part to restore habitat, WDFW should do their part as population managers to get rid of these exotics.

Support. Expect brook trout stocking to stop also.

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Do not support for several reasons. At the IFPAG meeting in Ellensburg, none of the biologists present were aware of any hybrid bull trout x brook trout in any Washington waters. Second, there is a much greater problem of bull trout interbreeding with Dolly Varden. Brook trout spawn nearly a month later than bull trout and generally in smaller headwater streams, while bull trout prefer larger streams. Brookies are not aggressive and tend to get pushed out of the best feeding spots by rainbow and salmon. This rule would make more sense if rivers in the Wenatchee and upper Columbia systems were open to fishing. So it seems the rule is a “feel good” one rather than a biologically based one. Raising the limit for brook trout has not worked for other states. Wild Salmonid Policy grants greater protection to non-native naturally spawning

salmonids than non-native introduced fish. So, when are you going to take the limits off other non-native fish? Brook trout need thoughtful management, not a “final solution.”

Snohomish Sportsmen’s Association has been planting brook trout for over 50 years. Most unhappy with proposal. Know of no threat to native species in Snohomish County. Bull trout are plentiful in this area. We know of no stream in the county with a surplus of brooks.

STAFF RECOMMENDATION: Do not adopt. Identify specific areas where this rule would be beneficial and apply it there. Housekeeping fix needed in WAC language to make it clear where the current bonus limit applies for this species. Department should continue to pursue educational emphasis to teach anglers to differentiate between brook trout and bull trout.

COMMISSION ACTION: Proposal was not adopted. WAC language was amended to make it clear that the limit of 5 Eastern brook trout applies in both lakes and streams, up to a total of 5 trout (unless a special limit applies to that particular water).

2. CLASSIFY TIGER TROUT AS A GAME FISH

PROPOSAL: Classify tiger trout as a game fish to be regulated with other trout species.
EXPLANATION: Tiger Trout are sterile hybrids resulting from crossing brown trout (*Salmo trutta*) females with brook trout (*Salvelinus fontinalis*) males. Tiger trout have been stocked in several lakes around the state, but are not currently listed as a game fish. Without this regulation, there would be no harvest regulations for tiger trout. If this proposal is adopted, tiger trout would be classified as game fish, becoming part of the trout daily limit (usually five in lakes and two in streams).

TESTIMONY :
In these tight budget times and concern over introduced species, sterile or not, why is WDFW spending the time/money to produce "tiger trout" and classifying them as a game fish? Is WDFW following the WAC outline found in 232-12-016 - Nonnative Aquatic Species? It appears that tiger trout are an unlisted species and form OFM-01 must be filed by the requesting person. Would they have the potential to displace native species? I would much rather see native trout being raised/stocked than add another species.

Support (2)

Support. All tiger trout must be sterile.

Conservation Committee of the Washington Fly Fishing Club opposes proposal. We don’t need further exotics; we need increases in our native species.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

3. BUOYANT LURE RESTRICTION

PROPOSAL: This proposal would add the following restrictions to buoyant lures used in waters with a non-buoyant lure restriction in place: Hooks must be attached to or below but within 3 inches of the floating lure. No hook may be tied above the lure.
EXPLANATION: The non-buoyant lure restriction is used in areas where salmon congregate and snagging is a problem. Allowing hooks above floating lures significantly increases the likelihood of snagging, so this modification should make the rule more effective.

TESTIMONY :
Why re-define a buoyant lure? My read of the regulations is that some waters have a non-buoyant lure restriction where you must fish with a lure that won't float in freshwater. A person shouldn't be using a buoyant lure, no matter how it is rigged in waters with a non-buoyant lure restriction. That said, I am not opposed to putting a restriction on hook location below a buoyant lure (within 3") and prohibiting the placement of weight below the buoyant lure or a non-buoyant lure. (WAC 220-56-100 (18))

Support (4)

Change to read that hooks must be attached to the buoyant lure, and must be a single barbless hook. Reason: I have witnessed fishermen on the Grande Ronde River fishing floating lures at the mouth of the Grand Ronde River and it's confluence with the Snake River, snagging Salmon and Steelhead Trout fishing with floating jigs. This also occurred upriver on the 2.5 miles of open water of the Grande Ronde River. Reported this activity to WDFW personnel; don't know if any action was taken.

This rule is still confusing. Is a “corky” with 2 single hooks, one above and one below legal in an area affected by the restriction? A corky floats in fresh water by itself, but when fished with a sinker it does not. Maybe adding “as fished” would clarify if that is what you intend.

Favor proposal. Use of a corky with hook above it is a common and effective bait for steelheaders targeting biting fish.

Conservation Committee of the Washington Fly Fishing Club supports proposal. Very difficult to enforce.

In favor of rule to stop snagging. Should include non-buoyant lures as well. Should also stop vertical jigging in tributaries during salmon season. This would not impact walleye fishermen.

Washington Council of TU supports proposal.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

4. STURGEON TAGS AND SEALS

PROPOSAL: This proposal would make it unlawful to possess a sturgeon in the field unless the fish is sealed and has a sturgeon tag attached.

EXPLANATION: The annual limit for sturgeon is very hard to enforce. One reason for this is that anglers who have caught their annual limit can claim to have lost their catch record card, and have a new one issued. This replacement card has spaces to record a new annual limit of sturgeon. This proposal is intended to make the limit more enforceable by requiring anglers, who intend to retain sturgeon, to purchase a group of "seals" to attach to any fish they wish to retain. The sealing mechanism is a plastic locking band that can be used only one time, and must remain unaltered. It would be inserted through the gills and out the fish's mouth. The WILD licensing system would generate tags (in the form of self-sealing stickers) that contain the angler's WILD identification number and could be closed around the band at its closure point. Anglers who want to retain sturgeon would be issued a group of 5 seals and 5 stickers. The stickers would be non-replaceable, and could only be issued through the WILD system. This means that charter operators who use charter stamps in lieu of licenses will not be able to issue sturgeon seals. Tags and seals would be sold only in groups of 5 at a cost of $3.50. Of this, WDFW would receive $1 for the cost of the seals, and the dealer would receive $2.50 (50 cents per tag) for the issuance of the tags.

TESTIMONY:
Interesting but could get expensive when ordering/supplying a self-sealing tag to license agents. With the capabilities of the WILD system, has consideration been given to lengthening the size of the printout for the validation sticker and making the WAC read that an angler must run a line or cable tie through the gills and out the mouth and then place the sticker over the lock or knot? I'm assuming the "stick'em" on the tag is such that once it is stuck to itself, it can't be opened without destroying the tag.

Support (4)

Very much opposed to the over regulations on sturgeon catch imposed on sport fishers. It has gone from a yearly season of 10 to 5 and they have to be tagged. This seems unreasonable when commercial fishers net everything out there. What the sportsmen lose the commercials will reap.

President of S. King Co chapter of Puget Sound Anglers thinks seals should be able to be replaced like any lost tag, as they can be tracked by the WILD id number.

Puget Sound Anglers State Board President supports proposal.

Ilwaco Charter Assn surprised to read they could not take anglers sturgeon fishing because of this proposal, since charter operations do not fit the WILD terminal system. There must be another alternative that will meet the needs of the charter industry. Urge the state to drop the charter language out of the proposal and keep in mind reciprocity agreements with Oregon. ICA would like to be part of the solution, but we need more time to work things out.

Southwest Washington Anglers is against requiring sturgeon seals at this time because many Oregon fisherman fish in the estuary with an Oregon license. This would make them buy a non-resident Washington license to be able to land fish in Washington ports. We realize that this would be a better enforcement tool, but both states need to have the same requirement.

If I'm not mistaken, the rationale behind lowering the annual limit to 5 fish was to extend the fishing season, but "the change is expected to have a minimal impact on most sturgeon

anglers, since 93 percent currently keep fewer than five fish per year." The annual limit for sturgeon is very hard to enforce? Eliminate it.

Has to be written to realize that the annual limit can only be enforced if you do not allow re-issues. If you decide to keep the fish, you must immediately tag it.

Northwest Sportfishing Industry Association opposes this proposal that regulates the whole for the misbehavior of the few. This is not the answer to cheating on the annual limit. Just have the WILD system print on the validation sticker for additional cards "Not valid for Sturgeon."

STAFF RECOMMENDATION: Do not adopt. Continue to work with Oregon on a coordinated proposal for possible implementation next year.

COMMISSION ACTION: Proposal was not adopted.

5. DESIGNATED HARVESTER RULE CLARIFICATION

PROPOSAL: Clarify the designated harvester rule to allow designated harvesters to take food fish or shellfish for disabled fishers.
EXPLANATION: WAC 220-55-065 allows a designated harvester to take a limit of any shellfish or food fish for a disabled fisher, but WAC 220-56-150 contradicts this by limiting the harvest to only razor clams. The proposal would remove the contradictory language in WAC 220-56-150. It also repeals an obsolete rule (WAC 220-56-370) referring to a razor clam disability permit, which no longer exists under the designated harvester system.

TESTIMONY:
Support (2)

Puget Sound Anglers State Board President supports proposal.

MODIFICATION: Apply the designated harvester rule to game fish as well as shellfish and food fish.

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

5.5 STATEWIDE MORATORIUM ON WILD STEELHEAD RETENTION

PROPOSAL: There will be a two-year moratorium on the retention of wild steelhead statewide. This restriction will impact the 2004/05 and 2005/06 steelhead seasons. Anglers will still be able to fish for, and retain, hatchery steelhead and other game fish during the normal open seasons.

EXPLANATION: The Department proposed eliminating wild steelhead retention in five streams (see proposals #82, #87, and #92). The Commission expanded upon those proposals by establishing a two-year statewide moratorium on the retention of wild steelhead in all areas of the state, freshwater and marine. The two-year moratorium

corresponds to the timeline for the development of the new statewide Steelhead Management Plan.

In recent years, the Commission has become concerned about the apparent long-term decline of wild steelhead populations. The moratorium addresses this concern by acting on the side of caution with regard to protecting wild fish. During the past two years, the Commission had considered preserving and enhancing this vitally important resource by eliminating wild steelhead retention.

COMMISSION ACTION: Amended steelhead proposals into the moratorium and adopted the moratorium.

MARINE RULES

GENERAL MARINE RULES

6. SINGLE HOOKS REQUIRED IN MARINE AREAS

PROPOSAL: This proposal would require anglers to use no more than two single hooks in Marine Areas 1-13. (Forage fish jigger gear would be an exception – treble hooks would still be allowed on this gear).
EXPLANATION: Although the issue of single versus double (two point) or treble (three point) hooks has been addressed in previous regulation cycles, it came up again at the 2003 North of Falcon salmon management meetings. WDFW made a commitment to include it in the current regulation development process.

Barbless treble hooks are frequently used in Puget Sound jig fisheries for salmon. There is some contention that requiring single hooks will reduce hooking mortality on salmon that are released. WDFW evaluated numerous studies on hooking mortality associated with treble hooks during past regulation development cycles. The studies addressed impacts to trout, juvenile steelhead, Atlantic salmon, coho and chinook. The overall results of these studies couldn't find a significant difference in hooking mortality between treble and single hooks on "trout sized fish" or small salmon. We are not aware of any studies that directly compare mortality rates of barbless treble hooks versus barbless single hooks in jig fisheries for salmon.

Even though the main concerns expressed about treble hooks have dealt with salmon, the proposal to require single hooks needs to apply to all species to make it enforceable.

TESTIMONY:
I support the idea of using barbless, single hooks only in Marine Areas 1-13 for all fish except forage fish.

No good reason to switch to single barbless hooks. No data to indicate that their use will decrease the mortality of released salmon. Single hooks would lessen the chance of hooking a

fish when used with certain lures. This might make people more apt to use bait, which causes higher mortality. Single hooks are usually larger and penetrate deeper, doing more damage.

After the dismal fishing season on the Hood Canal for Silvers and having been caught in fishing nets being set by the local tribe, now you want to take treble hooks away. What next no hooks at all? Just who do you work for; the tribes? I thought that you were supposed to represent all of the citizens of this State not just the few. You should ban NET FISHING!!!! Instead of punishing the sport fisherman who only take a fraction of the fish, when compared to the tribes. I have seen them come into an area where the silvers are held up and remove three to four hundred fish. While the sport fisherman using treble hooks only catch two fish, if lucky, a day. So explain to me just why you have to take more away from the sport fisherman when the odds favor the tribes. The Treaty said that they shall fish in common with. Fishing with nets is not fishing in common with when we can't even use barbed hooks and now you want to take even more away. My grandson is of Indian descent, so prejudiced I am not. What have I done to help promote fish recovery? When I was a young adult I spent my summers feeding fish at the Gorst Watershed.

A very resounding NO on the single hooks only in south sound area 13. We get few fish as it is (tough fishing) and to make the buzz bombs and jigs *less effective* is another "kick in the you know where"...I have used above lures w/ single before, and although, yes, it is possible, it is just not right!

Don’t understand the reason for this. Is there scientific evidence that more fish are killed with treble vs. single hooks? Have fished with trebles for years – have seen no evidence of this. Fish mainly with plugs and 99% of the time they are hooked just inside the mouth. This rule is not necessary with barbless hooks unless you can support it with facts. Until then, the proposal should be dropped.

Strongly support this proposed regulation.

Reject the recommendation because based on scientific fact, implementation would have no effect on juvenile salmon mortality rates, and would needlessly restrict the use of treble hooks by anglers, and Department employees do not have the authority to obligate the agency to establish rules or policy.

No reason for proposal, since it acknowledges the department has no data on hooking mortality with barbless treble hooks vs. barbless single hooks. Reject the proposal.

Urge the passing of this rule. It should be applied to all fisheries where a release requirement exists. My experience is that treble hooks (even barbless) are an abomination when attempting to release a fish.

I am opposed to the single hook proposal for all areas. There is no evidence to support the theory that it is more lethal than a single hook. We do a lot of big ocean fishing for halibut and other bottom fish. Most bottom fish jigs are of the treble hook type as is our home made lead jigs. The majority of the time we are fishing bottom fish; there is no run of salmon anyway.

There are not any scientific or management reasons to implement this proposal. If there are not any problems with people using treble hooks, why would they be outlawed? Treble hooks increase catch rates when jigging for salmon and lingcod. I use treble hooks on all my lures and never have had any trouble releasing countless salmon and cod unharmed. Simply having your

barbs pinched is enough to have the fish slip right off. This rule will make outlaws out of many fishermen and increase resentment towards the WDFW.

Support (6)

Kitsap Poggie Club took a unanimous NO vote on this proposal. Leave the rule as it is.

Oppose.

President of S. King Co chapter of Puget Sound Anglers says to reject this proposal as research shows that a single siwash hook is the deadliest on fish released.

Puget Sound Anglers State Board President supports proposal.

Support proposal. Have observed too much eye damage from treble hooks on jigs.

I have fished lower Hood Canal for over 25years. (Area 12) specifically for salmon. I have never caught an under sized salmon nor have I caught a species of salmon that I wasn't out to catch. I have crimped my hooks and lost many a salmon in this area. I do not agree with the proposed "single hook" idea. The Natives can fish to there desire with nets, hooks, traps, etc. and kill any number of sea life. I have seen their nets and the waste of sea life that each net discards by the dozens. Why is it such an issue that the pleasure fisherman "might harm" a fish or two? I whole-heartedly disagree with this new proposal.

I have fished both single and treble hooks for salmon in Marine area 13. A single hook kills a juvenile salmonid just as fast as a treble. A head shot into the brain has the same effect. So, with the removal of treble hooks you effectively remove a viable fishery for returning mature salmonids. If throwing a spinner around the corner from a tribal beach seine fishery has to be a single barbless hook and the tribal fishery is throwing everything in the tote then what's the point? If the target is fall Chinook, then there is no juvenile incidental fishery at all, so what's the point? It appears that the point is that's it is a "rule" of convenience as your own studies have failed to substantiate the negative impact of treble hook fisheries. This is not based on biology or science or valid studies, just non-justified convenience. This must be stricken from the package.

Charter Boat Association of Puget Sound does not support this rule change. Treble hooks are used on halibut and other bottom fish jigger gear; we currently have a barbless hook law, which addresses the hooking mortality issue.
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This proposal concerns me as a sport fisherman. I release all wild salmon in my home waters. Some years I only bring in a few. My objection is about lack of comparison between legal “netters” and sportfisherman in South Sound waters. I sometimes will be out all morning without any “luck,” while watching “netters” harvest the waters until they are lifeless. My statement is that salmon’s dangers are more the fault of “netters” and less fault of line anglers. More regulations on line anglers is missing the target. “Netters” need be regulated more strictly.

Proposal states that for juvenile fish there is no difference in mortality between single and treble hooks. Logic would seem to suggest at least a similar situation for adult fish. If there is no scientific data to justify a change then it is unnecessary.

Edmonds Laebugten Salmon Chapter of Trout Unlimited (250 members) supports this proposed rule. Catch and release fisheries and selective fishing rules should strive to maximize the survival of released fish. While current scientific studies do not show a statistically significant difference in hooking mortality between single and treble hooks, few of these studies have been conducted under realistic marine sportfishing conditions. Our club members' experiences on the marine waters of Puget Sound indicate that sport fish, particularly juvenile salmon, are more adversely affected by releases from treble hooks than from single hooks. Additionally, WDFW's de-hooker is generally not effective at releasing fish hooked with treble hooks. In most cases, the fish must be netted, boated and the treble hooks removed with pliers. The added stress of this activity could reduce the survival of these fish.

I would like to voice my disapproval re: the proposed ban on treble hooks. I frequently jig for salmon versus fishing herring. When jigging, I at times snag herring, which I use for salmon fishing. But many times the herring aren't concentrated enough to get any. I have tried fishing with a single hook on the jig and had little success snagging herring or actually hooking the salmon. The jigging action causes many total misses by salmon and I estimate 20% of strikes are actual hook-ups when using a single hook. When using a treble hook I estimate about a 80% hook-up to strike ratio. This certainly does not mean catch ratio, which is estimated at 20% even using a treble hook. It is nice to actually land a salmon occasionally. Proper handling of fish to be released is far more important than a single hook. The juveniles, which lose their scales very easily are especially vulnerable to any sort of touching, be it hand or net. Emphasis on no touch, careful handling is by far more important than treble or even barbed hooks. Another consideration is to be able to use treble hooks in areas open to retaining all salmon species, with no wild fish restrictions.

Why do it? Would only serve to increase public resentment.

A statement that clearly indicates treble hooks are illegal for all but forage fish would be helpful to fishers in understanding this proposed regulation.

I know of exactly 2 salmon I caught in saltwater that died after release. Both were wild coho and had the gill arch punctured by a single, barbless hook, and both bled to death before they could be released. What a waste. It has been my experience that fish don't take treble hooks as far into their mouths as single hooks, so there is less of a chance of hooking the gills. It's not statistically significant, but is a valid observation.

Do not support proposal. No justification other than to make it easy to enforce. Treble hooks are mostly used on salmon jigs. No difference in hooking mortality shown in studies. Should eliminate treble hooks except on salmon jigs.

Pierce Co. Sportsmen's Council opposes proposal. It would stop almost all jig fishing in marine waters.

South Sound Fly Fishers (80 members) supports proposal.

Unfortunate that you make commitments at NOF to include this proposal when there is no scientific data to support it. If there is no difference in mortality between single and triple hooks, then two single hooks may do more damage than one triple hook. If you allow two single barbless you should also allow one barbless treble. If you are concerned about releasing fish in selective fisheries, the treble hook can be attached to the jig with material like monofilament line that can be readily cut to release the fish immediately, or limit the size of hooks to prevent deep

penetrating hooks that often cause fatal injuries. In my experience, jigs with one barbless treble hook cause no more mortality than bait using two single hooks or trolled lures. Using a single hook on jigs causes the hooking rate to drop to almost zero. Salmon jigs really level the playing filed for fishermen, giving novices a good chance to catch a fish. Some herring fishermen want jig fishers moved out of "their" areas. They will support this proposal. It is based on emotion rather than science, please dismiss it.

Oppose proposal. Would affect lots of jig manufacturers. Good anglers can release fish unharmed. Fish are not concentrated in salt water like they are in rivers, so snagging is unlikely. Would affect halibut fishery after June when the dogfish arrive and you can't keep bait on your hook. Then you switch to jigs with treble hooks. Trebles are already prohibited in fly fishing only and selective gear rule waters.

Conservation Committee of the Washington Fly Fishing Club supports proposal. Will help enforcement efforts.

Opposed especially when using weighted jigs. They are sold with trebles attached. Could allow double hooks and people could clip one hook off a triple hook. Rule as it is would reduce the jig effectiveness greatly.

Disappointed that best available science is not being followed here. There is no data to support this rule. At times treble hooks do less damage than single hooks.

Will make halibut jigs useless. They are now required to be barbless and are needed when dogfish cause a problem with natural bait.

Washington Council of TU supports proposal.

Agree with proposal – would have no impact on my catch.

Sekiu Chamber of Commerce does not support – no justification for change.

Westport Charter Assn neither agrees nor disagrees in MA 1-4 as long as you allow 2 hooks on tuna jigs. They actually have a double shank so rule may not apply anyway.

STAFF RECOMMENDATION: Do not adopt. Hook restrictions can be used on a case-by-case basis where needed.

COMMISSION ACTION: Proposal was not adopted.

7. RULES FOR SALMON RELEASE IN MARINE AREAS 5-13

Proposal: In Marine Areas 5-13, this proposal would make it illegal to bring on board a vessel any salmon required to be released. Putting a similar rule in place in Marine Areas 1-4 will be discussed next spring during the Pacific Fishery Management Council (PFMC) process where salmon seasons are set coastwide.

Explanation: This rule (adopted through the North of Falcon process) was used with success this summer to provide additional protection for wild salmon released during a selective chinook fishery in the Strait of Juan de Fuca. Fish that are brought on board

the boat tend to obtain more injuries and are more likely to suffer delayed mortality even if they are alive when released back into the water.

TESTIMONY :
I understand and support the rationale behind the idea, but it is not easy to see an adipose fin when you have a boat with high sides and catch a fish that starts spinning when pulled alongside or netted. Hook removers work, sometimes, but when you must place most of your body over the side, in sometimes rough water, it can be a chance for an unwanted swim. Anecdotal information has come up of folks who fell out of their boats this past year. I don't know if any of the fatalities can be related to trying to release a fish. The rule should be expanded to provide consistency throughout Puget Sound and be applied to Marine areas 1-4. Consideration must also be given to how folks are going to release fish from the public fishing piers and private docks/bulkheads around the Sound.

Support this proposed regulation. (8)

I got the impression that this idea arose from success with such a rule during fisheries in which the deciding factor on keeping or releasing a fish was whether it was hatchery or not, which can be determined at a glance with the fish in the net at the side of the boat. However, if the issue is the length of the fish, this can't be determined at boatside even with the fish in the net. A legal or non-legal blackmouth can be the matter of 1/4 inch. I just contend it is physically impossible to accurately measure a fish without getting it on the deck. As sportsmen we respect the fish and always try to be as gentle with them as possible even if we do need to bring them into the boat. To at least affirm the intent of this rule it could read that "any fish to be released must be returned to the water immediately after measurement" to make people aware of being expedient about the matter. (One further issue could be in regard to the safety of trying to lean over the side of a boat with a ruler trying to measure a fish, especially as lumpy as it gets out there!)

Sounds great but how do you fish from a big boat, on rough seas, if you are not a fish biologist and have poor eyesight? I can visualize guys my age (70+) falling overboard in Areas 5-13.

Kitsap Poggie Club was not in favor of this issue because Marine Areas 1-4 might not be included, depending on the PFMC meeting.

Puget Sound Anglers State Board President opposes proposal. This rule was controversial at NOF and was agreed as a pilot program for further expansion. Since the selective fishery in Areas 5/6 is a two-year pilot program, the rule should be too. This is an education issue would be a problem during the winter blackmouth season when fish need to be measured. Hard for large boats to comply. Rule needs more time.

During a couple of trips to area 5 we had to release a number of fish. Try as best as we could several fish were going to be crab food. To release a 15lb silver who is not crazy about being hooked in the first place can be a bit of a job. Your dehooker did not prove to be as easy as it looked. My idea is to set a number of salmon that each fisherman can keep during the year. 20 fish anywhere in the sound, year round, fin or no fin. Apply that to all types of salmon. That would save you money on printing, make enforcement easier, and in the long run hopefully see more salmon in the future. The saying that 10% of the fishermen catch 90% of the fish holds true. I have several friends that have filled several cards and the season is not over.

I agree that removing the salmon from the water, does damage the salmon, however done carefully the risks can be drastically reduced. How can it be expected for a fisherman, fishing

for blackmouth in Puget Sound where barbless hooks are required, to measure a blackmouth while keeping it in the water? Granted a net is not necessary, however lifting the salmon out of the water to take a quick measurement before boating/releasing the fish is in no way harming the fish. I think this rule needs to be rethought as to the practicality of it before it is imposed on all fisheries the way it is proposed.

Charter Boat Association of Puget Sound (CAPS) does not support this rule change. It does not take into account the need to measure Chinook salmon, which have a minimum length. It is not safe or practical to measure a fish with out bringing it aboard to use a measuring device. It is unsafe to lean over the side of a boat and we object to implementing a rule that causes unsafe boating practices. Assn VP says: While it is important to handle released fish carefully this rule does not allow for the measurement and identification of salmon in areas where there are size and/or species restrictions. A better solution for safe handling of fish may be to use fish friendly landing nets such as Frabill rubber or cotton knotless. Some boats are too far above the water to reach over the side to measure, identify and release fish. CAPS cannot support a rule which promotes unsafe boating practices.

Edmonds Laebugten Salmon Chapter of Trout Unlimited (250 members) is concerned for several reasons. Many of our club members are elderly and fish from boats with high gunwales. Requiring anglers to lean over the side of their vessels to release fish may result in unsafe boating practices. We question the ability of an angler to accurately assess the size of a fish (22” min for chinook) without boating the fish and measuring it. Landing a fish that an angler believes is of legal size that turns out to be below the minimum size and is then released could result in an enforcement violation under this proposal. We also question what the definition of "on board" is? Would it be legal to net a salmon and measure the fish on the side of the vessel or on the transom and then release the fish? Until the above questions are clarified we cannot support this proposal.

Out in the salt a person should not be able to net an undersize fish or bring a salmon in the boat that is going to be released.

Southwest Washington Anglers supports this proposal in inland waters only. When fishing in areas 1-4 a lot of boats are of such size that this rule would not work. Also as was the case this summer in area 1, it wasn't only a clipped or unclipped fish but also a 26" Chinook restriction. This does at times involve some measuring.

Before this rule is adopted, I have to ask: Which causes MORE delayed mortality? Netting a fish and bringing it aboard or playing it longer so it remains quiet while fiddling with it at the boat. I have to suspect overplaying it causes more harm.

South Sound Fly Fishers (80 members) supports proposal.

Do not support. (2)

Conservation Committee of the Washington Fly Fishing Club supports proposal. Will require a substantial education effort and a clear definition of “on board.”

Agree as long as you can lift a fish out of the water for a very brief period to release it.

There is a safety issue here when trying to measure fish hanging over the side of the boat.

Washington Council of TU supports proposal.

There is no practical way to measure a fish to determine if it must be released with out landing the fish. Suggest you allow anglers to pull the fish from the water with a rubber landing net. Fish settle down quickly in the net and the rubber does not abrade their skin.

Disagree - you can't measure a fish in a net, and can't reach over the side of a larger boat.

Recreational Fishing Alliance says: there is no provision to allow measurement of the fish when there is a minimum size in place. Should be limited to selective fisheries where a visual marking is required for retention.

Sekiu Chamber of Commerce does not support Came out of NOF last year. What does it mean that you may not bring on board the boat? Table this issue and think it through.

Westport Charter Assn. says it may work for smaller vessels, not larger ones. Crew would have to release all questionable sized fish just to be safe. Some ad-clips are hard to see. Could try new net material – mesh was too small on one type and it didn't move through the water.

MODIFICATION: Define "aboard a vessel" as inside the gunwale. Apply the rule when wild salmon must be released (pamphlet would say "Release WILD COHO" for example), <u>and</u> when both wild and hatchery salmon of a given species must be released (pamphlet would say "Release all CHINOOK, for example).

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

8. OCTOPUS HOLE MARINE CONSERVATION AREA

PROPOSAL: This proposal would change the boundary of the Octopus Hole Marine Conservation Area (MCA) to remove the exception for the area within 100 feet of the high watermark. The pamphlet would note that: the Octopus Hole MCA is "Closed to harvest except tideland owners and their families may still harvest clams, oysters, and mussels from their property."

EXPLANATION: Rockfish are being caught in the area within 100 feet of the high watermark. The fish are residents of the Octopus Hole MCA reef structure, and are driven to the shallows by low dissolved oxygen events, an ongoing problem in the part of Hood Canal near Octopus Hole. This proposal will protect these fish, to coincide with the original intent of the MCA.

TESTIMONY :
Support (2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

9. FORAGE FISH JIG GEAR

PROPOSAL: Allow anglers to use forage fish jig gear in Columbia River waters from the Buoy 10 line to the Rocky Point/Tongue Point line.
EXPLANATION: No specific rule exists governing the harvest of forage fish in the Columbia River east of the Buoy 10 line. Statewide rules allow for the harvest of 10 pounds in the aggregate for herring, sardines, sandlance and anchovies, but without this proposal anglers would be restricted to statewide freshwater hook provisions (one line, no more than three hooks).

TESTIMONY :
Support (2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

10. LINGCOD FISHERY DATES

PROPOSAL: Change the open season for the lingcod fishery in Marine Areas 5-13 to August 1 – Sept 15 for angling and August 21 – September 15 for spear fishing. This delays both fisheries from their previous seasons in May and June.
EXPLANATION: Rockfish are caught as bycatch in the lingcod fishery. Making this change will enable us to better monitor the catch, which is currently very difficult during the earlier season, due to lack of personnel.

TESTIMONY :
Does the change for ling cod season have any biological justification -i.e. protecting spawning fish in May/June? What about folks who are fishing for halibut in May/June, they, too, can catch rockfish/lingcod. Who is monitoring the catch? There is usually an enforcement presence on the water, but they have other things to do besides collecting harvest data. I think that the sport angler needs to be given a little more credit for following the rules. Is there data that supports a shift in season dates that would solve illegal harvest (poaching) in May/June that might also occur in August/September?

Few fisherman would launch their boat in the spring to fish for one lingcod but if given the opportunity to fish for salmon in the summer and or lingcod the fisherman will opt to fish for both if permitted. There will be more fishermen fishing during the summer and if lingcod fishing is permitted, they will fish for it, therefore, more lingcod will be caught and the resource will be reduced. Fewer lingcod will be targeted if the rules as they are at present are maintained. Please consider the availability of the resource.

This is not a good idea. I do not think the ling cod fishery can stand the extra pressure this season would put on this resource. The present May-June season is much better if the goal is to preserve the resource. Not as many folks will fish for the lingcod during the present season. If you change it to Aug-Sep you will already have many other fisherman on saltwater, e.g., salmon fishermen. When they either get their limits and/or tire of salmon fishing, they will fish for

lingcod. Also going fishing for just one fish does induce many fishermen to go to the trouble of fishing, e.g. taking the boat out of storage and launching it, et cetera. Also, the May-June, time frame of the present season fills an important niche in the season in an otherwise null period for fishing in Puget Sound. Please leave the rules as they are at present!

Do not support this season change based on "not enough enforcement personnel." Get rid of the administrative staff and put them in the field. Why do sportsmen have to forego seasons because of poor management practices dealing with personnel?

Fish in Area 13 – in May-June lingcod are in shallow water (30-50 feet). Later in the summer they go deeper. Only caught 1 rockfish lingcod fishing, and successfully released it. Pressure changes would be worse for rockfish caught in deeper water. It does not compute that the department could better monitor catch in Aug-Sept. They should be fully involved in monitoring/enforcing salmon seasons them. Very opposed to the change.

Support (3)

Oppose.

President of S. King Co chapter of Puget Sound Anglers says the lingcod seasons should not be changed due to lack of enforcement. It has just been in the last few years the delicate population has supported a sport fishery. The early season means less fishing pressure. If the season were open in August and September, there would be lots more anglers.

The lingcod seasons should not be changed due to lack of enforcement. More fishers will target lingcod during the proposed time period, negatively affecting the population and probably causing a shutdown of the fishery.

The proposed change in Lingcod Seasons is a very bad idea for the following reasons:
1) It essentially eliminates opportunity to fish on the sound during spring months. There are no salmon seasons in May. Lingcod season fills this gap.
2) Changing seasons on lingcod to protect rockfish is silly. If the 1 fish limit on rockfish is not sufficient protection, then close retention of rockfish.
3) If you want information on rockfish retention, institute a punchcard system like for sturgeon, salmon, and halibut. Changing seasons so salmon checkers can check rockfish is at best a half measure.
4) I think the stated justification for this regulation change is weak. What reason do you have to think the current super restrictive rockfish seasons are not working? They are a very slow maturing fish and will undoubtedly take decades to rebuild stocks. This seems like over-reacting to a problem that took decades to fully manifest (with intensive sports and commercial pressure) and will take decades to solve (with current low fishing rates).
5) I think radical changes in regulations only serve to further alienate the sporting community from the WDFW. The rationale for this change seems suspect. If the WDFW wishes to maintain good relations with the fishing public, then regulation changes just to suit the convenience of WDFW should be avoided.

I am a (former) shallow water Puget Sound rockfish angler and question the logic of changing the Lingcod season to later in the year, to protect Puget Sound rockfish without seeing documented justification.
Lingcod are normally in shallower water in the spring. The current May-June season in Puget Sound waters occurs normally at the end of the spawning and nesting season for Ling Cod.

My experience in shallow water fishing, 30 feet or less, is that currently the rockfish population in Puget Sound is very low and has been for several years. In areas that once held rockfish, it is unusual to catch one; while the same areas now have fairly healthy Ling cod populations. If rockfish are taken incidentally, it is possible to release them unharmed in shallow water. Since larger Ling cod move to deeper water after spawning, any incidental rockfish taken at these greater depths are likely not to survive being released due to internal injury to the swim bladder and other organs, which occurs due to decompression from being taken from two atmospheres or deeper. (about 60 feet).
Moving the season to later in the year may compound the rockfish population problems rather than improve them. Unfortunately sport and commercial fishing has resulted in the dramatic decline of rockfish populations in Puget Sound. I gave up my commercial bottom jigging license and testified at a hearing that resulted in the closure of commercial rock fishing in Puget Sound many years ago. Even at that time, the rockfish population was going into a decline from over harvest by sport and commercial fishermen.
If anything could help bring rockfish populations back to Puget Sound, it would be regulations that set a limit on the depth that these fish may be taken from. There was a limitation on sinker weight use a few years ago to help in salmon fishing management. Closure of commercial dragging in known rockfish habitat, if not in effect should be. Active education of shallow water catch and release techniques on rockfish may do more than closing the seasons or limiting retention.
This would in my opinion be more effective that eliminating any retention. The current 1 rockfish limit does not encourage fishermen to seek rockfish. Allowing retention of 1 rockfish at least allows a fish to be legally retained if it is injured by being brought from depth

The Charter Association of Neah Bay is opposed to moving the opening date for lingcod in areas 5 east.

The movement of Lingcod season merely for the convenience of the WDFW enforcement staff is outrageous!!! Lingcod have done a great recovery job, and May/early June there are no other foodfish seasons. To overlap with Salmon seasons to make it easier to enforce is missing the entire reason for having sport-fishing seasons, which is to provide opportunity for recreational fishing. To base rules on what is most convenient for the department merely confirms the public view of fish and game laws as arbitrary and capricious

Puget Sound Anglers State Board President opposes proposal. This is a traditional springtime fishery that creates opportunity when there is very little. The lack of funds argument is wearing very thin.

Lingcod recovery has been a remarkable success story, population continues to build. Lack of personnel to sample is surprising because department web site shows a fair amount of sampling May-June. Recommend you continue the season as is for anglers and divers. To protect rockfish, eliminate rockfish retention or allow it only during the existing lingcod season because incidental mortality will occur anyway. Changing the lingcod season may put more pressure on rockfish because 1) Rockfish do not migrate, so would be at the same place any time of the year 2) August falls into summer boating season, more people are out fishing salmon, crabbing, etc. Earlier season has less fishing pressure. 3) Weather is better in the summer, so more fishing will occur. 4) May season provides opportunity to fish without a lot of other fishermen (boat ramps available, etc).

Would like to retain the present season because not much else is going on that time of year.

The rationale for changing Ling cod spear fishing season from spring to fall is not convincing. This move sets up conflicts with other hunting seasons and deprives us of a wonderful time for visiting your State in the spring and diving for this hunt which has been a tradition in our family for years.

The apparent justification is the by-catch of rockfish during the lingcod fishery. And again the reason is convenience. The present dates for the lingcod fishery have been crafted to allow a fishery and complete spawning on the reefs at the same time. Previously the dates were April 1 to May 15 and did not allow a complete spawning to occur. I have a good understanding of lingcod as I have been asked by WDFW to 1. collect mature specimens for controlled reproduction at Manchester, 2. collect tissue samples for DNA work. I know lingcod. If the season is moved to Aug-Sept. there will be no season in the south sound as the cod move off the reefs to deeper water and become unavailable. So, if the real goal is to close lingcod, just say it. To reduce rockfish by-catch, the answer is to just close retention of rockfish. I highly demand that if anything, close the diver take on lingcod. If they want to pet one or take a picture then great. If they want to eat one then do what the rest of us do and use the same "slot limit" rules. They target the biggest and the most fecund (egg-productive) of the fish and those are the females. "Trophy fish". Maybe, but also the toughest flesh and terrible eating of all the cod at the large size and what a waste to the resource. I fully support the slot limit as written and the divers should too. Enough of special interest on this delicate fishery. Step up to the plate and really address the diver impact.

We are writing to warn you of the impact your pending decision regarding spearfishing for Lingcod may have on the Washington economy. Our dive club has been spearfishing in your waters for the past 11 years. We are e-mailing you to voice our opposition to moving the lingcod fishing season from May/June to Aug/Sept. Should the season move we would cancel our Annual trip which has a collective impact on the Washington State economy approaching $100,000.
If there were sound preservation reasons for the change we would understand and take our annual trip to other (warmer) waters. However, we find no basis for the change. For example, Sec. 10 of the proposed changes states that the reason for changing the fishing season is because of the bycatch of rockfish during Lingcod fishing. We are good shots, no bycatch. It also states that the primary driver behind the proposed schedule change is to improve monitoring efforts and more availability of personnel in Aug. and Sept. Is it appropriate to change rules based on your schedule-- rather than rather than effects to fishery resources based upon the life cycle or habitat use of the species of interest (rockfish). There are a lot more boats already in the water in Aug. and Sept., a lot more fishermen- this could put a lot of pressure on resources. And, you have no comparison analysis for resource management decisions -- this is risky.

Charter Boat Association of Puget Sound does not support this rule change. Spring fishing opportunities are very limited given the current salmon fishing seasons in Puget Sound. This change would take away charter trips in the spring causing significant economic loss to our industry. Association VP says: Although I agree that Rockfish conservation in Puget Sound is of major concern. I don’t believe that changing the Ling cod season from May to August is an effective way to protect Rockfish. This proposal looks to remove a strong, sustainable, economically important staple fishery for the Charter Industry during a time when the Ling Cod fishing is near it’s best of the year. For many Puget Sound fishers, Ling Cod is the only decent fishery available in May while August of course has many ops for Washington anglers. I believe there are multiple other options available to protect Rockfish that don’t impact fishing opportunities so negatively (#11 options 2A, 2B, 1C for instance). Furthermore, with the large

baits that I use to target ling cod, my boat has only caught 3 rockfish in the last 2 seasons while targeting ling cod and catching limits of ling cod nearly every trip.

Keep the season as it is – have been checked more times by samplers during the ling cod season than for fall chinook and coho.

Opposed to the change. No other opportunity to fish in May, while during the later time there is fishing, crabbing, and shrimping.

Proposal is hard to understand. Few people fish ling cod in area 13. Not one that I know keeps rockfish or deliberately fishes for them. Everyone I know would be fishing for kings in August/September. To protect rockfish, just close rockfish. Why do boat anglers have a slot limit for lings while divers do not? Divers get all the big fish- all the spawning females.

I have a concern with the changing of ling cod seasons from the May 1-June 15 to August 1-Sept 15. I live in Seattle and looked forward to the May season for ling cod. It's been my experience that the May seasons have been working great, as I have notice a substantial increase in ling cod populations every year since the seasons were introduced in the Seattle area. Last year we even caught some Lings that were over the maximum size limit and were released. What a thrill! My other concern with the August dates are that this is prime time for Salmon fishing. It's common knowledge that the morning is the best time to fish for salmon. The area I'm forced to fish for chinook is area 11. The best spots in my area for ling cod are in area 10. So if I catch any chinook in the morning, I can not fish in area 10 for ling cod and would have to unload my fish and re-launch to fish for Lings. I would respectfully request to reconsider changing the dates as:1) It would provide additional recreational opportunities for anglers in May and additional income for related services. 2) It has been working in the past as far as numbers and size. (It was also my understanding that the timing of the season was to protect the spawning times of the lings.) 3) It would cause many anglers to chose between fishing for Salmon or ling cod as they could not do both.

I am strongly against the proposed new lingcod season. I am an avid Puget Sound salt water angler and look forward to lingcod season opening in May. There won't be any angling opportunity in the Sound from April to July if the new date is approved. Your reasoning for the change was lack of manpower to monitor catch. I don't see how that can be the case, the Puget Sound Prawn fishery was closed in the first week of July last year. If you are able to accurately monitor the Prawn Fishery (which I'm not so sure of) then you should also be able to monitor the lingcod fishery. If in fact you lack the manpower to monitor the fishery I believe it is your responsibility as director to fix the problem, Sport Anglers should not be penalized. As a Washington State license holder I expect access to a quality sport fishery.

The justification seems to imply the WDFW has more enforcement employees in the late summer then in the spring. Why is that? This seems like weak justification and could actually contribute to people targeting more rockfish or cabezon in the spring. The way the season is now a fisherman can progress through the year from lingcod to halibut to salmon. With nothing else to fish for in the spring other species will be more specifically targeted.

I disagree with the proposed changes. In the spring the ling cod tend to be in shallower water than in the mid and late summer allowing inadvertently caught rock fish to be released with a somewhat greater chance of survival than those caught when fishing in the deeper water later in the summer. You must also consider the number of anglers that will be targeting ling cod during each proposed season. In the spring anglers must be willing to take the time and make the

effort to go out specifically for ling cod. In the late summer and fall they stop for a try at some ling cod would just be something to do if the salmon are not biting. I also enjoy the fact that we have some sort of season in the spring on Puget Sound. It allows many of us the opportunity to fish at a time of year.

Edmonds Laebugten Salmon Chapter of Trout Unlimited (250 members) does not support the proposal. We appreciate the WDFW's dilemma of having adequate monitoring and enforcement personnel available to manage a fishery. However, the number of days of allowable marine sportfishing opportunities has declined significantly, and changing the lingcod sportfishery dates would further reduce marine sportfishing opportunities, eliminating approximately 45 further days each year in central and northern Puget Sound. We are also concerned about the added fishing effort that may be imposed on these stocks during the active summer season when tens of thousands of additional anglers are on the water.

I am writing in opposition to the proposed rule changes for the lingcod fishing season. Many of us look forward to this current spring fishery after a long winter of no fishing on the salt water. I am a spear fisher as well as an angler and when spear fishing, by-catch of rockfish is not a problem. When using hook and line we move to another area if we start to catch rockfish. If the season for lingcod is changed, about the only fishing through the spring and summer months would be for flatfish and greenling. A later season, when we have more tourists and charter activity, would have more pressure on lingcod as there would be more fishers. I have seen this happen in Alaska and British Colombia in popular fishing areas.

Disagree with proposed changes. Ling cod are in shallower in the spring, and rockfish by-catch would be easier to release alive. More anglers will target ling cod in the summer, too. The spring ling cod season is a good thing to do when nothing else is open.

Would make enforcement more difficult because in the spring rivers are not open. Also allows for more license sales in the spring.

Aug/Sept dates increase the fishing opportunity for anglers. How can the department monitor the catch better during salmon season? Temporary hires?

Disagree – there will be more pressure on ling cod, since this is when more people take their vacations., the weather is better, and a smaller percentage will be audited by fish and wildlife officers. Poachers are easily spotted when they stand out from the “forest.” School is not in session, leading to more available fishermen.

Do not support. Has nothing to do with conservation of rockfish, just convenience for WDFW. Like to fish for salmon and ling cod at separate times, having the time to pursue both species. What else is going on May1 – June 15 that would occupy enforcement officers? If rockfish are scarce, why did you allow them to be retained year-round in Area 13 last year? Ban the retention of rockfish but do not change the date of the fishery.

Against the proposal. Current rule lets you fish when there is nothing else to do. Change would result in lost sport opportunity and lost revenue as people don’t buy bait, gas, etc.

People for Puget Sound supports proposal.

Right now lingcod and halibut are open together. These fish share a lot of habitat. It would be a shame to have lingcod mortality during halibut season, and vice versa.

Please do not change the season. Too much competition with other fishing and hunting opportunities.

Spring season has been a delight – actually had to release some oversize fish. Launch sites are not crowded, and it does not conflict with many other activities, as would the proposed summer season. What would enforcement officers be doing during the spring anyway?

Do not support the change. Fishing charter depends on the income during closed season for salmon and ling cod. Explanation given does not justify the move.

Do not support. Need the income during this time period. Target flounders which are way plentiful. August season would put more pressure on ling cod.
Three concerns: 1) will result in a higher rate of exploitation on an already depressed stock because there is so much more activity in the summer. Lingcod stocks are recovering but they still make up only a fraction of their historic abundance 2) Change would also impact rockfish stocks that are already depressed. Most incidental rockfish catches occur during halibut and lingcod fisheries. Delaying the season will extend the opportunity through mid-September 3) Dissolved oxygen problems in Hood Canal. The proposal would open lingcod at the beginning of the low DO period.

Washington Council of TU supports proposal.

If moving the season makes enforcement more effective, then the season should be moved. Hook and line fishermen should be reduced to three weeks because of rockfish bycatch and spearfish season should be lengthened to six weeks. A punch card system for lingcod should be initiated that would limit each fisher to 5 per year. Each type of fisher would have to retain the first five fish caught.

Puget Sound Anglers VP (5000 members) says they disagree with proposal. Season should stay as it is because: 1) lingcod would be a legal bycatch during halibut season, 2 shrimp fishers could fish while they soak their pots 3) ling cod feed aggressively in May 4) There are few other opportunities in May 5) too many other anglers in August 6) lack of enforcement explanation is not true.

Recreational Fishing Alliance says: any significant movement of the season is not supportable. Very few spring opportunities for charter fleet. Could discuss moving the dates two weeks either way.

STAFF RECOMMENDATION:
Do not adopt. Another method was found to sample the spring fishery, so the season does not need to be changed.

COMMISSION ACTION: Proposal was not adopted.

11. PUGET SOUND ROCKFISH CONSERVATION

Fish biologists and managers have learned that rockfish generally are very slow growing, long-lived species that can only sustain low fishing rates. Many rockfish populations in Puget Sound are believed to be only 10% or less of their historic abundance. Adults tend to stay close to home near specific rocky reef habitats. Rockfish that are captured and released from even moderately deep waters are not believed to survive because their swim bladders over-inflate during the quick trip to the surface. These factors make rockfish more vulnerable to fishing-related impacts than a number of other fish species. Managers established strict harvest regulations in recent years in response to population declines, with the management intent to stop targeted harvest of rockfish in Puget Sound east of Slip Point in the outer Strait of Juan de Fuca. The rebuilding process will be very slow and the Department wants to ensure that harvest impacts on rockfish in Puget Sound will not impede recovery of this species group.

Therefore, as part of Governor Locke's Puget Sound Action Plan priorities, the Department is leading development of a Puget Sound Conservation Plan for rockfish, with an anticipated completion date of December 2004. This comprehensive resource management framework will more clearly establish and integrate goals, objectives and needed actions. While this long-term rockfish rebuilding strategy is being developed, the Department is reviewing current fishing regulations. The goals of this review are to ensure there is no targeting on rockfish and to reduce non-target rockfish impacts in fisheries directed at other species (e.g., salmon). This review will include both recreational and commercial fisheries in Puget Sound that potentially impact rockfish.

The one fish daily limit east of Slip Point in Area 5 began in 2000 to reduce harvest and to deter targeted fishing on rockfish. The regulation was designed to allow anglers to land some incidental catch of rockfish taken when fishing for other species. This was based on the recognition that release mortality of rockfish is believed to be 100% for deepwater fisheries. The one fish daily limit was believed to be small enough to discourage targeting rockfish while still allowing most incidental mortalities to be landed. It also allowed estimation of the majority of recreational fishery impacts.

Nevertheless, the Department still has concerns that there may be some high-grading and targeting of rockfish during fisheries directed at other species, as well as possible targeting during times and areas that have been closed for salmon, lingcod and halibut. As a result, we are seeking input on other possible approaches for near-term regulations that better meet the intent to eliminate target fishing and reduce incidental impacts on rockfish. We will continue the analysis of this problem and use public input to formulate final recommendations to the Fish and Wildlife Commission about any additional actions that may be appropriate for 2004-05 fisheries and to consider such suggestions during completion of the Rockfish Conservation and Rebuilding Plan.

The Department is seeking public comment on two specific options presented below that would reflect changes to the seasons and bag limits for rockfish in Puget Sound. In

addition, if there are other strategies that you believe could help minimize target or non-target impacts on rockfish, those ideas also would be very helpful in formulating recommendations to the Commission.

One important fishery management strategy - small area closures or marine protected areas - has not been included in these short-term options. A number of area closures currently exist inside Puget Sound and are being evaluated. While the Department feels the expanded use of such strategies likely will be important for rockfish, the intent is to consider such tools more comprehensively in the development of the long-term Rockfish Conservation Plan. This consideration will include the mapping of critical rockfish habitat as well as defining specific objectives and evaluation plans for use of these important regulatory tools. This will provide a comprehensive framework for evaluating specific rockfish closure options to ensure that selected areas would provide an integrated, geographic strategy to reduce rockfish impacts and perhaps augment recruitment rates.

Option 1:

A) Close Puget Sound boat-based marine bottomfish fisheries in Areas 5-13 when seasons for halibut, lingcod or salmon are not open. Anglers could still harvest shellfish from a boat or harvest forage fish with forage fish jig gear.

B) Allow no retention of rockfish by shore-based fishers in Marine Areas 5-13 when seasons for halibut, lingcod or salmon are not open.

C) Close spear fishing for rockfish in Marine Areas 5-13 year-round.

EXPLANATION: As noted above the landing allowance for rockfish is intended to accommodate incidental encounters that occur while fishing for other species. The primary, target fin fish fisheries in Puget Sound marine waters currently are directed at salmon, ling cod and halibut during specific seasons. When fishing for these key species is not open, then a clear rationale may not exist for any marine finfish openings, given the conservation status of rockfish. Under this rationale spear fishing is clearly a target opportunity and not an incidental catch.

In addition, monitoring and enforcement activities are costly to maintain during these time frames. In recent years the Department has not had sufficient resources to make good rockfish catch estimates, though current changes in monitoring programs are being implemented with the hopes of remedying this issue. Shellfishing activities exist that would help moderate the loss of these bottom fish opportunities, and shore-based fishing for species such as surf perch could be maintained without a concern for rockfish retention, since deepwater habitats would not be accessible. Anglers could still be allowed to fish from a boat for game fish such as sea-run cutthroat (catch-and-release).

Option 2: Prohibit retention of rockfish – 0 rockfish daily limit. This could be implemented in:

A) All areas (e.g., Areas 5-13) or

B) Selected catch areas where rockfish status appears most critical (e.g., Hood Canal [Area 12] and South Sound [Area 13]).

EXPLANATION: This regulation has already been implemented for canary and yelloweye rockfish in Puget Sound to mirror ocean regulations and recognize the critical conservation status for these species. The most significant fishery impacts on Puget Sound rockfish appear to be occurring incidentally during fisheries targeted at other species. While the 1 rockfish daily limit has discouraged targeted rockfish harvests to a large extent, the Department believes that some targeting and high-grading is still occurring. Two key considerations correspond to this option: (1) we do not know whether a total non-retention (daily limit 0) would change fishing behavior and reduce encounter rates and mortality on rockfish; and (2) without an on-water monitoring program, which the Department does not have the current resources to implement, the encounters and impacts of rockfish probably cannot be reliably estimated.

TESTIMONY :
If rockfish populations are that low, the considerations given in options one and two are all viable. Within those options are possible solutions that won't have a negative impact on the economic benefits of sport fishing. At the same time, consideration must also be given to the impact of commercial fisheries that either target rockfish/bottomfish or take them as incidental by-catch. It may be that their take exceeds the loss/illegal take of hook/line anglers.

Support option 2. Need to totally bite the bullet on this total mismanagement by WDF. Allowing draggers and others cart blanche use of this resource has caused the situation. Sportsmen again have to sacrifice to promote recovery.

Eliminate commercial harvest in Puget Sound. That has been the problem for rockfish.

Oppose.

Oppose – no problem with rockfish until you closed the winter blackmouth fishery and people fished for rockfish instead. Ridiculous to close blackmouth fishery.'

It is not possible to not catch a bottom fish while fishing for halibut. It just happens.

Science strongly supports new measures that reduce the harvest and incidental take of rockfish. Populations have shown a decline since the 1970's. They are slow-growing and long-lived so incidental take can be a hindrance to recovery. The one fish daily limit hat not deterred target fishing on rockfish. Strongly recommend adoption of option 1. Will send a strong message that targeted fishing for rockfish is not consistent with recovery and prevent wastage of incidentally caught rockfish. As WDFW develops a Puget Sound Conservation Plan for rockfish, keep in mind that factors other than harvest are possibly contributing to stress in this population and warrant scientific investigation.

San Juan County Board of Commissioners supports Option 1. The proposal does not specify a daily limit for rockfish when halibut, lingcod, or salmon fisheries are open. This should be one per day from a boat or from the shore. Information indicates that rockfish can only withstand a very limited level of harvest at this time. We feel that conservation will be best promoted by prohibition of direct harvest. We request that WDFW develops a method of accounting for all harvest of rockfish in recreational fisheries, either by a dockside sampling program or a rockfish catch record card. Also hope WDFW will pursue protection of water quality and marine habitats that are critical for rockfish.

For this proposal I agree with option 2. If something is not done about our Puget Sound rockfish population now, the problem will only get worse. This proposal is long overdue. I do a lot of fishing and spear fishing and rockfish is one of my favorite fish, but I know something needs to be done.

Support (2)

Kitsap Poggie Club supports options A and B. But shutting down spear fishing was disputed by the divers only. They spend a lot on equipment and should be allowed to fish.

Diver and spear fisherman wants to give an opinion on option to close spear fishing in Marine Areas 5-13. How do you know how many fish are taken by divers? Checkers do not survey them. Spear fishing is the only true selective fishery since the target species is the only one affected. Have never speared a salmon or yellow-eye rockfish while hunting for sea bass. You can also be sure the size is adequate before spearing. This rule would unfairly penalize us.

To close spearfishing for rockfish while leaving it open for hook and line continues to discriminate against one set of foodfish users (divers) and leaving the majority of fisherman (hook and line) free to have by-catch of rockfish.
It merely confirms what the public view of fish and game laws as arbitrary and capricious. If you are serious about saving rockfish-ban all commercial, tribal and sport landings of Rockfish- do not pick on the smallest user group (spearfishers).

Puget Sound Anglers State Board President supports proposal 2A. No harvest is appropriate with stocks so low. Bycatch mortality should be minimal because people fish shallow water for ling cod, but preferable to hygrading mortality. No one will launch a boat for just one rockfish.

Support Option 2. Have seen incredible degradation of rockfish in the last 63 years.

Opposed to closing marine boat-based bottomfishing in areas 5-13. I frequently enjoy fishing for sanddabs and rock sole in Hood Canal. It is inexpensive, very productive and a fun outing for kids. In about 12 trips from Twanoh State Park to Triton Cove, we have caught nearly 100 flatfish and only 2 copper rockfish, both of which were released. One rockfish was caught while jigging for salmon, the other while jigging for lingcod. None were caught while targeting flatfish with small hooks and cut herring in depths of 60 to 150 feet. . If people are expected to tell the difference between kinds of salmon, it should be easy to distinguish a rockfish from a flatfish. Most of Hood Canal is sand, mud or gravel bottom and is poor rockfish habitat anyway. Catching flatfish is also an enjoyable combination activity with crabbing.

As a teenager (13 years old) I go fishing with my dad when I visit him and I feel that the suggested ban on flatfish fishing at certain times is not needed. Flatfish fishing is fun (and one of my favorite things to do when up in Washington) and Dad has taken one of my friends and it was also enjoyable. As long as a fisherman knows the difference between a flatfish and a rockfish and follows the rules, then no rockfish will mistakenly be killed (for the most part). The chance of a fisherman catching a fish and hooking it in the wrong place and it being accidentally killed are very rare (as my dad has caught a lot of rockfish and he has always caught them in the mouth). Closing just the rockfish seasons would be more adequate if your prerogative is to preserve the rockfish. As long as you have honest fishermen or good enforcement this will work well.

I recommend that the proposed rockfish regulation option 1 be abandoned and that either option 2A or 2B be adopted.
My wife, son and I enjoy fishing for sole in area 8-2 throughout the year. We fish fairly near shore, at depths of 20 to 120 feet, depending upon the season (they are deeper in the winter). The bottom is mostly sand and gravel with some areas of small rocks. We have never accidentally hooked a canary rockfish, yellow eye rockfish or salmon while fishing for sole. We do catch 2-3 copper rockfish a year. We are not targeting rockfish and would be glad to release the occasional copper rockfish. Due to the gradual slope of the beaches, it is not practical to catch sole from the shore.
Option 1 simplifies the regulations, but is too general and burdensome. Area 8-2 is not a noted rockfish area because of factors specific to that area, just as some other areas, such as the San Juan Islands, are. No one trying to target rockfish, particularly canary and yellow eye rockfish, would fish in area 8-2. Quite a few people, particularly families and children, do fish for sole in area 8-2 because they are plentiful, easy to catch and delicious. Limiting the bottom fish season throughout Puget Sound to only the salmon, halibut and ling cod seasons is unnecessarily burdensome. We recommend passage of option 2A or 2B instead, or modify option 1 to only apply to those marine areas where people would intentionally try to catch rockfish.

Rock fish have been decimated. Take the right road and just close the fishery and retention for rockfish under OPTION 2. And don't put the rockfish issue into the same thing of convenience.

Charter Boat Association of Puget Sound does not support this rule change, although we agree that rockfish protection is of the utmost importance. Closing the waters to all fishing is not in the best interest of our businesses. There are other bottom fishes, which are healthy, and plentiful, such as flounder species, that provide charter trips. We have agreed to work with the department in establishing the best method for protection of these fish in the most critical areas.
Assn VP says: Some of these proposals make good sense! I personally support Option 2B and Option 1C, and I am open to the idea of implementing 2A and 1B.
I have a serious problem with option 1A and do not support this rule change proposal in any way. This proposal looks to eliminate ground fish ops for flounder when salmon, ling cod and halibut are closed! Flounder are and abundant harvestable fish that are available in flat that sandy areas that are rarely inhabited by rockfish**.** Flounder fisheries are the only fishery available for both private fishers and charters when all other fisheries are closed. Flounder provides fast and easy action enjoyed by families, children and charter customers throughout Puget Sound and again may have significant economic impact if closed.

Unless a total ban on commercial fishing for rockfish is implemented anything else is a waste of time. I have known commercial fishermen who targeted rockfish, seen their catches and photos and they caught more fish in a single month than I would likely catch in ten years under a five fish limit and fishing numerous days a month. The plan in the past was to stop (discourage) sport fishermen from fishing for rockfish by reducing our limits.
I kept 8 rockfish last year and maybe 10 the year before. How many did any of the commercial fisherman keep? And I fish 2-4 times a week in area 6,7 and 8.1, from April-August.
A method needs to be developed to allow us to release deep caught rockfish, unharmed. I have tried very slow reeling, when I suspected a rockfish but haven't been as successful as I think I could be. I am now releasing fish that seem to be unharmed but would love to increase my success rate in this area. Is this an option to look at???

Edmonds Laebugten Salmon Chapter of Trout Unlimited (250 members) supports Option 2 B. The limit of one rockfish per angler per day has nearly eliminated the target fishery for these

species by our club members. However, rockfish are occasionally caught while targeting other species. Depending upon the fishing gear used and the depth at which the rockfish was caught, it may or may not survive when released. In areas where rockfish populations are more abundant it makes sense to allow the retention of the small number of rockfish taken as bycatch or targeted by the small number of anglers still participating in this fishery. In those areas where rockfish populations are at critically low levels of abundance, rockfish target fisheries should be eliminated (including catch and release fisheries) and non-retention of rockfish should be imposed. Our club has volunteered knowledgeable members to work with the WDFW and other sportfishers to establish an effective program to conserve and enhance Puget Sound rockfish. We encourage the WDFW to proceed with this collaborative effort before resorting to more drastic management efforts such as zero retention of rockfish throughout Puget Sound.

Option 1 is my first choice.

The Whatcom Marine Resources Committee (WMRC) is a grass root, community based advisory group to the Whatcom County Council and the Whatcom County extension of the Northwest Straits Commission. Within the WCMRC there is a standing Bottomfish Subcommittee focused on protection and restoration of bottomfish species within Whatcom County waters in addition to public education about bottomfish. The WCMRC supports option 2A. In keeping with the Precautionary Principle, a conservative approach should be taken in protecting rockfish populations. Option 2 A of the WDFW proposed rule change provides the greatest protection for rockfish and should be maintained until we clearly understand the condition of rockfish populations.
Available information indicates that Puget Sound rockfish populations can only withstand a very limited level of harvest, if any harvest at all. Data suggest that many populations of rockfish species are in need of rebuilding. We feel that conservation of these species will best be promoted through a moratorium on rockfish harvest. Such a moratorium will eliminate targeted fishing. Rockfish will continue to be caught incidentally during lingcod and salmon fishing; however, experience has shown that released rockfish have a low survival rate. With no rockfish bag limit and therefore no high grading, this will eliminate the increased mortality brought about by this practice and result in less rockfish being caught by sport fishers.
It is critical to have information on rockfish harvest as part of the basis for planning for recovery of these species. Enforcement can be accomplished similarly to current enforcement of salmon fishing regulations. Data should be used as a tool to determine effectiveness of the new measures taken to protect rockfish in Puget Sound and for planning for future protection or harvest of rockfish.

People for Puget Sound support Option 1. Populations of brown, copper and quillback rockfish have declined in size, abundance, and reproductive success since the mid-70's. Populations were petitioned for listing, but were not listed because they could not be demonstrated to be genetically distinct from populations outside the Puget Sound basin. Since it is uncertain whether or not the current reduction of the daily limit has deterred the targeted fishing for rockfish, we believe Option 1 reasonably addressed further recovery efforts. Since it is not possible to eliminate incidental take during sport fishing for other species, the seasonal closure is the most practical option, with the following suggested additions: 1) should specify a daily limit of one rockfish during halibut, lingcod, and salmon fisheries 2) WDFW should improve its stock management data base by better accounting of recreational rockfish harvest. Suggest a comprehensive dockside sampling program when rockfish retention is allowed, or rockfish catch record cards. Urge WDFW to look at recovery strategies that include protecting water quality and marine habitats for various rockfish life history stages.

Need to close year-round for rockfish even though some wastage will occur. Tried the one fish daily limit but it doesn't work. Should also make the window for retention for bottomfish as narrow as possible to cut down on incidental rockfish catch. Make ling cod and halibut seasons coincide, and close season for other bottomfish when these are not open.

Would like the rockfish proposal to keep a one-fish daily limit with the season to coincide with lingcod and halibut. Another idea is to create more artificial reefs and no fishing zones to protect rearing areas.

Do not support – there are other fish to harvest (flounder) Rockfish only need protection in certain areas.

Worst impact is from commercial draggers destroying the habitat. Look into artificial reef programs to replace lost habitat. Option 2 would lead to wastage. Agree with closing spear fishing year round. Would chose Option one over Option 2.

If rockfish are scarce in some areas, limit fishing there, not in all of Puget Sound. Prohibit fishing for rockfish, but not flounder, kelp greenling, etc.

Washington Council of TU supports proposal Option 2.

Support Option 1. It is problematic and points to inconsistencies in WDFW rules that they seek to protect rockfish but give the hook and line fishers (who take rockfish as incidental catch) the longer lingcod season while spear fishermen (who don't have incidental catches of rockfish) have the shorter season. Should close spearfishing year round in areas where rockfish are endangered. Kelp greenling and perch should be open, but could have daily limits. Suggest 3-5 fish per day. Spear fishermen should be allowed to take these fish during any rockfish closure as we can target them and there is no danger to the rockfish.

Puget Sound Water Quality Action Team Special Projects Director recommends Option 2A. Also supports on-the-water and on-the-dock monitors/enforcement to make the rule effective. Some mortalities will occur as incidental catch while targeting salmon, halibut, and lingcod or other groundfish, but some incidentally caught rockfish will survive, especially if caught in shallow water. The current practice of "high grading" to get the largest fish results in a lot of damage.

Northwest Sportfishing Industry Association opposes this proposal (both options). Closure option would be ineffective and counterproductive to protecting rockfish and increasing fishing opportunity. Removing the daily limit of 1 will not allow anglers to keep bycatch and do nothing to enhance the conservation of rockfish.

Close rockfish (with the exception of ling cod) and eliminate the retention in Puget Sound. Nothing else makes sense.

Recreational Fishing Alliance says: closing all bottomfish is not appropriate. Must have scientific validation. No evidence that flatfish or other bottom dwelling species are in need of protection. If you close all bottomfish it should be a MPA. Daily limit of 0 for rockfish is acceptable with some exceptions. Should have a daily limit of 1 during the ling cod season because anglers are fishing the same habitat for both species.

MODIFICATION: Close spearfishing for rockfish in Areas 5-13. No changes for Area 4. Areas 5,6,7, and 9 – season May 1- Sept 30 with a daily limit of 1 rockfish, no canary or yelloweye. Bonus limit in Area 5 west of Slip Point remains unchanged. Areas 8-1, 8-2, 10, 11, and 13 no rockfish retention except during lingcod and salmon seasons. At these times daily limit of one rockfish with no canary or yelloweye. Area 12 closed to rockfish year round. Where rockfish retention is allowed in Areas 5-13, the daily limit is the first rockfish caught, except that in Area 5 west of Slip point, the daily limit is the first three rockfish caught, provided that no more than one of the three may be other than black rockfish.

STAFF RECOMMENDATION: Adopt as modified. Given the options in the original proposal, most people who responded wanted to do something, but there was not a consensus of how to help rockfish. The modified proposal is the result of our consideration of the needs of the resource along with the testimony received. The stipulation for anglers to keep the first rockfish they catch is intended to cut down on "highgrading," where anglers release smaller fish in hopes of catching a larger one.

COMMISSION ACTION: Adopted as modified.

12. SIX-GILL SHARK PROTECTION

PROPOSAL: This rule would make it illegal to remove six-gill sharks from the water.
EXPLANATION: Because of concerns that the fishery for these fish may over harvest the population, retention of six-gill sharks is currently prohibited. However, catch-and-release fisheries for this species still occur. Damage can occur to the internal organs of these fish when they are removed from the water.

TESTIMONY :
Why not just prohibit the take or attempted take of six-gill shark? It is both a biological and enforcement issue and there will be incidental catches. When that occurs, the same rules that apply to the salmon angler - do not remove from the water - can be applied to the unintended catch of a six-gill shark.

Support (2)

Southwest Washington Anglers are unable to make a specific recommendation based on the options that have been discussed. We have been working with Columbia Pacific Anglers, Vancouver Wildlife League, on the sport side and with Steve Fick an Astoria processor, Jim Wells president of Salmon for All and others on the commercial side to come to an agreement that would be mutually acceptable to both sides. We have made some progress; the commercial fishery to take place in late February thru late March to maximize the economic value of their fishery. However the stumbling block seems to be that no mortality rate for the commercial fishery as been established as of this date and isn't expected prior to the first of January. We would like to delay our support of any option until the January commission meeting.

Conservation Committee of the Washington Fly Fishing Club supports proposal. Anything that can help reduce the mortality should be supported.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

SHELLFISH RULES

13. TENDING SHELLFISH GEAR AT NIGHT

PROPOSAL: This proposal is a housekeeping change to the rule that limits when anglers may tend shellfish gear from a boat in marine areas.
EXPLANATION: The intent of the rule is correctly captured in the fishing pamphlet – anglers may not pull shellfish gear in marine waters from a boat at night. (Crayfish pots in fresh water may be tended at night). However, the language in the supporting WAC is unclear and may actually allow this activity. This proposal fixes the problem.

TESTIMONY :
Support (3)

President of S. King Co chapter of Puget Sound Anglers and member of Inland Fish Advisory Committee believes pots should not be allowed to be left out at night period. Many people abuse pot fishing by leaving them out all the time.

Thought the rule was no pots left out at night. Allowing sportsmen to attend to them at night only increases the chances for abuse. Leave the rule as it is.

Misleading. You say the intent if that anglers may not pull their gear at night. The intent is really to prohibit all operation of pot gear at night, including setting the gear. Use the wording on page 126 of the pamphlet for Padilla Bay.

MODIFICATION: apply the rule to all shellfish gear (pots, star traps, ring nets, etc.) in marine waters. This would allow crayfish pots to be set and pulled at night in fresh water.

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

14. PUGET SOUND CRAB SEASONS

PROPOSAL: This proposal sets the yearly open periods for crab fishing in Puget Sound.

The open crab fishing season in the waters of Puget Sound is as follows:

<u>Marine Areas 4, 5, 6, 9, 10, 11, 12, and 13: Open 7:00 a.m. June 1 through February 28.</u>

<u>Southern portion of Marine Area 7, (San Juan Islands): Open 7:00 a.m. June 16 through February 28.</u>

This portion of Marine Area 7 includes all waters of Marine Area 7 south and west of a line projected from Village Point, Lummi Island through the navigation buoy just east of Matia Island thence to the buoy at Clements Reef thence to the easternmost point of Patos Island, running along the northern shoreline of Patos Island and from the westernmost point of Patos Island due west to the international boundary; and westerly of a straight line from the northernmost tip of Sinclair Island through Lummi Rocks to Lummi Island; and west of a line projected from the southeast point of Sinclair Island to the ferry dock at Shannon Point.

Eastern portion of Marine Area 7, (Anacortes to Bellingham): Open 7:00 a.m. July 16 through March 15.
This portion of Marine Area 7 includes all waters of Marine Area 7 south of a line that extends from Point Francis on Portage Island, through the marker just north of Inati Bay on Lummi Island to Lummi Island, and east of a line that extends from the Anacortes ferry dock at Shannon Point, northward to the southeastern tip of Sinclair Island, thence from the northernmost tip of Sinclair Island through Lummi Rocks to Lummi Island.

Northern portion of Marine Area 7 (Gulf of Georgia): Open 7:00 a.m. August 16 through April 15.
Northern portion of Marine Area 7 include all waters of Marine Area 7 north and east of a line projected from Village Point, Lummi Island through the navigation buoy just east of Matia Island thence to the buoy at Clements Reef thence to the easternmost point of Patos Island, running along the northern shoreline of Patos Island and from the westernmost point of Patos Island due west to the international boundary and north of a line that extends from Point Francis on Portage Island, through the marker just north of Inati Bay on Lummi Island to Lummi Island.

Marine Area 8-1: Open 7:00 a.m. June 1 through September 30.
Marine Area 8-2: Open 7:00 a.m. May 16 through September 30.

EXPLANATION: the adoption of this proposal will provide the recreational community with specific opening dates for crab fishing that can be published in the sportfishing pamphlet. The open seasons in Puget Sound apply to all legal gears and methods of harvest.

TESTIMONY :
I like a regulation that is applicable to all of Puget Sound. It makes enforcement and collection of data much more consistent. Suggest a year-round season based on harvest data rather than a closure. I've found soft crabs anytime the season is open. I assume that properly handled the mortality isn't too high, probably less than hooked fish mortality. My read of a limited amount of literature indicates that the really soft crab don't come out of the mud/sand until they have had a chance to harden somewhat.

Support the season set for Area 9. Catch record card should be enforced or eliminated altogether. Using one system to establish the quota and then not believing the quota it bull sh---.

I am opposed to the paint all crab areas with the “one brush” concept. The molt occurs at different times in the different areas and you will still be making emergency closures as now.

Continue as is with the openings and closures. Regarding the closure of crab in area 11; I can find no one at Des Moines Marina that was in your telephone survey that led to the closure.

I do not like this proposal one bit. What this does is basically ensure that the sportsman will always get the second shot at the crab every year. Commercial crabbers will more than likely get openings before that. This proposal would be better if it specified that commercial crabbers would not be allowed an opening before those dates.

Support (5)

Kitsap Poggie Club thinks this rule would probably work if left as is and not shut down because the Tribe or State says the sportsmen took their quota. If we make a regulation, let it stay in force until the season ends.

I feel that the recreational fisherperson in Washington is getting short shrift, as he is the one that is paying 92% of the expenses of the WDFW. The commercial and Indians don't pay very much for the services in taxes or otherwise.
I think we should have all marine area recreational crab seasons open just as long as the commercial seasons. The recreational crabber should get some reserved areas, such as Bowman's Bay where he can fish with a small boat or from the dock. I would like to see this considered without resorting to referendum, etc.

I favor going back to the 4 day a week, all year season, rather than harvesting until the quota is reached and then shutting down. Four days a week gives the locals (like me) enough of an advantage already. We need the weekend people to help the local economy.

The suggested seasons are totally unacceptable. The sportsmen are not getting their fair share. The commercials get too many crab and shrimp.

I have been dealing with the openings and closings and whatever they are for too long. "closing due to sport quotas achieved". Huh? No data from WDFW. I have requested it under public disclosure to see what the Hood Canal data is and got nothing. This subject to public review and I know you just don't have the data and frankly am surprised that you haven't been taken to court for it. You have no one at the ramps checking, no one on the water, and no people that I have talked to have had any cards attached to their floats, and the crab catch cards are still valid so those have not been turned in to use those. Bogus decisions all around. Just establish the season and leave it alone.

Edmonds Laebugten Salmon Chapter of Trout Unlimited (250 members) had mixed opinions on this proposal. Generally, members liked the idea of a set sport crabbing season that could be published in the sportfishing regulation pamphlet. However, it would still be necessary to review updated regional and seasonal closure notices before fishing. Some were also concerned that establishing a set season period might eliminate the ability of the WDFW to open sport crabbing during the closed period if crab resources were available. Most are increasingly dissatisfied with the management of Dungeness crab in Puget Sound. Many members participate in the traditional Christmas/New Year crab fishery and the loss of this opportunity this year due to an apparent undetected over harvest of crab during the summer sportfishing season is inexcusable. We encourage the WDFW to review their harvest monitoring and overall crab management procedures to insure the maximum length of sport crabbing opportunities in Washington's marine waters.

For Hood Canal, this proposal appears to ignore scientific fact, allocation issues, and the following WDFW expressed objective: "Our objectives do include having a fishery that extends through the entire hard shell period (9 months) and having a high quality fishery." Also, the explanation (apparent justification) is ludicrous since allocation and crab condition must dictate the season. I recommend leaving the season the same as 2003-2004 with management by emergency rule but reducing the daily limit of legal male Dungeness crabs to extend the season. It is clear based on closures in recent years the "assumed" crab population will not sustain the present 6 legal male Dungeness crab daily limit. It should also be noted over 30% of the "straw polled" recreational crabbers favored lowering the daily limit (2001 crab workshops). In addition, I noted four citizens also recommended that the daily limit be reduced but the WDFW refused to submit these proposals for public comment based on a "Crab Advisory Group" who favor "other means to lengthen the season." These others means are neither defined nor listed in the Sportfishing Rule Proposals. Who is this group, how do they thwart the public review process, have they taken over the mandated responsibility of WDFW for Puget Sound recreational Dungeness crab management, and are they the ones responsible for the pathetic, ludicrous explanation (justification) for this proposal? Other concerns I have for recent Hood Canal crab management include near "panic" decision making since 1995 with unjustified closures, almost full circle annual seasons, scientific management vs. management by a small advisory group, overkill on soft-shell mortality in ring nets when only a very small number of crabbers participate, huge potential for significant soft-shell mortality in commercial pots presently left unattended for days at a time in the Puget Sound area, and finally a very real possibility of grossly underestimating total available, harvestable numbers of large non-mating male Dungeness crab available to tribal and recreational crabbers in Hood Canal based on biology and population dynamics (cycles of abundance).

Agree seasons would be more enforceable as it allows the public more notice. Postponing the eastern part of Area 7 opening until mid-July may not always be necessary due to earlier crab molts.

Strongly support. Crab a lot and have never been surveyed. Department could not produce catch data when asked 2 years ago. Until good data exists to justify closures, I support a set crab season.

East Jefferson Chapter of Puget Sound Anglers (150 members) supports proposal to set crab season uniformly throughout Puget Sound and agree that June 1 to February 28 is a good season. Request you direct WDFW to make accurate in-season catch estimates, and, if need be, allocation adjustments to follow your agency's mandate. The CRC system continues to deprive sport crabbers of their seasons and creates hardships for many small businesses. Crab should have a standalone CRC so the phone survey could be directed only to crabbers. Sport crabbing is a form of subsistence fishing and should take precedence over all other uses. Will not consider or accept reduction of the daily limit, fishing hours or days per week to extend the season unless it can be clearly justified by scientifically sound management reasons. There are less than 250 commercial crabbers and 150,000 recreational crabbers, who return over $50 million to the PS economy each year. Commercial value is $6.3 million and much goes to San Francisco. We are circulating a petition with 12,000 signatures asking the governor to direct the commission to allow recreational crabbers to fish year-round with allowance for sound management of the resource, even if this means reallocation of a greater share to the sport/subsistence fishery. We are demanding a fair count and a fair share for non-native sport crabbers.

Crab fishing has been closed in most areas since October 15, and we do not know when it will reopen. In Oregon they allow crabbing with no license, their limit is 12 males and the size limit is not as strict. Either WA is too conservative because of too many crabs taken commercially or by the tribes or fishery scientists are being overzealous. Why not set a season and stick to it? The pamphlet is too large and will soon approach the size of a small city's phone book.

Long overdue. Seasons need to be established and left. Upset to see commercial (not tribal) crabbing on the Nisqually delta. How was this allowed? Concerned that decisions on crab and shrimp are being made with no supporting data. When data was requested last year, the Department could only provide an apology. Saw no one checking pots or catch record cards last year. Only fish checkers are for salmon.

Hope commission and staff are paying close attention to levels of harvest of crab. Female crabs in the Mukilteo area are with eggs December through February. Should not be disturbed. Pot method does not exclude disturbing the females. Please give attention to the proper reproduction of the species when setting seasons. Ending the season earlier would be a better option.

E Jefferson Puget Sound Anglers (150 members) supports June 1 – Feb 28 season. Make more accurate in-season estimates to maximize opportunity. CRC system denies sport opportunity. Need a stand-alone card for crab. Sport crabbing is subsistence fishing. Won't consider reduction in daily limit or days of the week unless justified with data. 12,000 signatures on petition to allow sport crabbers to fish year-round.

MODIFICATION: Make the opening in areas 8-1 and 8-2 the first Friday in June. This gives a consistent opening date and avoids putting too much pressure on the one area that would open early. Make the opening date for area 6 June 16.

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

15. COLUMBIA RIVER CRAB POT SEASON

PROPOSAL: Change the crab pot season in the Columbia River to year-round.
EXPLANATION: Crab are not soft shelled during the current closed season (Sept 16 – Nov 30). Oregon allows pot fishing year-round, and most of the winter crabbing areas are in Oregon. Keeping our rules consistent with those in Oregon whenever possible in concurrent waters makes enforcement easier and makes the rules easier for the public to understand.

TESTIMONY :
If sport pots are allowed year-round on the WA side of the Columbia, it will ruin crabbing from the North Jetty. Pots fished non-stop will remove the available crab. The month of November is the only productive month now to shore-bound crabbers. When the commercial gear goes in the first of December, this fishery is over. Please don't kill this fishery by passing proposals 15, 16, and 17. Shore-bound anglers deserve an opportunity to catch a few crabs and they cannot use pots. Boat fishers already have the advantage of being able to fish Oregon waters and land their catch in WA.

Support (2)

Southwest Washington Anglers would like this proposal adopted. The Columbia River is for the most part Oregon waters. By adopting we will eliminate a lot of confusion between Oregon and Washington sports crabbers.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

16. CRABBING FROM THE COLUMBIA RIVER NORTH JETTY

PROPOSAL: When crabbing from the Columbia River North Jetty, the Dungeness crab daily limit would be 12 males, minimum size 5 3/4 "

EXPLANATION: This proposal allows North Jetty sport crabbers the same daily limit and minimum size and daily limit for Dungeness Crab as those fishing in the adjacent Columbia River area from boats.

TESTIMONY :

If sport pots are allowed year-round on the WA side of the Columbia, it will ruin crabbing from the North Jetty. Pots fished non-stop will remove the available crab. The month of November is the only productive month now to shore-bound crabbers. When the commercial gear goes in the first of December, this fishery is over. Please don't kill this fishery by passing proposals 15, 16, and 17. Shore-bound anglers deserve an opportunity to catch a few crabs and they cannot use pots. Boat fishers already have the advantage of being able to fish Oregon waters and land their catch in WA.

Support (2)

Southwest Washington Anglers would like this proposal adopted. The Columbia River is for the most part Oregon waters. By adopting we will eliminate a lot of confusion between Oregon and Washington sports crabbers.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

17. COLUMBIA RIVER MOUTH DEFINITION FOR CRAB FISHERY

PROPOSAL: For the Dungeness crab fishery, the Columbia River is defined as upstream of a line extending from the tip of the North Jetty to the exposed tip of the South Jetty.

EXPLANATION: The Buoy 10 line (which currently defines the mouth of the Columbia River) runs through the middle of the most popular summer crabbing area. For Washington crabbers, Dungeness crab rules are different on the ocean side (daily limit 6 males, 6" minimum size) than they are on the river side (daily limit 12 males, 5 ¾" minimum size). Oregon allows 12 males, 5 ¾" minimum size both upstream and downstream of the Buoy 10 line. This results in an area in the river downstream of the Buoy 10 line, on the Washington side only, that has different rules for Dungeness crab. This proposed rule would standardize the rules in both areas for both states making it less confusing for anglers, and making enforcement of the rules easier.

TESTIMONY :
If sport pots are allowed year-round on the WA side of the Columbia, it will ruin crabbing from the North Jetty. Pots fished non-stop will remove the available crab. The month of November is the only productive month now to shore-bound crabbers. When the commercial gear goes in the first of December, this fishery is over. Please don't kill this fishery by passing proposals 15, 16, and 17. Shore-bound anglers deserve an opportunity to catch a few crabs and they cannot use pots. Boat fishers already have the advantage of being able to fish Oregon waters and land their catch in WA.

Support (2)

Southwest Washington Anglers would like this proposal adopted. The Columbia River is for the most part Oregon waters. By adopting we will eliminate a lot of confusion between Oregon and Washington sports crabbers.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

18. OYSTER HARVEST

PROPOSAL: Remove the rule that limits oyster harvest to waters less than 2 feet deep.
EXPLANATION: Currently, oysters may not be harvested from water over two feet deep. This rule is no longer necessary for conservation of the oyster resource, and has always been difficult to enforce.

TESTIMONY:
Support (2)

Good idea.

Conservation Committee of the Washington Fly Fishing Club supports proposal. Current rule could not be enforced.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

19. CLAM AND OYSTER SEASONS

PROPOSED CLAM SEASON CHANGES:
Brown Point (DNR 57-B):
Current Regulation: January 1 through April 15.
Proposed Regulation: January 1 through June 30.
EXPLANATION: A shortened season was necessary in 2003 to compensate for overharvest of the non-Indian clam share in 2002; no overharvest occurred in 2003, so a longer season is possible.

Cline Spit:
Current Regulation: CLOSED.

Proposed Regulation: Open year-round
EXPLANATION: This beach is not actively by state and Tribes for allocation or conservation, and there is no continued conservation need for the closure.

Dosewallips State Park:
Current Regulation: March 1 through May 31.
Proposed Regulation: March 1 through July 15.
EXPLANATION: Surveys indicate that the clam population is rebounding following the spring 2002 "winter kill" and a longer season is now possible. This resource abundance is supplemented with a 7,000 pound negotiated "trade" from the tribal share.

Eagle Creek :
Current Regulation: June 1 through July 15.
Proposed Regulation: May 1 through May 31.
EXPLANATION: This is primarily an oyster beach, and surveys indicated a reduction in legal sized clams from the previous year; the remaining resource, even with the negotiated 300-pound clam "trade," will only support a shortened season.

Fort Flagler State Park:
Current Regulation: April 1 through May 15.
Proposed Regulation: April 15 through June 15.
EXPLANATION: A shortened season was necessary in 2003 to compensate for overharvest of the non-Indian clam share in 2002; no overharvest occurred in 2003, so a longer season is now possible. Also, surveys show an increase in the clam population. A slight shift in the opening date allows the beach to be open during "Free Fishing Weekend" per State Parks wishes.

Freeland County Park
Current Regulation: January 1 through July 31
Proposed Regulation: January 1 through March 31
EXPLANATION: A shortened season is necessary to compensate for overharvest of the non-Indian clam share, largely through people taking more than the daily limit.

Hope Island State Park:
Current Regulation: April 1 through April 30.
Proposed Regulation: April 1 through May 31.
EXPLANATION: Surveys indicate an increase in the clam population in 2003, allowing for an extended season.

Illahee State Park:
Current Regulation: CLOSED.
Proposed Regulation: May 1 through May 31.
EXPLANATION: The proposed season is timed to capture several extreme low tides that will enable recreational harvesters to access WDFW planted geoduck beds. Historical seasons at this site have not enabled recreational harvest of enhanced geoduck. Also, surveys indicate the littleneck population can support a one-month season. A similar

clam season scheme that optimized access to an enhanced geoduck bed was extremely successful at Kopachuck State Park in 2003.

Kitsap Memorial State Park:
Current Regulation: May 15 through June 15.
Proposed Regulation: May 15 through June 30.
EXPLANATION: A shortened season was necessary in 2003 to compensate for overharvest of the non-Indian clam share in 2002; no overharvest occurred in 2003, so a slightly longer season is now possible. State Parks wishes to coincide the opening of the clam season with the close of clam season at nearby Wolfe and Shine State Parks, to allow continued sport opportunity.

Oak Bay County Park:
Current Regulation: June 1 through June 15.
Proposed Regulation: July 1 through July 15.
EXPLANATION: The proposed season length is the same as last year (one month), but is shifted a month later to provide a more continuous string of harvest opportunities at nearby beaches (South Indian Island County Park, Port Townsend Ship Canal).

Point Whitney Tidelands:
Current Regulation: April 1 through April 30.
Proposed Regulation: March 1 through March 31.
EXPLANATION: The proposed season length is the same as last year (one month), but is shifted a month earlier to provide a more continuous string of harvest opportunities at nearby beaches.

Point Whitney Lagoon:
Current Regulation: May 1 through May 15.
Proposed Regulation: April 1 through May 31.
EXPLANATION: Surveys indicate an increase in the clam population this year, allowing for an extended season. A full two-month season is possible with the 880-pound clam "trade" we negotiated with Tribes.

Port Townsend Ship Canal/Portage Canal:
Current Regulation: January 1 through April 30.
Proposed Regulation: January 1 through May 31.
EXPLANATION: Surveys indicate an increase in the native littleneck clam population on this beach, supporting an extended season.

Potlatch DNR Tidelands:
Current Regulation: CLOSED.
Proposed Regulation: April 1 through June 15.
EXPLANATION: Closure of this beach was necessary in 2003 to prevent major enforcement problems with the adjacent beach closure of Potlatch State Park. Potlatch State Park is recommended for re-opening in 2004, allowing this beach to be opened also, with a coinciding season for easier enforcement.

Potlatch East:
Current Regulation: CLOSED.
Proposed Regulation: April 1 through June 15.
EXPLANATION: Closure of this beach was necessary in 2003 to prevent major enforcement problems with the adjacent beach closure of Potlatch State Park. Potlatch State Park is recommended for re-opening in 2004, allowing this beach to be opened also, with a coinciding season for easier enforcement.

Potlatch State Park:
Current Regulation: CLOSED.
Proposed Regulation: April 1 through June 15.
EXPLANATION: A closure of this beach was necessary in 2003 to compensate for a serious overharvest of the non-Indian clam share in 2002 and for a decreased clam population. Surveys show that the clam population will now support an increased recreational fishery, and we have negotiated an additional 3,760 "trade" from the Tribal share.

Scenic Beach State Park:
Current Regulation: April 16 through June 15.
Proposed Regulation: April 15 through June 30.
EXPLANATION: This change makes the clam season coincide with the recommended oyster season, which has been requested by both State Parks and WDFW Enforcement.

South Indian Island County Park:
Current Regulation: CLOSED.
Proposed Regulation: April 1 through June 30.
EXPLANATION: This beach was closed in 2003 in order to compensate for a significant overharvest of the sport clam share in 2002. That "payback to the resource" is now complete, and surveys indicate that the clam population will support a three-month season.

West Dewatto (DNR 44-A):
Current Regulation: January 1 through May 31.
Proposed Regulation: CLOSED.
EXPLANATION: This is primarily an oyster beach, and has only a small clam resource. A closure of the 2004 clam season is necessary to compensate for overharvest of the non-Indian clam share in 2003.

PROPOSED OYSTER SEASON CHANGES:

Frye Cove County Park:
Current Regulation: open year-round.
Proposed Regulation: January 1 – May 31.
EXPLANATION: Making the oyster season at this beach coincide with the clam season improves enforcement, and has been requested by WDFW Enforcement.

Hope Island State Park:
Current Regulation: open year-round.
Proposed Regulation: April 1 through May 31.
EXPLANATION: This is primarily a clam beach with a small oyster population. Making the oyster season coincide with the clam season improves enforcement, and has been requested by both State Parks and WDFW Enforcement.

Kitsap Memorial State Park:
Current Regulation: May 15 through July 15.
Proposed Regulation: CLOSED.
EXPLANATION: Surveys indicated a decrease in the number of legal oysters on this beach, and current oyster population will not support a sport harvest in 2004.

Port Townsend Ship Canal/Portage Canal:
Current Regulation: open year-round.
Proposed Regulation: January 1 through May 31.
EXPLANATION: This is primarily a clam beach with a very limited oyster resource. Making the oyster season coincide with the clam season improves enforcement, and has been requested by WDFW Enforcement.

Potlatch DNR Tidelands:
Current Regulation: open year-round
Proposed Regulation: April 1 through June 15**.**
EXPLANATION: Making the oyster season coincide with the clam season improves enforcement, and has been requested by WDFW Enforcement. A negotiated clam trade at Potlatch State Park allowed for the extension of both clam and oyster seasons here.

Potlatch East:
Current Regulation: April 1 through June 30.
Proposed Regulation: April 1 through June 15.
EXPLANATION: Making the oyster season coincide with the clam season improves enforcement, and has been requested by WDFW Enforcement. A negotiated clam trade at Potlatch State Park allowed for the extension of both clam and oyster seasons here.

Potlatch State Park:
Current Regulation: April 1 through June 30.
Proposed Regulation: April 1 through June 15.
EXPLANATION: Making the oyster season coincide with the clam season improves enforcement, and has been requested by WDFW Enforcement and State Parks. A negotiated clam trade allowed for the extension of both clam and oyster seasons here.

Scenic Beach State Park:
Current Regulation: April 16 through July 30.
Proposed Regulation: April 15 through June 30.
EXPLANATION: Surveys indicated a reduction in the number of legal oysters on this beach, supporting a reduced season.

Sequim Bay State Park:
Current Regulation: open year-round.
Proposed Regulation: May 1 through June 15.
EXPLANATION: Making the oyster season coincide with the clam season improves enforcement, and has been requested by WDFW Enforcement and State Parks.

Shine Tidelands State Park:
Current Regulation: open year-round.
Proposed Regulation: January 1 through May 15.
EXPLANATION: Making the oyster season coincide with the clam season improves enforcement, and has been requested by WDFW Enforcement and State Parks.

South Indian Island County Park:
Current Regulation: open year-round.
Proposed Regulation: April 1 through June 30.
EXPLANATION: This is primarily a clam beach with a very small oyster population. Making the oyster season coincide with the clam season improves enforcement, and has been requested by WDFW Enforcement.

TESTIMONY:
Support (2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

20. HARD SHELL CLAM DEFINITION

PROPOSAL: This proposal creates a legal definition of hard shell clams. The definition would be "All clams classified as shellfish under WAC 220-12-020, except geoduck clams, horse clams, and mud or soft shell clams."
EXPLANATION: The term "hard shell clams" appears in several WACs. A definition is provided for housekeeping purposes.

TESTIMONY :
Support (2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

21. SHELLFISH CLASSIFICATION

PROPOSAL: This proposal contains several housekeeping changes that correct and update scientific names of shellfish. It also adds cockles and borers to the list of species included under the areas and seasons listed in WAC 220-56-350. Other changes are described below.

EXPLANATION: Along with the above housekeeping changes, this change also includes four other changes: 1)In the list of classified shellfish, the term "All other native marine clams" is dropped, with the language becoming : "All other marine clams existing in Washington in a wild state." In a wild state is defined to mean that the population of animals it describes is naturally reproducing within the state. This should make it easier for sport clam diggers to understand that the daily limit applies to any species they come across (with specific sub-limits for some species) 2) Varnish clams are specifically listed as a classified species 3) Red abalone, a shellfish species which does not exist in Washington, is de-classified; and 4) the sea cucumber species ***Cucumaria miniata*** is de-classified. This species is not commercially fished, but is being taken by some recreational harvesters under the daily limit of 25 sea cucumbers. WDFW biologists have reported that ***C. miniata*** is disappearing at some harvested sites, especially in State Parks. De-classification would make ***C. miniata*** an unclassified marine invertebrate, reducing the daily limit to 10 in most areas, and preventing any harvest within State Parks.

TESTIMONY :
Support (2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

22. SHRIMP SEASONS

PROPOSAL: This proposal adds language to the Port Angeles Shrimp District rule to say that it is open only on days set by emergency rule. It also provides a year-round season for Marine Areas 1,2,3, and Area 4 west of the Bonilla-Tatoosh Line.

EXPLANATION: This makes the Port Angeles Shrimp District rule similar to that for other shrimp districts, having open days set by emergency rule, and defines the season for coastal areas in the permanent rule.

TESTIMONY :
OK for MA 1-4 seasons. No for PA shrimp district days set by emergency rule.

Support

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

23. SHRIMP DAILY LIMITS AND MINIMUM SIZES

PROPOSAL: This proposal makes the daily limit for shrimp in coastal areas (Marine Areas 1,2,3, and Area 4 west of the Bonilla-Tatoosh Line) a total of 10 pounds of all species. Fishers must retain the heads while in the field, and the minimum size for spot shrimp is one and three sixteenths inches from the base of the eyestalk to the top rear edge of the carapace. The Discovery Bay Shrimp District is proposed to be included under this rule. Fishers are not required to retain heads in the Hood Canal Shrimp District, or in the Port Angeles Shrimp District.

EXPLANATION: This rule change is largely a housekeeping issue as most of the provisions have been put into effect by emergency rule in the past, and listed in the fishing pamphlet. This puts the rules for daily and size limits into permanent rule and does away with the need for emergency rules for these items.

TESTIMONY :

Support (2)

Seasons in Discovery Bay Shrimp District were very short (2-4 days) the past few years. Increasing the daily limit to 10 lbs will mean the catch is taken even faster.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

24. DAILY HOURS FOR SHRIMP DISTRICTS

PROPOSAL: This proposal sets new daily hours for all of the Puget Sound Shrimp Districts. The new hours would be 9:00 a.m. to 1:00 p.m. each open day.

EXPLANATION: Due to large increases in the number of fishers participating in the Puget Sound recreational shrimp fishery, the number of open days each season has been drastically reduced over the past few years. For example, recent lengths of spot shrimp seasons for the Port Townsend Shrimp District were: 1997-186 days; 1998-126 days; 1999-37 days (shortened for payback due to large quota overage in 1998); 2000-48 days; 2001-29 days; 2002-5 days; 2003-4 days. Seasons have become so short that our ability to manage the fishery within the quotas has been compromised in some areas. Shorter hours per day should increase the precision of our sport catch estimate. This proposed change should reduce the daily catch rates, while still allowing opportunity to fish, and potentially create a situation where there are more days available to fish, or at least slow down the continual decreases in season length.

TESTIMONY :

Proposal really sucks – we need to stand up and oppose it. WDFW says sport shrimp seasons have dropped from 186 days to 4 days. It is total BS that we need to reduce the HOURS per day to extend opportunity. Did anyone know it was on the meeting agenda? Bet it was added to Friday to by-pass the crab convoy. Lets raise some BIG TIME NOISE about this.

I'm not sure that there aren't stripe shrimp in Hood Canal or PA Harbor. My limited understanding of shrimp is that the stripes generally prefer shallower water, less than 200', and the spots like the deeper water, 200' and down. That said, we usually pick up a stripes when we are setting our pots in 230' of water.

If the WDFW is using large mesh pots to do their surveys, it would seem logical that they do not find many stripes if they can escape while the pot is pulled. Who knows what is being missed in Hood Canal. I know that Discovery Bay, per Don Walker's comments, has a good population of stripes.
If the WDFW doesn't know what the biomass of shrimp is in the Sound, then how do they establish the poundage that can be taken. I'd like to think that the limits are being conservative and we, along with the commercials, are not over harvesting.
If conserving stocks is an issue, then I think consideration should be given to poundage rather than size for spots. If you have a 3 lb limit of spots you would, in most cases, be pretty close to 80 spots of the current minimum size. When you have to measure and toss back, you subject the releases to predation on the trip back to the bottom and the short and long-term probable losses due to handling mortality/lack of oxygen while sorting through the catch.
As to the measuring issue, what makes Hood Canal different from the rest of Puget Sound? There, you can keep 80 shrimp no matter what size. The rest of Puget Sound must measure the shrimp. What percentage of undersize shrimp don't escape the pot as it is pulled with water pressure holding the shrimp against the side/bottom of the pot? Hood Canal shrimpers aren't required to keep the head/whole shrimp for inspection. Are they harvesting an excessive amount of under-size shrimp?
It would be easier from an enforcement and resource protection standpoint to have a Puget Sound/ocean limit of three pounds or 80 spot shrimp per day. Or reduce the limit to two pounds or 60 or even 50 spots per day if it gives us a longer season. By keeping the larger shrimp, we achieve the quota limits (poundage) quicker. There will be high-grading of the catch, but is that any different than a catch and release fishery on wild salmon/steelhead? You can't legislate ethics, but you can control the methods of take and the numbers (size/weight) that can be possessed. Having two different mesh sizes also creates problems. It's okay to be "sporting" and use Hood Canal mesh in the rest of the Sound, but you loose harvest opportunity and if all you are bringing up are spots what impact is that having on the resource. You can't use Puget Sound mesh in Hood Canal as that would unfairly target smaller spots, but what is the concern if you can keep the first 80 spots you take? Why not be consistent across the Sound, allow the smaller mesh and say the limit is 80 spots as part of a 10 lb limit? If we want to expand our shrimping opportunity, we could lower the poundage and lower the number of spots taken per day. In either scenario, I'm sure that the non-tribal sport/commercial harvest can be sustained. We might even consider reducing the maximum size of the pot from 10' to 8' or 7'. That reduces the size of the openings and the capacity of the pot.

This is your most one brush proposal. In area 11, it was not over harvested in my opinion as we were at various locations and had mixed success. There were not many pots in several of the locations. I doubt if the WDFW has any idea on the harvestable shrimp in Puget Sound, particularly area11. I am opposed to this restriction in all areas, only as required. The season restrictions (hours and days) in Hoods Canal is a disaster.

Spot shrimp can only be effectively fished at slack tides. Fishing times should reflect when the slack tide will happen. Otherwise shrimpers will try and fish on non-slack tides and end up loosing a lot of gear. Also slack tide varies from place to place so maybe the openings should be for a longer periods. This is a one-size-fits all rule that just does not fit.

Support (2)

President of S. King Co chapter of Puget Sound Anglers and member of Inland Fish Advisory Committee thinks the shortened hours is a cop out. The state has no idea of the shrimp

population. How can you set a quota? Sport fishers are being short-changed. The 4-hour window will limit opportunity because of tide flow.

Sportsmen are already being shortchanged on shrimp quotas. Reducing the hours, coupled with tide changes will upset sportsmen. Why don't you reduce the amount of shrimp harvested by the tribes and commercials?

In northern Puget Sound marine area 7 the hours of sport fishing for spot shrimp are largely determined by the tides and currents. By placing an hour restriction on fishing for spot shrimp it will create a variety of problems, and unfairly penalize responsible recreational sport shrimping. I have sport fished for spot shrimp in marine area 7 for the last 10 years and have realized you can only effectively fish for spot shrimp on a very "flat tide" less then 3 ft exchange from high to low is optional. If people are forced to shrimp on larger tides, the loss of gear and unnecessary mortality of shrimp caught in ghost pots will be staggering. To reduce the overall harvest of sport caught shrimp open the season later in the year. In doing this you would accomplish two very important things. First you would have less female shrimp with eggs, that are commonly caught in the spring. Secondly by late spring you have on every other week a nice set of "flat tides" that benefit responsible sport shrimpers. By shortening the hours of sport shrimping coupled with early emergency closures you will have effectively punished the sport fisherman, while not limiting the commercial fishery to a lower quota.

Edmonds Laebugten Salmon Chapter of Trout Unlimited (250 members) opposes this proposal. Allowing only four hours of harvest is unfair to the person who is limited in the number of days they can fish during the season. However, we support management measures to increase the sport shrimp season length. If the WDFW's intent is to prolong the season, why not reduce the number of open days during the season by closing both the sport and commercial fishery several days of each week like is done for the sportfishing season for halibut? As with the sport crabbing fishery, our club members are increasing dissatisfied with the management of the Puget Sound shrimp fishery. Management should seek to reduce competition and interactions between sport and commercial shrimp harvesters. Commercial harvesters significantly reduce CPUE in localized areas popular with sport harvesters and gear conflicts usually result in lost sport shrimp pots that likely continue to fish until the rot cord degrades. We encourage the WDFW to explore new management policies and procedures for the Puget Sound and Hood Canal shrimp fishery.

This may be Ok for Hood Canal but in more tidal Puget Sound, especially Area 7, it would limit recreational access because of tidal influence. Suggest no hour restriction in Areas 6 and 7.

Many people travel considerable distances to shrimp, resulting in the catch being taken in a short time from each shrimp district. Limiting hours may help, but having districts open on the same day in all of Puget Sound would keep any one area from being quickly depleted and result in longer seasons.

Keep the fishery open all day but limit the harvest to 3 or 4 days a week. Reduction of daily hours will result in many opportunities but poor quality outings. Reduced days of the week will result in better quality outings. Shrimp harvest is best during slack tides. Limiting the daily hours would mean some openings would not include the right tidal cycles for harvest. Hourly restrictions work in Hood Canal because the tidal currents are much less than in greater Puget Sound.

I am a recreational sport shrimper. I have seen what has happened to our sport seasons over the past several years and feel that it can not be regulated any further. It is nothing more than a plan to cause people to quit shrimping out of frustration by over-regulating. What will happen this year, stretch it out by hours ? It seems that the only fisherman that can be controlled are the sports fisherman, the ones that contribute far more to the state coffers than the commercials or the tribes. I feel a system should be put into force that would allow a more accurate account of shrimp actually retained as sports catch
rather than counting buoys and multiplying it by the whatever number, using the number of shellfish licenses purchased and figuring they all shrimp or whatever method is being used to justify when the sports allotment is met. Its unfair and a will probably cause normally law abiding sportsmen to consider other means to obtain a larger quantity. This would be bad because it would put sportsmen into the same group as the commercials and tribes, the catch them until they are all gone boys.

Opposed. It is inequitable. Not applied to all areas with the problem. Shrimp are tide-oriented. Creates long lines at the boat ramps. Developed a compromise with staff – he supports that. Extends the hours and includes MA 10.

Success is tide-dependant – propose fewer days per week – or 8 hours per day.

MODIFICATION: For Shrimp Districts other than Hood Canal, and for Marine Area 10, the hours on open days would be 7am to 3pm. This would allow one slack tide to be fished. Restricted hours are proposed for Marine Area 10 because the fishery is similar to that in the shrimp districts – very popular and over very quickly. Note that this rule applies only to Shrimp Districts and Marine Area 10.

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

25. PORT TOWNSEND SHRIMP DISTRICT

PROPOSAL: This housekeeping proposal would change the boundary of this district to read "All waters of Port Townsend Bay south and west of a line from Marrowstone Point to Point Hudson and north of the Post Townsend Ship Canal Bridge, including Kilisut Harbor. This description will be moved to WAC 220-16-270, with the other Shrimp District definitions.
EXPLANATION: This corrects the definition of the Port Townsend Bay Shrimp District in the WAC (definition was correct in the fishing pamphlet), and places it and other shrimp district definitions in WAC chapter 220-16 (Definitions).

TESTIMONY :
Support (2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

FRESHWATER RULES

General Freshwater Rules

26. SNAGGING CLARIFICATION

PROPOSAL: This proposal would make it unlawful to possess a fish taken for personal use from fresh water that was not hooked inside the mouth or on the head. The head of a fish is defined as any portion forward of the rear margin of the gill plate. This rule would not apply to forage fish taken with forage fish jigger gear.
EXPLANATION: This proposal is intended to clarify the snagging rule for both anglers and enforcement officers. There has been some confusion in the past as to exactly what constitutes a legally hooked fish. This proposal, if adopted, should clear it up for all fish.

TESTIMONY :
I think the current WAC 220-56-100(24) is pretty specific "Snagging means an effort to take fish with a hook and line in a manner that the fish does not take the hook or hooks voluntarily in its mouth." The proposed "clarification" weakens the WAC. Fish can be snagged in the head. One technique is "flossing"-using a buoyant lure on a long leader that goes through the fish's mouth. When tension is felt, the hook is set, often on the outside of the jaw, but still in head area. On the flip side is the angler who legally hooks a fish, lands it and finds evidence that the fish had been previously snagged. Under the proposal, the fish must be released. It also creates issues for the proper management of hatchery fish that are intended for take, not inter-breeding with "wild/locally adapted" fish.

Understand there is a new rule in the works about snagging. It is important that WDFW accepts nothing less than a law that states if a fish is not caught in the inside of its mouth it would be snagging, whether intentional or not. All snagged fish should be released unharmed.

To me, any fish hooked on any part of the body (head included) is snagged. Don't think that some folks won't carry a tool to simulate a snag wound on the fish they beach tail-first.

Support the attempt to define snagging. The rule, however, only discusses where the fish is hooked, not the angler's behavior. Would favor a better definition of snagging, such as used in New York.

Snagging is already illegal and if the current rules are not enforced, complicated rules will not keep snaggers from snagging, but will ensnare people who don't read all the fine print in the regulations but are trying to fish legally. Very complex rules on gear will result in angry customers.

ATTEMPT TO SNAG... This is the motion of pulling backwards on the rod without there being distinct motion at the rod tip that a fish has taken the hook... I was told this by a judge when I went to court...
Now you tell me the difference between a bump and a light strike. I do not know a fisherman that can. I fly fish and I have fished with several guides and not one can distinct the difference . It seems that this a discretion decision between how the law is written and the discretion of the game officer.

Fall salmon are spawning they become territorial and only strike as a stand of ground not out of hunger. So why have fall salmon legal if I pull backwards without having my rod tip bury it is attempt to snag. A $5,000 fine and a year in jail. A Gross Misdemeanor. It is a crime that will always be on my file now ... well that would sound good to an employer. Why yes sir I am a convict I pulled backwards on my fishing rod ... COME ON! This law is written poorly and has no strong ground to stand. Attempt to Snag is a discretionary law and there is no proof that this fish did not try to bite my line nor bump it unless there is film of the fish not the fisherman. Game officers are hiding in the bushes filming fisherman pull back on their rods not the fish bumping or striking the hook. If the WDFW is sincere about clearing up issues that are vague and are driving by discretionary measures attempt to snag will be dropped as a game violation in the state of Washington

Support (5)

Lower Columbia River Fly Fishers support

Although I strongly promote making it unlawful to snag, I oppose this definition and suggest that only fish that bite voluntarily and are hooked in the mouth can be retained. The WDFW proposal encourages snagging if in areas of the fish other than the mouth.

Very good idea.

Great job! This should clear up the questions I've heard on the river.

Not hooked inside the mouth or on the head? The difference between a fish hooked on the head and one hooked in the dorsal fin is the speed of the hook set. I'm sure you've seen the guys with $1000 worth of gear flailing their rods every few seconds, claiming they missed a bite? And every now and then they hook a fish, which turns out to be hooked sort-of-near the mouth? By contrast, my wife caught a huge chinook her very first time salmon fishing. She had to let it go because it was hooked in the dorsal fin. Not every fish hooked in the fin was intentionally snagged, nor is every fish hooked in the mouth fairly caught.
Which brings up the question of snagging. In the section listing Proposals Not included for Public Comment, several propose allowing snagging. The response – "the consistent department position has been to oppose snagging" is absolutely true. It's been illegal for so long nobody considers changing the rule. Maybe now is the time.
Curiously, the precedent (of legalizing what people are doing) has already set. By allowing fishermen in marine areas to continue fishing until the boat has "limited out", the WDFW legitimized what the charter boats were doing illegally all along. (It was a good move, and should be expanded statewide.)
Item 26 takes one big step closer to legitimizing snagging. Just take the final step and allow it in rivers with strong runs, even if it requires lowering the daily limit. I doubt you'll see the slaughter you suspect.

Steelhead Trout Club supports proposal.

Good idea – long overdue.

Columbia Basin Fly Casters endorse proposal.

Do not support. Only fish that bite voluntarily and are hooked should be retained.

Conservation Committee of the Washington Fly Fishing Club supports proposal.

This is not a good proposal to adopt. Asking officers to tell if a fish is hooked on the head while it is thrashing about. As a guide I see abuse every day. Rule should be hooked in the mouth so there is no gray area. Really should just cite people for vertical jigging. Fish savagely hooked in the side, belly, etc have a high mortality.

Oppose. Don't make it harder for enforcement officers.

Washington Council of TU supports proposal.

Clark-Skamania Fly Fishers oppose proposal. Suggest only fish that bite voluntarily and are hooked in the mouth should be retained.

Disagree – is just plain dumb! Snaggers will just try to snag fish in the head. Rules are clear already – must take the hook in the mouth.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

27. REMOVING STEELHEAD AND SALMON FROM FRESH WATER

PROPOSAL: When fishing in fresh water, (except in the Columbia River downstream of the Rocky Point/Tongue Point line) it is illegal to remove from the water any salmon or steelhead required to be released.
EXPLANATION: This is expected to improve survival of released fish because they will not have the additional handling and stress caused by their removal from the water.

TESTIMONY :
The same issue can exist in freshwater as exists in saltwater (#7).(fast rivers/drift boats, steep banks/plunkers, high docks, etc). Common sense and the issue of public safety have to prevail.

I am all for the regulation change that prohibits the removing of the salmon from the water if you plan to release the fish, but only if it pertains to both sport fishing and commercial fishing. One gill net (in one season) kills more wild salmon and steelhead than all the sport fishing combined. If you really want to protect the wild fish, find another way to commercially harvest the fish in the Columbia River without using gill nets (AKA the curtain of death)

A step in the right direction. Would be a landmark decision that would cascade to 100% wild steelhead and salmon release.

Support this rule change. (11)

Same as item 7 except you fall overboard into fresh water. Identification is a challenge if you're not at eye-level with the fish. Will force anglers to fish from a shallow draft boat for safety.

Lower Columbia River Fly Fishers support

I catch up to 300 to 400 fish per year. Many during catch and release season. I am a fishing guide and some times accidentally catch kings on my plug rods or spinners. I fish out of a 16-

foot Willie Drift Boat. When a fisherman catches a large fish he must take it out of the water for a few seconds to remove the hook. Smaller fish are easier to manipulate but large fish aren't, especially when caught on plugs or kwik fish. Here are a few scenarios where the above proposal would harm C&R protected fish.
You are in a drift boat and catch a large king when targeting steelhead. The single sidewash plug is so firmly embedded in the mouth that you cannot remove with pliers while along side the boat. Unless you play the king to exhaustion he will not lay next to the boat, but will thrash around. Unless you net him -the plug or spinner will break at the leader and the fish will swim off with the plug, maybe causing the kings gill movements to work inaccurately and weaken or kill the fish.
If you net the fish while he is still feisty with a special C&R Net ($90) he will roll up in the net and the kwik fish will be caught in the net. While in the water he will not calm down. You must take the fish out of the water, let the fish calm down, remove the kwik fish and put the fish back. You can quickly remove the kwik fish with no damage done on a gravel bar. If you try to remove the hook in the water up to your thighs the king will swim around your legs and you will have to break the hook at the leader and the fish swims away with large hook and implement of destruction in it's mouth maybe again inhibiting gill movement. Or you must play the king to exhaustion so that he will roll over on it's side for hook removal. This is not good for the fish and once you remove the hook while trying to hold onto your rod you are not able to revive it by waving it in the current by the tail.
So what you are proposing will cause the following;

Playing fish to the point of death from exhaustion (3)
People will not be able to fish alone because you need help with large fish hook removal (3)
Grabbing the leader to control the fish leading to hooks, large plugs, or flies in mouths inhibiting gill movement when the leader breaks which 90% does (3)
Fish rolling in the line scraping off scales and scratching their skin leading to parasites while trying to remove the hook in thigh level water levels. (3)
People will not be able to fish from a boat and may have to beach a boat in unfriendly areas and thus increasing boating accidents, or increase boating accidents while trying to remove the hook from the fish along side the boat. (3)
Game wardens will have another useless task (2)
Nets will need to be used to control large fish – this is worse than removing from the water unless you have a special “catch and release” net (2)

It is only a few people that do not know how to properly handle fish. Put a section in the Regulation Pamphlet on how to handle fish in different situations with time frames of "how long out of water will do what damage to the fish", removing gloves when handling the fish, what type of C&R net to buy, etc... I will volunteer to writing such a section if needed. (2)

Last year I floated the Stamp and was able to observe thousands of steelhead. It has been stated that handling of steelhead will cause a fungus to grow on the fish and obvious black mark are formed on their chrome bodies. Out of the thousands of fish I saw only two with such fungus instances.
With the special release nets of today license guides should be regulated to buy them. They cause absolutely no damage to the fish and are very helpful in large fish release.
Another example of "why removing the fish out of the water" is harmful to the fish are fly fishing rods. The 15 to 18 foot spey rod will make it literally impossible for hook removal. In all cases where you must grab the leader to remove the fly the fly will break off in the fishes mouth thus inhibiting gill movement. You will not be able to fly fish alone and especially with a spey rod.

I can join the meeting bringing in my net, rods and a fake fish to demonstrate all of the above situations to show you how harmful the above proposal is. Fish are not fragile creatures, they

make their way upstream thru 2 inches of water to spawn sometimes going over grassy expanses, they throw their bodies against rocks to make it up falls and swim to their spawning habitat with huge seal bites with fungus with no problem. Some fisherman netting and putting a fish back is not going to cause them any damage if done correctly. If they can live and spawn thru a bear attack I think they can handle a mere human hand. If the fish in such a system are that fragile and that low in numbers, then I suggest that the WDFW close the rivers and not allow a C&R season at all. The point of fishing is to catch and eat the fish, C&R made it to the sport of catch and see a trophy fish, if fishing is perverted to catch and cut the leader there's no point in keeping such rivers open.(3)

Please reject this proposal. Many of us fish in catch and release waters and simply want the thrill of catching a great fish and getting it on film. I can't see how any of us that like taking pictures of our catch will be able to do this if this proposal is accepted. I've personally released several steelhead (after a snapshot), native and hatchery and am convinced they continued upstream to spawn successfully. I don't know if I could accurately estimate the amount of money I spend annually to catch steelhead on the upper Hoh, it would be well into the hundreds. I love fishing and certainly want to practice safe handling procedures but this proposal seems to go too far. I suggest you focus more on enforcement of the existing regulations. I honestly believe the folks that are abusing the regs or at least handling fish improperly will continue to do so no matter what proposals are accepted. Even the most well meaning sportsman will make a mistake occasionally. Let's not punish the fishermen that typically obey the law, but those that blatantly disregard it!

I am against the proposal. I have NEVER had a fish lay on its side and die in front of me, because I took it out of the water to take a picture. If a salmon loses a few scales or has a hook mark in it's mouth when caught in the river, it is going to die shortly after spawning anyway. So, it would not matter if it got an infection. Since 10% of the fishermen catch 90% of the fish, they have enough experience and brains to release and handle a fish correctly. The other 10% may keep the chinook or steelhead anyway, that is what needs to be addressed. Next, most people want to at least catch a chinook and take a picture, otherwise it is pointless. I am all for conservation and release all native species, but the State of Washington is beginning to go to far. Then Indian gillnets in the mouth of the rivers I fish, do not release fish AT ALL! I am always paranoid when I am out fishing, worried I did not read something, or I forgot to check for emergency changes. This is not ENJOYABLE. If this trend continues many of us will find another hobby to spend all our money on and the state will no longer have to worry about fish conservation or revenue from fish dollars spent. (2)

Your proposal is not smart and down right dumb! I am a retired Coast Guard officer who has been involved in search and rescue operations. We do not need a bunch of fishermen mandated to lean over the rail trying to unhook a wild fish. The Columbia River can be anything but calm, a moving boat, choppy water and leaning over the side is a recipe for a drowning. Allowing an exception from the Buoy 10 line to the Rocky Point/Tongue Point line smacks of accommodating a special interest group – charter fishers! To counter your proposal I suggest the following to increase fish survivability: 1) get rid of gill nets 2) make barbless hooks mandatory (except set lines) 3) allow only 1 hook (single/treble) except sectionalized lures may have 1 per section 4) require landing nets to be made of a non-abrasive material 5) provide more education on proper handling of fish.
President of S. King Co chapter of Puget Sound Anglers says to be consistent with #7 the term should be “fish can not be brought aboard the boat.” The one thing not covered is the shore angler. They would like a picture as proof of catch without the kill. They should be required to

keep a fish that is brought on shore and allowed to release a fish that is lifted up to unhook and photograph it without bringing it ashore.

Wholeheartedly agree that salmon or steelhead not intended to be kept should be released unharmed. The wordage should match proposal 7. We would still like to lift the fish out of the water to take a picture.

This proposal is absolutely just plain worthless, and poorly thought over. Poor handling and releasing techniques will still be employed regardless if the fish is in the water, or out. One can easily kill a fish by just letting it trash around in a net (while in the water), trying to get the hook out. As a graduate from the School of Fisheries, I know that proper handling of salmonids outside of water is perfectly OK, and does not cause additional stress or mortality to the fish. People that abuse fish out of water will likely abuse fish in the water. I am telling you to vote NO on this proposal.

I agree. Wild fish mortality should be reduced if fish are not handled out of the water.

I fish over 100 days a year and I don't see the problem of people taking a quick pic prior to release. There are much bigger problems for our fish then getting a pic taken, nets, filthy rivers, cormorants eat their weight every day in fish and I see cormorants sitting along the river each day and no one looks at the amount of smolts they eat.

I am a senior in Mech. Engineering at WSU. I have fished the rivers on the Peninsula my entire life. I nearly flunked High school because I fished so much. That is why I am 28 now and still in college. Anyhow I want to be taken seriously as a source of knowledge on the rivers at least on the Olympic Peninsula. The native steelhead runs are not endangered. The fishing in fact is pretty darn good in those late winter months. If you are concerned about a run on a particular year please select the rules accordingly and drop the native retention on the particular system to at least one a year. Do not ban us completely from keeping natives. I catch and release many of the natives that I encounter but if I get a trophy worth putting on the wall I would like the option of keeping it. Once we give this opportunity away we will never get it back. Please govern the rivers independently and based on yearly analysis. I am asking you to vote the proposed rulings down regarding taking fish out of the water for photos and mandatory release of all steelhead.

I am very much against the idea. These fish are more durable than anyone gives them credit for. I myself have landed salmon and steelhead in rivers that have had whole sections removed from the fish in a seal bite. I fish rivers heavily for sport. I go for the fight and photo. If that option is taken from me, I will probably stop fishing altogether in this state and do all of my fishing in Oregon or British Columbia. It's absolutely ridiculous for this proposal to even be considered when gillnets are able to kill as many fish as they do (both targeted and bycatch) and to make up for that, some people think that sportsmen shouldn't even be allowed to hold their fish up for a quick picture.

I find this proposal offensive to true sportsmen. Most of us do everything we can to revive and release a healthy fish while supporting conservation programs and the local economy with our dollars. One aspect of angling is the taking of a quick photo of a trophy, reviving the fish and then releasing it after it has regained energy and strength. I would ask you to admin this proposal at least to a limitation of a simple 60 second rule. The fish should be out of the water no more than 60 seconds.

The proposed rule is poorly crafted, adds an unnecessary burden to enforcement agencies, does not address areas where this may do some good, has no data to support the argument of allowing better survivability, and will have a negative economic impact.
Poorly Crafted: "it is illegal to remove from the water any salmon or steelhead required to be released." Does this mean the entire fish or may parts of the fish be unsubmerged? Can I use a net? Should I tire the fish wayyyy past the point of exhaustion so I can remove the hook, or should I instead leave a size K-13 Kwikfish dangling from the fishes jaw, a large spey fly, a spoon?
Adds an unnecessary burden to enforcement agencies: The vagueness of the ruling puts enforcement agents in a position where they would have to exercise considerable judgment which would lead to inconsistent application of the law. Does not address the correct areas: The Buoy 10 sport fishery had a problem this year with mishandling of salmon and steelhead that were required to be released. This proposal does not affect that fishery. Instead the highest impact will be on the catch and release rivers. I fish at least every weekend. My wife fishes more than I do. All of our friends fish and we can not think of a single time when we have witnessed mishandling of salmon or steelhead that are required to be released.
Has no data to support the argument of allowing better survivability:
http://www.wildsteelheadcoalition.com/ This website has an article under the title "Education" on the hooking mortality of steelhead. The bulk of the data was gathered from various BC broodstock programs. The mortality rates were extremely low and the highest factor of mortalities in one study (53.3%) was due to major bleeding due to unhooking the fish. The interesting point is that in these broodstock studies all the fish were handled multiple times and the survivability rates hover around 97%. In fact, since BC seems to lead the way in steelhead conservation, why don't they have a rule like this one? Probably because they believe it to be ineffective. Instead they use education on the proper methods of catch and release.
Will have a negative economic impact: There is a large user group of fisherman who enjoy catch and release fishing. Our "trophy" is a fiberglass replica of a monster fish that we released. The replica works because of documented measurements of the fish and a few photographs. Why go fishing to catch, release and have nothing more than a memory? Why fish? Why pay $300 to a guide to catch and unhook in the water? When it gets down to it, if I want a trophy fish to mount, I'll have to go to the Olympic Peninsula and kill one.

Invoking a law such as this is ludicrous. Enforcement already has too many laws to enforce. This could not be enforced to the point that it would do any good for native fish. Those who fish C&R waters know how to handle fish, which is a matter of ethics. Those with low ethics do not care about any regulations and don't obey the current laws. Better to enforce laws we already have and educate people on how to release fish properly. Put it in the pamphlet. Netting is the real problem as they take everything. Reduce the commercial and native fisheries. Removing fish for a photo does no more harm than if the fish were left in the water. It's hard to release a fish in the water – rule may do more harm that good. Should have the right to take a picture of my catch.

I'm not sure if the topic is about removing a fish from the water . If it is here is my thoughts on this . I believe you should be able to on river banks, lake shores and beaches. I fish more than most and release about 85 % of the fish I catch. I also take allot of pics. I have rarely seen a fish in such bad shape that it was going to die from being handled properly.

Oppose – I don't think it's enforceable as written – needs clarification.

Steelhead Committee of Federation of Flyfishers supports proposal as one way to reduce catch and release mortality.

Southwest Washington Anglers is in favor of this proposal.

I support you in promoting fishermen to keep fish in the water when handling them for release. I see rough and unnecessary handling of fish all of the time. More needs to be done to educate this state's anglers in this regard statewide.

Steelhead Trout Club supports proposal.

South Sound Fly Fishers (80 members) supports proposal.

Will the proposal have much impact on the bigger picture of protecting and conserving that resource? The intention seems to be good, but that is liable to cause all kinds of problems. There are times you just have to bring a fish out of water. Granted not everyone will do so in a caring/expeditious fashion. This also puts a hardship on 2 groups; boat fisherman and bank fisherman. For those law abiding citizens out there, there are probably going to be accidents of slips and falls by hanging 3/4 the way over a boat (small boat at that) to respect the law. The restriction this would impose on a bank fisherman is going to cause just about everybody that fishes from dry land to go out and buy waders / hip boots etc. if they choose to respect the law. These are just 2 quick things that came to mind when I read the proposals. Wouldn't simply mandating release for ALL wild steelhead and threatened stocks of wild salmon throughout the state in areas where extra care is needed have a greater overall effect on the conservation of this precious resource?

Wild Steelhead Coalition supports (4 letters)

Proposal is not needed, will not accomplish its objective and would be difficult or impossible to enforce. Salmon and steelhead go through physiological changes when they enter fresh water – they quit feeding, scales become firmly set, and they develop a slime coat. These make them very resilient. Don't know of any studies on freshwater handling mortality, but there are lots of catch and release rivers around the world. The fish are photographed again and again when caught. The brood stock program on the Satsop has shown almost zero handling mortality. We do need to educate fishers on the proper way to handle fish. Enforcement of the proposal would be next to impossible – what does out of the water mean? We need this rule in saltwater, not freshwater.

Support to reduce catch and release mortality.

Columbia Basin Fly Casters endorse proposal. Take photos while the fish is in the water.

Extremely good rule. Enforcement will be tough. Define what is "out of the water." Maybe lures ought to be single hooks only to facilitate release.

Conservation Committee of the Washington Fly Fishing Club supports intent of the proposal. Disagree with implementation. Too many can't recognize a "salmon or steelhead required to be released" and will be criminals.

Agree, except should also address how long you are given to release a fish.

Washington Council of TU says proposal needs clarification. Would it be adopted as a criminal code or an infraction? Would it go under WAC 220-20 or 220-56? We strongly suggest this proposal goes back to the Steelhead Advisory Committee for work, language, and intent

clarification, then put out again for public review next year. Would commercial fishers have a commensurate WAC applied to them?

Clark-Skamania Fly Fishers agree.

Disagree with wording. Should allow removing from the water to take a picture. Wording should be " it is illegal to beach a steelhead or salmon, which is required to be released, and allow it to remain in contact with land, rocks, sand or silt. It must remain in the water as much as possible and it is illegal to allow the fish to thrash around out of the water.

Recreational Fishing Alliance says proposal has flaws. Would prohibit disabled fishers from fishing because they can't lift fish. Angler safety must be a consideration. There is no provision to allow for measuring a fish. Recommend you look to develop a rule applicable to selective fisheries only that addresses excessive handling problems.

MODIFICATION: In freshwater areas, salmon or steelhead that are required to be released may not be TOTALLY removed from the water. This will allow anglers to measure or photograph their catch before releasing them.

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

28. GAMEFISH CONTEST RULE

PROPOSAL: Adjust the rule for gamefish contests to eliminate a loophole in the boat limitation rule.

EXPLANATION: Currently, a loophole in the tournament regulation allows bass and walleye contests to ignore the boat limit by having at least one tournament angler fishing from shore. This was changed by emergency rule for a number of contests in 2002. Under this proposal, the WAC language becomes "(e) Contests <u>for bass and walleye</u> where ((~~all~~)) participants expect to fish at the same time from boats…". By not requiring <u>all</u> anglers to fish from boats, the loophole is closed, and tournament boat limits would apply.

TESTIMONY :

If it is an issue of boats on the water, why limit it just to walleye and bass tournaments –trout derbies have the same problems. If it is an impact on the resource, the regional biologist should be able to give an approximation of harvest impact. You might say that if the derby sponsor permits the use of boats, then there is a restriction of XX anglers per boat and the maximum number of anglers for the derby is then decided by the size of the body of water.

Support (3)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

29. MINIMUM SIZE AND DAILY LIMIT FOR CRAPPIE

PROPOSAL: Place a minimum size of 9" and daily limit of 10 on crappie in a few select lakes (listed below) that have the potential to produce a consistent crop of quality crappie for harvest.

> Downs Lake (Spokane Co), Eloika Lake (Spokane Co), Silver Lake (Spokane Co), Coffeepot Lake (Lincoln Co), Sprague Lake (Adams/Lincoln Co), Lower Goose Lake (Adams Co), Potholes Reservoir (Grant Co), Big Lake (Skagit Co), Campbell Lake (Skagit Co), Lake Cassidy (Snohomish Co), Roesiger Lake (Snohomish Co), Sawyer Lake (King Co), Black Lake (Thurston Co), Tanwax Lake (Pierce Co), and Duck Lake (Grays Harbor Co).

EXPLANATION: Currently, there are no size restrictions or daily limits for crappie in the majority of Washington's waters. Current exceptions to this general rule include Coffeepot Lake (Lincoln Co), Duck Lake (Grays Harbor Co), Alkalai Lake (Grant Co), Lower Goose Lake (Adams Co), and Potholes Reservoir (Grant Co). This proposal would standardize the rule exceptions to include a 9" minimum size, which has been shown in recent studies to be more beneficial than the current 10" minimum size applied to some of these lakes. Potholes Reservoir would retain its current daily limit of 25 crappie and bluegill combined; the other lakes listed would have a daily limit of 10 crappie.

TESTIMONY :
Support (3)

I also am not in favor of size limits on panfish like crappie. Bag limits are better.

Support proposal, but the daily limit should be 25 instead of 10, to make it consistent with Potholes and less confusing. Also, 10 crappie is not enough for eating. (4 identical letters).

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

30. DAILY LIMIT FOR HATCHERY STEELHEAD IN SE WASHINGTON RIVERS

PROPOSAL: This proposal would change the daily limit for hatchery steelhead to 3 per day during open periods in the following streams in southeast Washington:
Grande Ronde River, Mill Creek, Snake River, Touchet River, Tucannon River, and Walla Walla River. In the Touchet River, where anglers are also allowed to keep brown trout, the limit would be a combination of three hatchery steelhead and brown trout.
EXPLANATION: Southeastern Washington usually has large numbers of hatchery steelhead available for harvest. These are mitigation fish, produced for harvest. This increased daily limit has been put in place by emergency rule several times to provide additional harvest opportunity. Creating a permanent rule gives anglers more notice because it can be placed in the fishing pamphlet.

TESTIMONY :
Agree with the proposal for the Grande Ronde if proposal #31 is also adopted.

Support (4)

Oppose. (2)

Support as long as stock remains large.

I do not agree. The department has provided no compelling data to support this proposal. It would increase angling pressure on native steelhead and resident trout. It would result in fewer opportunities for other anglers. If the runs returning are in fact excessive, let the emergency rule increases occur.

Steelhead Committee of Federation of Flyfishers generally supports harvest of hatchery steelhead to reduce interbreeding, but it would be better to reduce the number of smolts released, rather than increasing the daily limit.

Steelhead Trout Club supports proposal.

Wild Steelhead Coalition opposes (4 letters). Hatchery production should be decreased. Money saved should go toward habitat improvement. Support the use of e-regs to raise the daily limit when returns are large. In place of this proposal we ask you to consider the second report card proposed last year, provided no wild fish are allowed to be harvested after the first report card is filled. Further, we suggest a $10 fee for the second card dedicated to hatchery reform.

Generally support harvest of hatchery steelhead to reduce interbreeding, but a more scientific strategy would be to reduce the number of hatchery smolts released. (2)

Columbia Basin Fly Casters oppose proposal. Good runs not guaranteed. Change by emergency rule if you need to.

Do not agree. No data to support proposal – would keep fish hogs on the river longer and increase pressure on wild fish.

Conservation Committee of the Washington Fly Fishing Club supports proposal for all rivers in the state. Harvest of all hatchery steelhead within a watershed is a desirable goal. Hatchery production should be capped and a 5% annual reduction in production should be implemented.

Washington Council of TU says raising the limit does not promote increased recreation, as fishers stay longer at the river to catch 3 fish. Use e-regs if necessary.

Clark-Skamania Fly Fishers does not agree – no compelling data presented – would keep "fish hogs" on the river longer and increase pressure on native trout.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

31. UPPER GRANDE RONDE STEELHEAD

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
GRANDE RONDE RIVER (Asotin Co) mouth to County Rd Bridge (about 2-1/2 miles upstream	TROUT	Year-round	Minimum size 10". Daily limit 2. Release all STEELHEAD. Selective gear rules Sept 1 - May 31.
	Other Game Fish	Year-round	Statewide min. size/daily limit. Selective gear rules Sept 1 – May 31.
From County Rd Bridge to Oregon state line and all tributaries	All Game Fish All Game Fish	June 1 - Aug 31 Sept 1 - Oct 31	Statewide min. size/daily limit. Selective gear rules. Barbless hooks required.
	WHITEFISH	Nov 1 - April 15	No min. size. Daily limit 15. WHITEFISH only. Barbless hooks required. Tributaries CLOSED to fishing for WHITEFISH.
	STEELHEAD	Nov 1 – April 15	Min. size 20". Daily limit 2 hatchery STEELHEAD. Barbless hooks required. Tributaries CLOSED to fishing for STEELHEAD.

EXPLANATION: This proposal shortens the selective gear restriction in the upper river to June 1 - August 31, allowing anglers to use bait beginning September 1 (but still requiring barbless hooks). The selective gear rule is intended to protect wild salmonids in the mainstem and tributaries. Allowing anglers to use bait beginning September 1 will make it easier to catch hatchery steelhead. In developing the 2002 / 2003 regulation proposal for the Grande Ronde River, to allow for additional angling opportunity for trout and other game fish species, the season was extended to October 31. The selective gear regulations in effect under the 2001 / 2002 pamphlet regulations were extended to cover this time period, to preclude a potential law enforcement conflict by having over-lapping seasons and conflicting gear regulations in effect at the same time in the same area. The supplemental season for steelhead and whitefish following the general game fish and trout season, allowed the use of bait. By trying to eliminate potential law enforcement problems, a new problem developed, which was the inadvertent reduction of the season where the use of bait was allowed for steelhead fishing. This proposal would restore the allowable use of bait, with barbless hooks, effective September 1.

TESTIMONY :

Do not take a step backward! We cannot allow the use of bait in a critical wild steelhead river. Selective gear rule statewide should be the norm.

Bait fishing was eliminated because of an admin error in the rule book two years age. There is no biological reason for prohibiting bait during these two prime months. Need to get the rules back to where they were for many years.

There are mitigation fish available and they should be for all fishermen, not just fly fishers. The selective gear extension 2 years ago was never about steelhead, it was an error. Last year the Commissioners caved to they fly fishermen and did not adopt this proposal. Please do what's right and think of all the people you represent, not just a minority.

Support (4)

Change to fly fishing only year around, from mouth to the Washington/Oregon state line. Release all steelhead. I have observed and reported gear fishermen using floating jigs/lures with live bait [shrimp, minnows, etc]. During the so-called closed season on bait, the live bait is fished on a slip-line [while the artificial lure floats on the surface, the live bait is fished under the floating lure.]

I oppose this change because it is a step backward for selective gear fishing. Hatchery steelhead can be caught effectively on artificial lures. There are not enough selective gear water in the state. (2)

Steelhead Committee of Federation of Flyfishers strongly opposes. This would open most of the Grande Ronde to fishing with bait during the two months when most of the wild steelhead return, resulting in greater catch and release mortality of wild steelhead. If the intent of this misguided proposal is to reduce the escapement of adult hatchery steelhead, a better approach would be to reduce the number of hatchery smolts released.

Support proposal. Bait fishers lost our privilege to fish in Sept and Oct through an administrative error 2 years ago. There is no biological reason to eliminate bait. There are plenty of fish for escapement (4 identical letters)

Disallowing bait fishing before Nov 1 limits my time on the river – the cold of Nov and Dec is hard to handle. Has taken away the joy of seeing my grandchildren grow and enjoy the sport. By the time they are teen-agers and physically able to fly fish they're not interested.

Members of Clearwater Fly Casters oppose the proposal. Use of bait as early as September 1st will be detrimental to the wild fish for several reasons.

1. Increased hooking and catch rates of wild fish incidental to hooking hatchery steelhead. Wild fish are observed to arrive back in the Grande Ronde earlier than hatchery fish. Some of our members report that the majority of fish caught in September on the Grande Ronde are wild fish;
2. Increased hooking mortality of released wild fish. Fish hooked with bait typically take the bait deeper, further increasing chances of mortality.
3. Significant increase in angling pressure on the Grande Ronde. The Grande Ronde is one of the finest, if not the premier steelhead stream in eastern Washington during the month of September. We would not like to see this fishing opportunity degraded.

Therefore, we urge the Commission not to adopt this proposed rule change and to leave the current date of selective gear rules in place.

Favor the change but it does not go far enough. Should allow the retention of hatchery steelhead in the lower 2 miles where huge plants of hatchery steelhead are returning, resulting in many unharvested fish.

I enjoy fishing selective gear rules in many places, but for mitigation hatchery steelhead these restrictive rules are just silly. The rule change returns the regulations to their previous state and restores common sense. These fish are pursued with bait in the ocean, and along their entire journey through the Columbia and Snake rivers. To remove bait fishing once they get to a river that can be effectively fished from shore, handicaps those of us who like to walk instead of boat to our fishing. I would understand if there were high concentrations of spawning native fish to protect, but in all my years of winter steelheading the Ronde, I have never hooked a fish with a fly or bait to the point that I feared for it's survival after release. The native steelhead are similarly pursued with bait and barbed hooks through much of their journey, and none of the

Ronde steelhead are going to return to the ocean and all will die by the next spring. I continue to support the use of barbless hooks proposed in rule #31, especially in small rivers like the Ronde.

I oppose bait fishing in the upper Grande Ronde, but elsewhere as well.

Oppose the use of statewide rules beginning September 1. Bait should not be allowed until October 31 to protect wild fish fry.

Wild Steelhead Coalition opposes (4 letters). Bait fishing should be kept from this river until Oct 31 as the present rule states. Selective gear rules will allow wild fish fry (1,2,3 year old parr), resident rainbow trout/steelhead and wild steelhead recruits a better chance of survival until recovery is in place.

Strongly oppose. Would result in greater catch and release mortality of wild steelhead. Better approach is to reduce number of hatchery smolts released. (2)

Columbia Basin Fly Casters oppose proposal. WDFW acknowledges that selective gear rules are intended to protect wild salmonids. Bait will make it easier to harm wild steelhead. Recommend selective gear rules extended to December 31 for more protection.

Conservation Committee of the Washington Fly Fishing Club opposes proposal. Use of bait will increase mortality on early portion of run. Hatchery fish harvest should not occur at the expense of increased wild fish mortality.

Terrible proposal. Section is very special and one of the few places steelhead can be caught with a dry fly. Bait fishing would remove too many fish and destroy the fishery. Fish with bait in the Snake River. If more hatchery fish need to be removed, change the limit to 3 per day. I propose the upper Grande Ronde be restricted to fly fishing only. Bait fishers leave lots of garbage.

Lower Columbia River Fly Fishers oppose.

Washington Council of TU recommends a compromise date of October 1 for the use of bait. Adult steelhead are more abundant then, and a later date for bait will minimize mortalities of wild juvenile salmonids.

Oppose.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

32. HOG CANYON CREEK

PROPOSAL: Change the season on Hog Canyon Creek (Spokane Co) from Hog Canyon Dam to Scroggie Road from June 1- Oct 31 to open year-round.
EXPLANATION: Two thirds of this area is on BLM land, the other third is privately owned, but the owner (who proposes this rule change) allows fishing by permission. By the current June 1 opening, most of the area is overgrown with cattails and weeds and is not suitable for fishing.

TESTIMONY :
Would like to thank the landowner and WDFW for creating another fishery for WA anglers. Please look to other marginal streams for similar season changes.

Support (2)

Columbia Basin Fly Casters endorse proposal provided stocks can support a year-round fishery and the intent of the rule is to enhance a non-fee opportunity for the public. Otherwise oppose.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

33. KETTLE RIVER

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
KETTLE RIVER (Ferry/Stevens Co) from Barstow Bridge upstream	TROUT	June 1 – Oct 31	Minimum size 12". Daily limit 2. Selective gear rules
	Other Game Fish	June 1- Oct 31	Statewide min. size/daily limit. Selective gear rules
	WHITEFISH	Nov 1 – May 31	No min. size. Daily limit 15 WHITEFISH only. Only one single hook 3/16" or smaller measured point to shank (size #14) may be used.

EXPLANATION: This proposal will standardize the gear rules for all species on the Kettle River, making them easier to enforce and understand.

TESTIMONY :
Support (4)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

34. MILL CREEK CLOSED AREA

PROPOSAL: For Mill Creek (Walla Walla Co) - Change the CLOSED WATERS area in the lower river to be from the Gose Street Bridge to the Roosevelt Street Bridge (closed area was from the concrete channel at 9th Ave Bridge to Roosevelt Street Bridge)
EXPLANATION: This proposal is intended to protect listed steelhead that stack below the Gose Street Bridge/Fishway. Passage for steelhead below the Gose Street Bridge is very difficult, due to the stream channel configuration and obstructions. Eliminating fishing pressure on the fish concentrated below the bridge while they attempt to pass these obstructions will provide improved opportunity for their passage through this section.

TESTIMONY :
Support (6)

Steelhead Committee of Federation of Flyfishers supports proposal for closure of a smaller steelhead stream or reach that is particularly important for ESA listed or depressed steelhead stocks.

Wild Steelhead Coalition supports (4 letters).

Columbia Basin Fly Casters endorse proposal.

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Washington Council of TU supports proposal.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

35. NEGRO CREEK OPEN AREA

PROPOSAL: Expand the section of Negro Creek (Lincoln Co) that is open year-round to be from the mouth at Sprague Lake to the fish barrier at Fishtrap Lake (instead of from the mouth to the town of Sprague).
EXPLANATION: In some high water years there are fish available in the creek and pasture ponds outside of the currently open season.

TESTIMONY :
Support (2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

36. TOUCHET AND WALLA WALLA RIVER BASS RULES

PROPOSAL: Change the rules for bass in these two rivers from the statewide standard to: Daily limit 5, but, no more than 3 over 15" may be retained.
EXPLANATION: This eliminates the size 'slot limit' and makes the rules for bass on these two rivers similar to the Columbia River at McNary and the Snake River, which are adjacent waters.

TESTIMONY :
Support (2)

I do not support regulations, which protect introduced species in waters that can or could support native fish. Washington Trout submitted four proposals (and supporting comments) to stop this practice, but they were not selected for public comment.

Agree but we should go farther and delete all bass limits to remove this exotic predator species and the resulting impact on endangered chinook and steelhead.

Oppose the protection of any introduced exotic species in waters that contain native trout, salmon, or steelhead.

Clark-Skamania Fly Fishers oppose the protection of any introduced deleterious species in waters that contain native trout, salmon or steelhead.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

37. TUCANNON RIVER CLOSED AREA

PROPOSAL: Modify the closed area around the Tucannon Hatchery so that the lower boundary becomes the Tucannon Hatchery Bridge instead of Cummins Bridge.
EXPLANATION: Salmon and bull trout have been known to stack up in the area below the dam, but they do not stack up below the hatchery bridge as in the past when chinook were released directly from the hatchery. This change would allow adequate protection of adult fish, but more public access to fish the river on WDFW-owned lands.

TESTIMONY :
Support (3)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

38. LUCKY DUCK POND

PROPOSAL: Restrict fishing in Lucky Duck Pond (Stevens Co – within the town of Springdale) to juveniles only (under 15 years of age).
EXPLANATION: The Springdale Town Council has requested this change to provide recreational opportunity for youth in their community.

TESTIMONY :
Support (2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

39. RIGLEY LAKE

PROPOSAL: Change the 14” minimum size for trout on Rigley Lake (Stevens Co) to 12”.
EXPLANATION: Rigley Lake has frequent winter kills. It is typically stocked with both surplus rainbow brood stock and catchable size rainbows. The catchables can’t grow to 14” by the end of the season, but can get to 12”. This change would allow anglers to harvest these fish at the end of the season, thus minimizing the winter kill of these fish in the lake.

TESTIMONY :
Support (2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

REGION 2 RULES

40. CHELAN RIVER

WATER	SPECIES	SEASON	ADDITIONAL RULES
Chelan River (Chelan Co) from the railroad bridge to the Chelan PUD safety barrier below the power house	TROUT	CLOSED	
	OTHER GAME FISH	May 15 – Aug 31	Non-buoyant lure restriction.

EXPLANATION: This proposal is intended to provide sport anglers an opportunity to harvest game fish, especially walleye and bass, with no impact to ESA listed fish.

The section of the Chelan River from the PUD boat ramp upstream to the Chelan PUD safety barrier has historically provided exceptional angling for walleye and sometimes bass. Because WDFW was unsure what impact anglers were having on ESA listed fish, this section of the Chelan River was closed to angling in 2000. The closure provided time to determine if any sport fishery could be allowed without inflicting undue harm to ESA fish. The information gathered to date indicates that WDFW has an opportunity to provide sport anglers a chance to fish for walleye and bass with very little if any impact to ESA listed fish (steelhead) in the section of the Chelan River from Chelan PUD safety barrier below the power house down river to the railroad bridge during May 15 - August 31. The section would open for all game fish except trout. It would remain closed to fishing for salmon.

Summer/fall chinook, which are <u>not</u> listed under the ESA do spawn in this section of the river. However, because of their life history traits, neither adults nor juveniles will be present during May 15- August 31. Steelhead spawn in the Chelan River, but spawning activity will cease and adult steelhead will be through spawning by May 15. During late spring, summer and fall, water temperatures in the Chelan River rise above 70 degrees F. These temperatures are above juvenile steelhead tolerance limits. Consequently, when water temperatures rise, juvenile steelhead will leave this section of the Chelan River and enter the Columbia River in search of cooler water. The closure to retention of trout and salmon will protect any trout or salmon that may wander into this section during the open fishing season. The proposed regulation change will not only give anglers an opportunity to fish, but will also benefit steelhead and salmon juveniles by removing walleye and bass that may prey upon juvenile salmon and steelhead.

TESTIMONY :
What happens IF a listed fish happens to be caught or decides to spawn early/late? I have no strong feelings on the proposal but categorical statements are not always appropriate when discussing wildlife issues.

Support (5)

Wild Steelhead Coalition supports (4 letters).

Washington Council of TU supports proposal.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

41. CLEAR CREEK

PROPOSAL: Close Clear Creek (Chelan Co) to fishing year-round.
EXPLANATION: Clear Creek is home to adult and juvenile upper Columbia steelhead, which are listed as endangered. In 2002 and 2003 WDFW spawning ground surveyors found 43 and 32 steelhead spawning redds, respectively, in Clear Creek. This represents about 50-55% of all redds located in the Chiwawa River drainage in those years. The mainstem Chiwawa is already closed to protect these fish.

TESTIMONY :
Support (7)

Steelhead Committee of Federation of Flyfishers supports proposal for closure of a smaller steelhead stream or reach that is particularly important for ESA listed or depressed steelhead stocks.

Wild Steelhead Coalition supports (4 letters).

Own a summer home near Clear Creek. It begins in a pond in Morrow Meadow that has been stocked several times with rainbow, cutthroat and brook trout. The small creek runs under the highway, through a culvert, and enters the 1000 Trails Camping Club where it feeds a small pond. Then 2/3 of the flow is diverted to fill a large pond by means of an underground pipe. The pipe runs 150 feet to the pond and then outflows, over a small barrier, to a ditch that joins the original creek bed 100 yards away. The large pond has been stocked several times with brook trout and rainbow. Spawning takes place on the 1000 Trails property below the large pond. Even if fish could get above the barrier to the large pond they would not enter the diversion pipe and go upstream. Since ESA protected Skamania steelhead cannot access this area, closing the whole creek is overkill. It's also a good bet these are fish from the stocking 1000 Trails did rather than native steelhead. 1000 Trails has their property well signed it is patrolled by a full time employee. They fertilize the grass and mow it, but the fish come back to spawn in a tiny creek, sections of it man-made, that has virtually no native trees or shrubs on the banks. Cannot support the proposal as it appears the fish are spawning in a man-made environment, not a natural one.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

42. COLUMBIA BASIN HATCHERY CREEK CHANGES

PROPOSAL: For Columbia Basin Hatchery Creek (Grant Co): Change the season from year-round to April 1 – September 30. Allow both juveniles and fishers with a disability and a reduced-fee license to fish near the hatchery outflow and in the mainstem hatchery creek, but drop the family fishing rule (juveniles and licensed adults accompanied by a juvenile) in the mainstem creek.
EXPLANATION: Recent improvements to the stream habitat and access have increased the popularity of this fishery, and demand now exceeds the number of fish available for stocking. The April-September season should help with this. There is handicapped access beyond the area currently open – this proposal would allow handicapped anglers access to a larger area. The family fishing rule is proposed to be eliminated in this area and other areas (see proposal for Fort Borst Pond in Region 4) because it is being abused by many adults.

TESTIMONY :
Support (4)

I agree. The family fishing rule is being abused. The fishery is crowded and over-fished. Juveniles and disabled fishers will have access near the hatchery outflow. (2)

Clark-Skamania Fly Fishers strongly supports.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

43. CHIKAMIN CREEK SELECTIVE GEAR RULES

PROPOSAL: Add selective gear rules to the fishery on Chikamin Creek (Chelan Co).
EXPLANATION: This is a modification of a proposal sent in by US Fish and Wildlife Service in an effort to provide more protection to bull trout in the Chiwawa basin.
This is one of three major tributaries in the Chiwawa River basin for bull trout spawning. The numbers in Chikamin Creek have been low and there is the potential for brook trout hybridization from adjacent Minnow Creek. In response to continued low abundance counts on bull trout in Chikamin Creek, this proposal is intended to reduce hooking mortality through the use of selective gear rules.

TESTIMONY :
Support WDFW's attempt to protect native species with the hope of creating a catch and release fishery for bull trout some day.

Support (4)

Do not support. Opportunity in the Wenatchee basin keeps dwindling. USFWS listed bull trout 5 years ago. A 5 year status review is required, but USFWS hasn't written a recovery plan so they don't have to do a status review.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

44. NORTH CREEK SELECTIVE GEAR RULES

PROPOSAL: Add selective gear rules to the fishery in North Creek (Okanogan Co) from the mouth to the falls at river mile 0.8 (just above Twisp River Road).
EXPLANATION: This is a modification of a proposal sent in by US Fish and Wildlife Service in an effort to provide more protection to bull trout in the Twisp basin. North Creek is one of the most important fluvial bull trout spawning areas in the Twisp River. In normal years, North Creek has supported nearly half of the Twisp River spawning fish. Bull trout spawning occurs in this tributary and in the mainstem Twisp. Some of the larger fish have come from the Columbia River, as documented by radio telemetry reports. Numbers of spawning fish are low and in a recent downward trend. This proposal is intended to reduce hooking mortality to these fish through the use of selective gear rules.

TESTIMONY :
Support WDFW's attempt to protect native species with the hope of creating a catch and release fishery for bull trout some day.

Support (4)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

45. PHELPS CREEK SELECTIVE GEAR RULES

PROPOSAL: Add selective gear rules to the fishery in Phelps Creek (Chelan Co) from the mouth to the falls at river mile 1.
EXPLANATION: This is a modification of a proposal sent in by US Fish and Wildlife Service in an effort to provide more protection to bull trout in the Chiwawa basin. Phelps Creek is one of three spawning tributaries for bull trout in the Chiwawa River. Bull trout from the Columbia River have been observed migrating to and from the Chiwawa River in recent telemetry studies. Most spawning adults overwinter in Lake Wenatchee. Spawning occurs downstream of the falls in Phelps Creek and into the Chiwawa River. Phelps Creek has a low number of spawners. This proposal is intended to reduce hooking mortality to these fish through the use of selective gear rules, while still allowing anglers to catch cutthroat trout.

TESTIMONY :
Support WDFW's attempt to protect native species with the hope of creating a catch and release fishery for bull trout some day.

Support (3)

Do not support. Opportunity in the Wenatchee basin keeps dwindling. USFWS listed bull trout 5 years ago. A 5-year status review is required, but USFWS hasn't written a recovery plan so they don't have to do a status review.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

46. ROCK CREEK SELECTIVE GEAR RULES

PROPOSAL: Add selective gear rules to the fishery on Rock Creek (Chelan Co).
EXPLANATION: This is a modification of a proposal sent in by US Fish and Wildlife Service in an effort to provide more protection to bull trout in the Chiwawa basin. This is one of three major tributaries in the Chiwawa River basin for bull trout spawning. Spawner numbers in Chikamin Creek have been steady in recent years. This is the largest spawning population in the Wenatchee Basin and is important for the recovery of bull trout. In response to continued low abundance counts on bull trout in other areas of the Chiwawa and Wenatchee Rivers, this proposal is intended to reduce hooking mortality through the use of selective gear rules.

TESTIMONY :
Support WDFW's attempt to protect native species with the hope of creating a catch and release fishery for bull trout some day.

Support (3)

Do not support. Opportunity in the Wenatchee basin keeps dwindling. USFWS listed bull trout 5 years ago. A 5-year status review is required, but USFWS hasn't written a recovery plan so they don't have to do a status review. Walked Rock Creek in 2001 and saw where bull trout and redds had been counted. Chelan County has tagged bull trout for telemetry tracking. Their website shows less than 30 fish and only one has gone into the Chiwawa. Rock Creek appears to be producing its maximum sustainable numbers and does not need additional regulations at this time.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

47. CHUMMING RULE FOR BANKS LAKE, LAKE ROOSEVELT, AND RUFUS WOODS LAKE

PROPOSAL: Allow chumming for game fish in these three large lakes.
EXPLANATION: This would help anglers (especially bank anglers) fish for kokanee in these large lakes.

TESTIMONY :
Support (4)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

48. DUSTY LAKE

WATER	SPECIES	SEASON	ADDITIONAL RULES
Dusty Lake (Grant Co)	TROUT	Mar 1 – Nov 30	No minimum size. Daily limit 1. Selective gear rules.
	OTHER GAME FISH	Mar 1- Nov 30	Statewide min.size/daily limit. Selective gear rules.

EXPLANATION: This proposal lengthens the season for Dusty Lake to March 1 - November 30. The current season is March 1 – July 31. It applies selective gear rules to all species and puts a daily limit of 1 on trout. Dusty Lake has a reputation for producing large trout when it is relatively free of competing species. This proposal will limit the taking of trout, allowing more of them to grow large and allowing a longer season.

TESTIMONY :
OK for season, no for selective gear rules.

Support (4)

Dusty is very capable of putting out trophy quality fish and with a selective gear/ 1 fish limit this will happen. With the amount of lakes in the Basin there are more than enough lakes for everyone. Fishers should have the option of choosing to enjoy a day on the lake taking home a limit of fish or going to a selective fishery and targeting larger fish. Currently the number of selective lakes in the Columbia Basin (and statewide) pales in comparison to the number of lakes with Statewide Regulations. The change in regs would allow those of us who enjoy fishing Washington waters for trophy caliber fish, an additional option while having VERY limited impact on the people who enjoy taking home a limit.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

49. EPHRATA LAKE

PROPOSAL: Close Ephrata Lake (Grant Co) to fishing.
EXPLANATION: For many years, the management of Ephrata Lake has focused on waterfowl production, resting areas for waterfowl, and other wildlife concerns. This lake has been intentionally managed to remain fish free to avoid competition for food between fish and waterfowl. A few fish have been illegally introduced and a small fishery is beginning to develop. This proposal would close the lake to fishing to allow its continued development as a waterfowl production area.

TESTIMONY :
Support (3)

Oppose

Opposed. Lake is a good bass fishery, especially with a small cartop boat and electric motor. Judging from the size and thickness of the fish, there is plenty of food to go around. Have caught 5+ lb bass and almost always catch fish. See lots of waterfowl on the lake – the two can coexist. Please reconsider the proposed closure.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

50. MOLSON LAKE

PROPOSAL: Make it unlawful to fish from a boat with an internal combustion engine on Molson Lake (Okanogan Co).
EXPLANATION: Molson Lake is small, shallow and weedy; has only a crude launch. The lake is easily navigated without a motor. Note that this rule only controls those folks who are fishing. A total ban to internal combustion engines would need to some from the County.

TESTIMONY :
Support (3)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

51. OASIS PARK POND

PROPOSAL: Change Oasis Park Pond (Grant Co) from a year-round lake with statewide rules to be open only to juveniles (under 15 years of age) and persons with disabilities possessing a reduced fee license with a season from the third Saturday in April through Labor Day.
EXPLANATION: The City of Ephrata has adopted similar rules for this water, and since state rules take precedence over municipal ordinances, they have asked WDFW to adopt this matching rule.

TESTIMONY :
Support (3)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

52. LAKE WENATCHEE SELECTIVE GEAR RULES

PROPOSAL: Add selective gear rules (except fishing from a boat with a motor allowed) to the Lake Wenatchee (Chelan Co) fishery.
EXPLANATION: This is a modification of a proposal sent in by US Fish and Wildlife Service in an effort to provide more protection to bull trout in Lake Wenatchee.
Lake Wenatchee is the largest of three overwinter refugia for bull trout in the Wenatchee basin and the only known overwinter refugia for the Upper Wenatchee basin. Adfluvial (migrating between lakes and rivers) bull trout abundance is low in some adjacent tributaries to Lake Wenatchee. Bull trout using the lake are spawning in the Little Wenatchee River, White River, Nason Creek, or Chiwawa River (based on recent radio-telemetry data). Any bull trout mortality in the lake would affect all local adfluvial populations. Anglers have been observed to both intentionally (poaching) and unintentionally hook bull trout in the lake. The incidental catch is high with the use of bait and gear during salmon seasons. The catch rate of bull trout in Lake Wenatchee is high relative to other species. Adding the selective gear regulation is intended to address the continued low numbers in adjacent local populations and high incidental catch by reducing incidental hooking mortality.

TESTIMONY :
Support (3)

Oppose – use enforcement.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

REGION 3 RULES

53. CLE ELUM RIVER

PROPOSAL: From the mouth to Cle Elum Dam, change the season to year-round and the harvest rule to catch and release for trout. Retain the selective gear rules.
EXPLANATION: High irrigation flow releases from the reservoir severely limit trout fishing opportunity in June, July, and August by making the lower river unfishable/unwadable. A year-round season and catch and release for trout (matching the regulation for the adjacent mainstem Yakima River) makes sense in this anadromous fish area that is already subject to “selective gear rules.”

TESTIMONY :
NO

Support WDFW’s proposal to create a fishery on a stream normally unavailable to angling during the regular season. Thank you.

Support (2)

Wild Steelhead Coalition supports (4 letters).

Conservation Committee of the Washington Fly Fishing Club supports proposal.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

54. COLUMBIA RIVER VERNITA BRIDGE TO PRIEST RAPIDS DAM

PROPOSAL: Change the season for game fish (excluding trout) and sturgeon from year-round to June 1 – March 31. Fishing for trout would remain closed.
EXPLANATION: This change will protect ESA-listed upper Columbia R. spring chinook from illegal harvest during the peak upstream migration in April and May. A small, but significant number of boat fishermen and bank anglers fishing upstream of Vernita Bridge, allegedly fishing for non-salmonid game fish or sturgeon in the spring, are harvesting or attempting to take listed spring chinook. This change will help prevent spring chinook poaching in this uppermost 9-mile segment of the 52-mile Hanford Reach. Fishing for non-salmonid game fish and sturgeon (if the proposed new sturgeon season proposal is adopted) will continue to be open downstream of Vernita Bridge in April and May, where, coincidentally, the best habitat for bass fishing (sloughs, around islands) is located. Delaying the game fish opening until June 1 will not conflict with the BPA-funded northern pikeminnow reward program, which starts in mid-June in this area of the Columbia R.

TESTIMONY :
I see this proposal as trying to solve a poaching problem by penalizing the honest people who fish.

Support (2)

My father and I have been Walleye fishermen for quite a few years, especially during the months of April and May. We have fished the Vernita to Priest Rapids Dam area of the Columbia River for many years. We do occasionally see a few other fishermen that are mostly bank fishermen, and sometimes see a few other boats on the river but fishing pressure is very light this time of year. We have never witnessed anyone that we would consider fishing improperly or attempting to harvest or attempting to take Spring Chinook Salmon. As a retired law enforcement officer I would report this type of activity immediately to the WDFW Enforcement Division.
I have never seen a WDFW Enforcement Officer in the Vernita Bridge-Priest Rapids Dam area of the Columbia River from March through June. If there is a possible poaching problem in this area my belief is that it is an enforcement issue! This proposal is punishing all of the legal sportsman that utilize this area simply because of the alleged actions of a few criminals that should be arrested and thrown in jail. The solution to this problem is increased enforcement. Also, the Columbia River downstream from Vernita Bridge will still be open during April and May. The proposal will simply cause the alleged poachers to move downstream. Finally, if the mentality of the board is that if there is a possible poaching problem - just close the area, then you will have to close the entire state to all fishing and hunting because poaching is still going to occur.

Please do not close the Vernita Bridge to Priest Rapids Dam area to all fishing during the months of April and May!! Strong enforcement is the proper action in this situation.

Oppose – enforce the rules.

Have fished walleye on this stretch – have never seen anyone doing any other kind of fishing here, or been checked by a law enforcement officer. Closing would just drive any law breaker down the rive. If there is such a concern about the spring run of salmon, take the nets out and close the rivers.

Oppose proposal – one enforcement officer could easily police that section with a spotting scope.

Kittitas County Field and Stream Club opposes. Members fish whitefish and have not seem the poaching described. Trout or steelhead inadvertently caught are easily released. Want evidence of biological impact.

STAFF RECOMMENDATION: Do not adopt. A popular walleye fishery occurs during the proposed closure period. Enforcement personnel are comfortable with leaving this fishery open year-round.

COMMISSION ACTION: Proposal was not adopted.

55. WALLEYE RULES FOR COLUMBIA AND SNAKE RIVERS

PROPOSAL: For the entire Snake River to the Columbia border and the Columbia River from Hwy 395 Bridge in Pasco to Priest Rapids Dam – walleye daily limit 10, no minimum size, no more than 5 over 18", no more than 1 over 24".
EXPLANATION: This change would make the walleye regulations consistent from the mouth of the Columbia River to Priest Rapids Dam, making enforcement much easier, and making the rules easier for anglers to understand. The regulation should also help reduce walleye predation on juvenile salmonids.

TESTIMONY :
If Eastern Brook Trout are bad (#1) why are walleye/bass etc also not an impact on native species? Why not allow a 10 fish daily limit without size restrictions? Why even has a limit on exotics?

Support (4)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

56. YAKIMA RIVER CATFISH RULES

PROPOSAL: Remove the daily limit for channel catfish in the entire Yakima River.
EXPLANATION: This is essentially a "housekeeping" change to correct an oversight that occurred during the last major cycle rule process for 2002-03 when the statewide rule for channel catfish was revised. Before that statewide change, minimum sizes and daily limits for channel catfish only applied to lakes, ponds and reservoirs. No minimum size or daily limits applied to the entire Yakima River, including tributaries and drains. In

order to maintain the existing harvest rule for the Yakima, an exception to the new statewide rule was proposed and adopted in 2002. However, the special rule was only applied to the lower Yakima R. downstream of Prosser Dam. The 2002-03 fishing pamphlet stated that there was no daily limit on catfish in the entire Yakima River following the intent of the original proposal, but this was not supported by the WAC. The 2003-04 pamphlet was corrected to accurately reflect the WAC as adopted in 2002, but now a rule change is needed to restore the original intent of the rule.

TESTIMONY :
Support (3)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

57. LOWER YAKIMA RIVER SALMON SEASONS (2 PROPOSALS)

PROPOSAL 1: This proposal would shift the salmon season on the lower Yakima River (mouth to Prosser Dam) from Sept 16 – Oct 31 to Sept 1 – Oct 22. The non-buoyant lure restriction and night closure would remain in effect during the revised salmon season.
EXPLANATION 1: This shift in the timing of the fishery will help to prevent anglers from snagging and targeting fall chinook occupying spawning redds. The earlier opening will also provide anglers with fish in better "table condition."

PROPOSAL 2: This proposal would open a fishery for fall chinook and coho salmon in the Yakima River from the Highway 223 Bridge at Granger to Sunnyside (Parker) dam. This season would be Sept 1 – Oct 22, with a daily limit of 6 salmon, no more than two adults and a minimum size of 12 inches. The non-buoyant lure restriction and night closure would be in effect during this season.
EXPLANATION 2: Increasing fall chinook natural production between Granger and Sunnyside Dam is sufficient to permit the fishery in this area, which contains excellent bank and boat fishing access.

TESTIMONY :
OK for proposal #2

Support (2)

The Yakama Nation supports shifting the salmon season on the lower Yakima River (mouth to Prosser Dam) from Sept. 16 – Oct. 31 to Sept. 1 – Oct. 22. We do not oppose expanding open waters during this period from Granger to Sunnyside (Parker Dam), as long as the newly proposed season is adopted. Note, however, that this section of the Yakama River lies wholly within the Yakama reservation, and non-tribal fishers would need to purchase a tribal fishing license.
The Yakama Nation Fisheries program conducts spawning ground surveys on the Yakima River mainstem above Prosser Dam from September to December, while WDFW surveys below the dam. We have observed fall chinook spawning activity to be at its peak in mid-October. Toward the end of October, these fish have been in the system long enough to have gone

through morphological changes, in which they become dark colored and have soft flesh unsuitable as table fare. Fishing for any salmon while actively spawning is inconsistent with wild salmon recovery efforts and should be avoided. The Hanford Reach of the Columbia River closes on October 22 each year to protect spawning fall chinook, and the proposed regulation change would bring the Yakima River into conformance with this closure.
By shifting the season, fishermen would have adequate opportunity to catch a fish that is still bright-colored and contains good quality flesh. More importantly, the salmon will not be caught or harassed while digging redds. The proposed shift would increase the opportunities for successful spawning and the future generations of salmon.
The Yakama Nation Fisheries program is documenting fall chinook spawning activity above Prosser Dam for 2003. As of today, 41% of the observed redds were constructed during the *current* salmon season, whereas 6% of observed redds were constructed during the *proposed new* season. We believe this provides a strong rationale for our recommendation to shift the existing salmon season forward in time.

Washington Council of TU supports proposal.

STAFF RECOMMENDATION: Adopt both proposals as proposed.

COMMISSION ACTION: Adopted both proposals as proposed.

58. UPPER YAKIMA RIVER WINTER WHITEFISH

PROPOSAL: From Roza Dam to Keechelus Dam, delete the special gear regulation allowing small baited hooks for whitefish December 1 – February 28.
EXPLANATION: Baited (maggots, salmon eggs) size 14 hooks are ideal for catching resident trout and juvenile steelhead, as well as whitefish. The small hook requirement of the regulation may prevent injury and reduce handling of adult steelhead, but in this trout "catch-and-release" reach, where adult steelhead are scarce and resident trout are significantly more abundant, prohibiting the use of bait will reduce resident trout hooking mortality. Whitefish can still be caught in the upper Yakima on unbaited whitefish flies with barbless hooks under the existing "selective gear rules" regulation.

TESTIMONY :
NO

Do not agree with change. The main offender is catch and release fly fishermen. They over-tire fish and handle them for photo sessions. Small baited hooks do at times catch trout when fishing for whitefish, but it is not common. Fished for whitefish 25 years, and fishermen are responsible in how they handle fish. They are not targeting trout. Proposal would make whitefish fishing much more difficult. Fishing is going to a select group – this rule is one more step. It targets the wrong group of people.

Support

I was born in Ellensburg and fished in the Yakima River every Sunday for trout. I still fish the Yakima for whitefish and have taken my son every year since he was two. The time to whitefish is short; hordes of flyfishermen are on the river year around. Why not limit flyfishing to spring, summer and fall and allow only whitefishing in the winter. What blasphemy!!!
The special interest groups that put pressure on the commission for rule changes aren't whitefish fisherman. The people fishing for whitefish on the banks of the Yakima River are

locals. This is the last opportunity they have to fish on the Yakima River. The fear of the special interest groups is that the whitefish fishermen are cheating and stealing their trout. NOT TRUE! Scott Sandsberry of the Yakima Herald reported *"The reasoning behind the proposal is that while a legitimate whitefish fisherman would probably be using a maggot, the regulations allowing that aren't specific, so somebody could put on a salmon egg and be illegally going after trout or juvenile salmon or steelhead under the guise of fishing for whitefish. Whitefish will still go for a fly, though, "so it's not that big an impediment not to have bait," Easterbrooks said."* Spoken like a true flyfisherman.
It wouldn't be a big impediment for fly fisherman. Obviously Easterbrooks thinks this is a good way to get the remaining locals off *his* river. Wouldn't it be easier to change the rule to allow only maggots as bait for whitefishing, instead of cutting off the last of the traditional fishermen? Flyfishing is an elitist sport. Traditional anglers don't want to change gear.
I think this rule change has less to do with the fear that a whitefish fisherman is cheating and using eggs for bait and more to do with the flyfishermen wanting to rid the Yakima River of the last of the traditional anglers. Make the rule more specific, limiting the bait for whitefishing to maggots.

Enjoy whitefish fishing in the Yakima. Proposal is very unjust – have fished this way as long as I can remember. Selfish fly fishermen have taken over the river. Please reconsider.

Object to the proposed elimination of use of maggots for winter whitefishing. A trout caught on a whitefish fly is under no more stress than one caught on a trout fly. This proposal is biased and caters to fly fishers and their guide services.

I have fished the Yakima River, for whitefish, since 1951. If you continue as you have, I expect no decent fishing (for whitefish) by 2005.
Too many trout are already in that quality water from Roza dam to Cle Elum. They need to be " thinned out " a little or there won't be any size at all. (Or <u>any</u> whitefish)
Don't even try to make me believe a whitefish will hit a fly with no bait. Perhaps, one bite instead of twenty is what you would call "believable".
Why do the most dedicated of fisherman (Whitefisherman) have to give up their sport, when, really all you are trying to protect is a small group of guides who think we are keeping or killing trout? The trout numbers are so great now that I believe you will find they are reducing the whitefish to a very few.
"Quality" shouldn't mean a fishery for the chosen few. Both can (and have) existed for several years now. You have chosen the wrong method. The trout don't suffer now and, if the numbers I see meant anything, they wont – EVER.

Taking the traditional fishermen's and fisherwomen's rights to use maggots. Based on what count that a large amount are fish are being caught in winter weather and by how many fishing persons? Next the only people able to fish will be the Indians with nets. Also, who are the people or groups against the white fisherpersons fishing on the Yakima River? Is it the Fly Fish or groups protesting in changing the rules concerning the Yakima River? How many fishing persons are cheating? Using eggs or other means? on the Yakima River?

Oppose – fly fishing for whitefish requires special skills and expensive gear. Most would quit rather than fly fish. No studies exist to prove whitefish fishers kill trout. However, studies do show no difference between barbed and barbless hooks.

Columbia Basin Fly Casters endorse proposal.

Kittitas County Field and Stream Club opposes. Members fish whitefish and have not seem the poaching described. Trout or steelhead inadvertently caught are easily released. Want evidence of biological impact.

Conservation Committee of the Washington Fly Fishing Club supports proposal. Prohibiting bait will increase survival of resident trout and pre-migrant salmonids.

STAFF RECOMMENDATION: Do not adopt. The whitefish fishery (with special gear and bait) is a popular one and is apparently not harmful to the trout population, which supports a popular quality fishery.

COMMISSION ACTION: Proposal was not adopted.

59. DOG LAKE

PROPOSAL: Change the trout daily limit on Dog Lake (Yakima Co) from 5 fish (no size limits) to 5 fish, no more than 1 over 14".

EXPLANATION: Triploid rainbow trout were planted in 2003 (1,600 fish) in this 60-acre, very accessible high lake (elev. 4,207 ft., max. depth 70 ft.) off of US Hwy. 12 two miles east of White Pass, in an attempt to develop a "trophy trout" fishery sustainable through the summer. Dog Lake is also stocked annually with 6,000 "catchable" rainbows (3 fish/lb) stocked in two spring releases (May and June). There is also some unknown level of brook trout natural production in NF Clear Creek, which is a tributary to Dog Lake. There is an expectation that a percentage of large triploid rainbows (15 -17" at release) may shift from aquatic insects to preying on small brook trout and other small fish. If this occurs, true "trophy" trout could be produced — provided that harvest is not excessive. Currently, bait is allowed and anglers can retain five triploid trout (statewide lake harvest rule). We do not want to change terminal gear rules, which would displace bait fishermen from a favorite lake. Many families with children and seniors camp at the USFS Dog Lake campground and fish with bait. However, we do want to reduce harvest of triploids and better distribute that harvest among anglers. Reducing harvest of large trout to 1 over 14" per day protects large triploids, helps sustain the quality of the fishery during the season and will increase carry-over survival. Anglers would continue to be allowed to harvest an additional four sub-14" "catchables" per day to fill their five fish daily limit.

TESTIMONY :

No

Support (4)

Lower Columbia River Fly Fishers support

The proposed rule change benefits everyone. By limiting the number of large fish taken and continuing to allow taking of smaller fish, you will allow larger fish to grow and reduce competition for food (by allowing the take of smaller fish) accelerating fish growth. Being that the rule changes do not limit bait fishing, the change does not exclude anyone and will make for a better fishery for all.

I have had the experience on some lakes that have the triploids. As soon as you find a school of them anything (bait or lure) will catch them. All they do is eat, so easily could be fished out. Please make the limit 2 fish over 14 inches in the triploid stocked lakes. I travel to the Eastern side of the state and catch and release lots of fish but would like to keep at least two large fish. I hear complaints of fisherman overcatching limits using bait. They throw back small fish till they land larger ones. (Law says all fish caught with bait whether kept or released count for a limit). Make the use of barbless hooks the rule in lakes where large crowds of people and lots of small fish exist.

Conservation Committee of the Washington Fly Fishing Club supports proposal. Lake can support a trophy fishery.

Support proposal and would like to expand the idea to other alpine lakes that are less visited, yet contain stunted brook trout or cutthroat. Besides using rainbow, I suggest using bull trout or Dolly Varden as they are native and would not create downstream concerns.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

60. LEECH LAKE

PROPOSAL: Change the trout daily limit on Leech Lake (Yakima Co) to 5 fish, no MORE than 1 over 14". No change in gear rules — Leech Lake will remain "fly fishing only" and motorized boats will continue to be prohibited

EXPLANATION: Triploid rainbow trout were planted in 2002 (1,670 fish) and 2003 (1,070 fish) in this 40 acre, accessible high lake in an attempt to develop a trophy trout fishery in the only "fly fishing only" water body in Region 3. Prior to the release of triploid rainbows, only naturally produced eastern brook trout were present. Although the lake produces Eastern brook trout up to 12-14", the bulk of the population is smaller with average size 8 to 10 inches which are very abundant. There is an expectation that large rainbows (15 - 17" at release) may shift from aquatic insects to preying on small brook trout and other small fish. If this occurs, large trout could be produced — provided that harvest is not excessive. The size structure of the brook trout population will likely benefit from rainbow predation that reduces the number of small brook trout and decreases intraspecific competition for food. We do not want to completely eliminate the opportunity to harvest a large or trophy trout -- reducing harvest of trout from 2 over 12" to 1 over 14" fish per day is a good compromise, while continuing to allow the harvest of up to four "pan-sized" brook trout to reduce brook trout numbers.

TESTIMONY :
Support (5)

Lower Columbia River Fly Fishers support

Since this lake is already "Fly Only" it should be brought in line with many of the other selective reg and Fly only lakes to create more of a trophy fishery. The one fish limit will continue to allow a fish take.

I have had the experience on some lakes that have the triploids. As soon as you find a school of them anything (bait or lure) will catch them. All they do is eat, so easily could be fished out. Please make the limit 2 fish over 14 inches in the triploid stocked lakes. I travel to the Eastern side of the state and catch and release lots of fish but would like to keep at least two large fish. I hear complaints of fisherman overcatching limits using bait. They throw back small fish till they land larger ones. (Law says all fish caught with bait whether kept or released count for a limit). Make the use of barbless hooks the rule in lakes where large crowds of people and lots of small fish exist.

Concur – question June 1 opening date. You should consider a July 1 opener to eliminate pressure on the remaining, depressed wild steelhead population

Columbia Basin Fly Casters endorse proposal.

Conservation Committee of the Washington Fly Fishing Club supports proposal. Lake can support a trophy fishery.

Support proposal and would like to expand the idea to other alpine lakes that are less visited, yet contain stunted brook trout or cutthroat. Besides using rainbow, I suggest using bull trout or Dolly Varden as they are native and would not create downstream concerns.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

61. LOST LAKE

PROPOSAL: Change the trout daily limit on Lost Lake (Kittitas Co) to 5 fish, no more than 1 over 14".

EXPLANATION: Triploid rainbow trout are tentatively planned to be stocked in 2004 (number of fish to be determined) in this 145-acre, drive-to lake. Lost Lake currently is not stocked with hatchery trout. The existing fishery is supported by naturally reproducing eastern brook trout. There is also a self-supporting population of small kokanee (4-8 inches), which provides forage for large brook trout. In July 2002, Region 3 staff sampled the lake with gill nets and caught one 57.5 cm (22.5"), 2.2 kg (4.85 lbs.) "trophy" brook trout. Forty smaller brook trout were also caught including a 15", 1.5 lb fish. Although the brook trout population is healthy and not stunted, angler effort on the lake is minimal---partly due to the remote location, primitive camping facilities and lack of a trailer boat launch ("car-top" boats and canoes can be launched). Stocking triploid rainbows (15 -17") is viewed by regional staff as a way to increase angler interest and utilization of Lost Lake, one of the largest natural lakes in Region 3 accessible by vehicle on maintained gravel roads. There is an expectation that a percentage of triploid rainbows may shift from aquatic insects to preying on small kokanee and brook trout fingerlings, like the trophy-size brook trout. Currently, bait is allowed and anglers can retain five large brook trout or triploid rainbows (if stocked in 2004). We do not want to change terminal gear rules, which would displace bait fishermen unnecessarily. However, we want to reduce harvest of triploids or large brook trout and distribute that harvest more evenly among anglers. Reducing harvest of trout over 14" to 1 fish per

day protects large trout, helps sustain the quality of the fishery during the season and will increase carry-over survival.

TESTIMONY :
Support (4)

Lower Columbia River Fly Fishers support

The proposed rule change benefits everyone. By limiting the number of large fish taken and continuing to allow taking of smaller fish, you will allow larger fish to grow and reduce competition for food (by allowing the take of smaller fish) accelerating fish growth. Being that the rule changes do not limit bait fishing, the change does not exclude anyone and will make for a better fishery for all.

I have had the experience on some lakes that have the triploids. As soon as you find a school of them anything (bait or lure) will catch them. All they do is eat, so easily could be fished out. Please make the limit 2 fish over 14 inches in the triploid stocked lakes. I travel to the Eastern side of the state and catch and release lots of fish but would like to keep at least two large fish. I hear complaints of fisherman overcatching limits using bait. They throw back small fish till they land larger ones. (Law says all fish caught with bait whether kept or released count for a limit). Make the use of barbless hooks the rule in lakes where large crowds of people and lots of small fish exist.

Columbia Basin Fly Casters endorse proposal.

Conservation Committee of the Washington Fly Fishing Club supports proposal. Lake can support a trophy fishery.

Support proposal and would like to expand the idea to other alpine lakes that are less visited, yet contain stunted brook trout or cutthroat. Besides using rainbow, I suggest using bull trout or Dolly Varden as they are native and would not create downstream concerns.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

Region 4 Rules

62. CEDAR RIVER CATCH AND RELEASE FISHERY

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
Cedar River (King Co) Mouth to Landsburg Rd Bridge (r m 21.5)	All Game Fish	June 1 – Aug 31	Catch and release. Selective gear rules.
Upstream of Landsburg Rd Bridge	CLOSED WATERS		

EXPLANATION: Since the closure of the Cedar in 1995, an abundant resident trout population (mostly rainbows) has developed, including some exceptionally large individuals. A catch and release fishery would allow access to those fish by anglers, creating the potential for a "quality fishery" near a major metropolitan area without jeopardizing other salmonid stocks.

While there is some public interest in harvesting these fish, with current knowledge the recommended proposal is more prudent. Studies are on-going to learn the density of resident trout in the system as well as the interaction between the rainbow and steelhead population. Current thinking is that the two groups are just one population with fish exhibiting different life histories. At least in some parts of the species range the resident portion of the population have produce anadromous smolts. Until more is learned about this interaction, a significant reduction in the resident part of the population may create a risk to the steelhead population.

TESTIMONY :
Support proposal – only change I would like better is if it were fly fishing only as I believe there would be less chance of fish kill.

Support WDFW's proposal to create a fishery on this stream. Support the catch and release fishery concept because the river will see a large number of anglers from Seattle.

Support (4)

Maybe

Lower Columbia River Fly Fishers support

President of S. King Co chapter of Puget Sound Anglers has 2 questions: won't sockeye be in the river during August? And why can the Muckleshoots catch and kill when we are asked to catch and release?

Grew up on Cedar and can't wait to fish again. Why are the Muckleshoots fishing presently when sportsmen have not had the opportunity. They do not practice catch and release.

Puget Sound Anglers State Board President supports proposal.

Strongly in favor of proposal.

I'm all for the proposal. I used to fly-fish (C&R) there back in the 80's and did well for what were obviously resident trout, not smolts. Thanks for considering giving fly-fishermen another option close to Seattle.

Support – I live near the river and would love to see a longer season, but just having it open again for trout fishing would be GREAT!

In favor of making the Cedar River a selective (C&R) fishery.

I think this would be an EXCELLENT idea!!! The establishment of a selective fishery on the Cedar could turn a pity (a closed river) into a wonderment! I live in the Fairwood Greens, just

south of the Cedar River. I enjoy flyfishing and the spring and fall I drive all the way up to North Bend to the middle fork to fish in the morning before work. I do this so often that I am really considering moving up there just to avoid that long drive! Having the Cedar open to flyfishing would enable me to stay right where I am in the Fairwood community.
Opening the Cedar for selective fishing would also strengthen this area's reputation as a great place to fish. The "mystique" of fly fishing on the Cedar would provide a great counterpoint to the "anything goes" fishing on the Green; the rivers would truly complement each other.

I would very much like to see this enacted into law. I love fishing for trout as well as their larger cousins. A catch and release fishery for trout on this little, local river would be a wonderful idea.

I am concerned that any pressure may be too much for Cedar River fish. Catch and release, without close monitoring (which you can't afford right now) may lead to significant problems.

Support opening, but suggest caution and monitoring to protect wild rainbow and steelhead.

Support. Enforcement will need to watch the fishery closely.

Wild Steelhead Coalition supports with caution (4 letters). An alternate proposal would be to approach this fishery by emergency regulation the first year with a one-month season to understand the impacts to the rainbow/steelhead population. These rainbow/steelhead are the remaining genetic type steelhead of the Cedar River and must be preserved. The Cedar River is suffering from the same problems, magnified, as the Georgia Basin/Puget Sound steelhead runs. This remaining resident population of steelhead is the spawning population that will someday produce surviving smolts and sufficient recruits to rebuild healthy steelhead runs in this river. A C&R selective gear fishery on this population is risky and must be monitored. The impacts to the population must be studied to assure protection of the indigenous population of the rainbow/steelhead complex.

Support – would support taking the resident rainbows as they are jeopardizing all salmonid fry.

Conservation Committee of the Washington Fly Fishing Club supports proposal conditionally. Should be monitored by snorkel surveys throughout the season. Anticipate an increase in poaching with the river open.

Washington Council of TU supports if WDFW secures an agreement with the Muckleshoot Tribe to obtain tribal harvest and mortality data in order to assess impacts to sensitive stocks from treaty and non-treaty fishers.

MODIFICATION: add a night closure for additional protection.

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

63. SAMISH RIVER SNAGGING PROBLEM

PROPOSAL: Samish River (Skagit/Whatcom Co) – from the mouth to I-5 Bridge. During the salmon fishery (July 1 – December 31) add the provision that the line and weight and lure or bait must be moving (not stationary).

EXPLANATION: During this time period, snagging is a significant problem. The moving line provision has been used on other rivers, such as the Naselle, Nemah, and Grays in southwest Washington, and has been effective in greatly reducing snagging activities.

TESTIMONY :

If snagging is a problem, I don't see where a moving line is any less efficient for snagging than a stationary line. It sounds like an enforcement issue that needs more attention. The existing WAC should cover the illegal activity.

Support (3)

I fish the Samish at low and minus tides. This is safer because you can fish either side of the river by walking up the middle or side sand bars. The only water in the river at these times are the deeper cuts and runs in front of the pilings or bends in the river. The fish are stacked at these times also. This is good for my angling success rate. I fish a 1/2 oz. weight on the bottom and roe off a three way swivel and I always hook my fish in the mouth! Here's what I'd like you to explain to me! I fish a 9' rod at any one of the pilings with the tip never more than three feet from the piling. The width of the river at minus tides is between 10 and 20 feet max and the fishermen spacing is shoulder to shoulder especially in August/mid-September and on the weekends. So, in this most common fishing environment, how do you propose to keep a bait/lure moving, or better yet, enforce it? The only way one could fish it is straight up and down (jigging) and you will have 100% snagging then!! You can't cast up or downstream overhand or underhand, nor in front as you only have 10' of water at most in front of you. There's not enough water in the Samish at low tide for this rule to float.

Suggest that regulation be changed to fly fishing only, single barbless hook. This would be a step towards elimination of snagging.

Proposal would only make things worse on this small river. At the peak of the salmon season there is no way around not snagging a king salmon when the bite is hard to distinguish from a tail hitting the line often referred to as a "drive-by". But if the proposal went into effect, it would be a snag fest. At the peak of the salmon run when there are anywhere from 40-50 king salmon weighing from 8 to 25lbs. swimming in a 5' by 3' hole, only about 4 ft. deep keeping a lure moving would increase the chances of snagging the fish, by allowing the lure to sit on the bottom (roe for example) it gives the fish a chance to bite the bait instead of wearing it in their backs. With that said, a suggestion that I heard many anglers talk about on the river this past year was that the rules stay the same except once the hatchery has received its quota, anglers would be able to retain ONE UN-intentionally snagged salmon.

Won't #26 fix this problem? Snagging will be a fish not hooked in the head. Moving lures, especially small spoons are more likely to snag fish (my personal experience). What about the period at high tide when there is no current flow? Bait under a bobble will become stationary for short periods of time and then a person is in violation due to an act of nature. This also eliminates plunking as a form of fishing on this river. If snagging is a problem, how come I never hear of citations being written on a regular basis?

Oppose. Legal plunkers don't have moving line – don't discriminate against them.

Snagging is a big problem, however, having a rule that requires lures to be in motion at all times would be too difficult to enforce,

Washington Council of TU supports proposal.

This will be a difficult rule. The lower Samish has a large tidal influence. The fishing is best at slack tide, when your eggs do not drift. So now everyone will be casting and retrieving, causing a lot of conflicts due to the large number of anglers. I know from experience down there that this will not decrease the amount of snagged fish. I have fished the Samish a lot and have never seen any of the fisherman keep a snagged fish. The fishers police themselves. Why is it such a problem if the sportsman does snag a few fish in the Samish? This is a hatchery-based fishery anyway. Commercial fishermen are snagging Samish River fish in nets in Chukanut Bay right outside the mouth of the river. This rule will make outlaws out of many fishermen and increase resentment towards WDFW.

STAFF RECOMMENDATION: Do not adopt. This fishery is different that on the Naselle, where this type of rule has worked well to help control snagging. The Samish fishery occurs in tidewater areas, where anglers often fish at slack tide with a bobber and eggs, so a legitimate angler's gear might often be stationary, while a snagger's gear might be moving.

COMMISSION ACTION: Proposal was not adopted.

64. SAMMAMISH RIVER (SLOUGH) SEASON EXTENSION

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
	CLOSED WATERS: all tributaries		
Sammamish River (Slough) (King Co)	TROUT	Jan 1 – Aug 31	Catch and release. Selective gear rules. CLOSED to fishing for STEELHEAD.
	Other Game Fish	Jan 1 – Aug 31	Statewide min size and daily limit

EXPLANATION: Under the current June 1 – Aug 31 season the trout species present are primarily smaller-sized juvenile cutthroat trout. The January 1 opening proposed will provide recreational anglers with the opportunity to fish for larger cutthroat trout during a time period (i.e., winter months) when these fish are present in the Sammamish River. Season changes for the other game fish are needed for consistency and regulation simplification and to increase recreational fishing opportunity for these species.

TESTIMONY :
Support (4)

Oppose

Wild Steelhead Coalition supports (4 letters).
Washington Council of TU doesn't believe this is an appropriate area for a season extension. PS sea-run cutthroat are protected in marine waters. Extending the season in a confined area doesn't make sense.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

65. STILLAGUAMISH RIVER BOUNDARY ROAD NAME

PROPOSAL: Change the name of the road forming the boundary between the two sections of the Stillaguamish River (Snohomish Co) from the Warm Beach-Stanwood Highway to Marine Drive.
EXPLANATION: The name of this road has been changed on current maps and the rule needs to be updated to reflect that.

TESTIMONY :
Support (3)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

66. NORTH GISSBURG POND JUVENILE ONLY WATER

PROPOSAL: Make North Gissburg Pond (Snohomish Co) a juvenile only water (only open to fishing by those under 15 years of age)
EXPLANATION: This is an area with good access that would make a popular kids fishery. Access is controlled by the County and WDFW staff are reviewing the proposed change with County officials.
TESTIMONY :

Support (3)

Support – would give kids a place of their own to fish.
Support proposal. Director of Snohomish County Parks supports also and will post signs and provide enforcement for a few weeks for the new rule.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

67. LAKE SAMMAMISH TROUT

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
Lake Sammamish (King Co)	Waters within 100 yards of the mouth of Issaquah Creek are CLOSED to SALMON fishing.		
	TROUT	Year-round	Statewide min size/daily limit. Release all STEELHEAD or RAINBOW TROUT over 20" Dec 1 – June 30. CLOSED to fishing for KOKANEE.
	Other Game Fish	Year-round	Statewide min size and daily limit
	SALMON	Aug 16 – Nov 30	Min size 12". Daily limit 2. Release SOCKEYE.

EXPLANATION: Recent information on the trout population (cutthroat and rainbow) in Lake Sammamish suggests that adequate numbers of large ($14") trout exist to remove the "no more than 2 over 14 inches" portion of the current regulation.

TESTIMONY :
Support (4)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

68. LAKE TERRELL RESTRICTION

PROPOSAL: For Lake Terrell (Whatcom Co) – Extend the time when fishing from any floating device except a dock is prohibited through January 31 instead of January 15.
EXPLANATION: This rule was requested by our Wildlife Program to reduce the conflicts between anglers and hunters.

TESTIMONY :
Support (3)

Good idea.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

REGION 5 RULES

69. STANDARDIZATION OF RULES FOR CUTTHROAT PROTECTION IN SW WASHINGTON STREAMS

PROPOSAL: Standardize the rules for trout fishing for the following streams and times to:
TROUT-catch and release only except up to 2 hatchery steelhead may be retained.
Abernathy Creek (Cowlitz Co) from mouth to 500 feet below salmon hatchery - June 1-August 31 and November 1-March 15
Cedar Creek (Clark Co) from mouth to Grist Mill Bridge - June 1-March 15
Coal Creek (Cowlitz Co) from mouth to 400 feet below falls - June 1-August 31 and November 1-February 29
Coweeman River (Cowlitz Co) from mouth to Mulholland Creek - June 1-March 15
Deep River (Wahkiakum Co) - Year-round
Drano Lake (Skamania Co) - July 1-March 15
Elochoman River (Wahkiakum Co) from mouth to West Fork; - June 1-March 15
Germany Creek (Cowlitz Co) from mouth to end of Germany Creek Road - - June 1-August 31 and November 1-March 15
Gobar Creek (Cowltiz Co) - June 1-March 15
EF Grays River (Wahkiakum Co) – June 1 – Oct 31
Hamilton Creek (Skamania Co) - June 1-October 31

Kalama River (Cowlitz Co) mouth to 1000 ft below Kalama Falls Hatchery Fishway – Year-round
Lacamas Creek (Lewis Co.) - June 1-February 29
Lewis River (Clark Co) from mouth to mouth of East Fork– Year-round
North Fork Lewis River (Clark/Skamania Co) from mouth to overhead powerlines below Merwin Dam – – June 16-September 30 and December 16-April 30
Mill Creek (Cowlitz Co.) - - June 1-August 31 and November 1-March 15
Olequa Creek (Lewis Co) - June 1-February 29
Rock Creek (Skamania Co.) - June 1-March 15
Salmon Creek (Clark Co.) from mouth to 72nd Ave. NE - June 1-March 15

Explanation: Under existing regulations, trout greater than 12", 14", or 20" inches may be kept in these streams. However, wild cutthroat, or in some cases, all cutthroat must be released. Therefore, only hatchery cutthroat or any rainbows greater than the minimum size plus hatchery steelhead may be retained. In the Columbia River System, only the Cowlitz River releases hatchery sea-run cutthroat. No hatchery plants of rainbows are made in the streams listed above. Few, if any, native rainbows greater than the minimum size exist in these streams. The proposed regulation would make it legal to retain hatchery steelhead but all other trout must be released from these mainly anadromous fish areas.

TESTIMONY :
Support WDFW's attempt to protect native species with a catch and release fishery.

Support (5)

Lower Columbia River Fly Fishers support

Rock Creek has a fish passage barrier falls about 1/2 mile upstream from the mouth of the stream at the Columbia River. No fish passage is possible at the falls. A resident population of Rainbow and Cutthroat trout is present above the falls. As the regulation reads this fishery opportunity would be eliminated. I recommend that the proposed regulation be changed to exclude the area above the falls on Rock Creek.

I strongly support this change. Wild cutthroat are in trouble in SW Washington. Most of the proposed streams are relatively small and also hold juvenile wild steelhead. Ample fishing for hatchery cutthroat is available on the Cowlitz River. (2)

Would like to add the .Klickitat River to the list. While there is no evidence of cutthroat, it does not receive hatchery trout plants and has a good population of rainbow in the 16-18" range. There should be catch and release fishing for these unique fish. The main fishing is for hatchery steelhead, and native rainbows are incidental catch.

Washington Council of TU supports proposal.

Conservation Committee of the Washington Fly Fishing Club strongly supports proposal.

MODIFICATION: Exclude the area above the falls on Rock Creek (Skamania Co). The falls are an anadromous barrier.

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

70. COLUMBIA RIVER STURGEON FISHERY

PROPOSAL: Currently, fishing for sturgeon from a floating device is closed from Beacon Rock to Bonneville Dam May 1 – July 15. This proposal would extend that closure to be from a north-south line through the eastern tip of Skamania (Prindle) Island to Bonneville Dam from May 1 – July 31.
EXPLANATION: Fishing in this area is basically a catch and release fishery for oversized sturgeon. This proposal is intended to limit that activity and provide more protection for these long-lived fish.

TESTIMONY :
Support (2)

I agree with this closure and the dates but think it should also included bank anglers. I recommend the proposed regulation be changed to include all sturgeon fishing to be closed in the expanded area during those dates.

I fully support this rule change. I would support much stricter restrictions (i.e. permanently closing this area year around) to save these great fish. The November Reel News has an article with facts about the number of oversized sturgeon killed every year. These counts came from a study done by the Oregon State University. "Surveys along the Oregon shores from Rooster Rock to Bonneville Dam find an average of about 20 oversized sturgeon carcasses a year. In 2002 there were 17 dead sturgeon. This year they found 38. They estimate about 2,000 sturgeon in the Bonneville area with about six percent (6%) or 150 ripe to spawn each spring…". The article talks about how the sturgeon have multiple leaders protruding from their anal vent. Having the reseeding of sturgeon balanced on 150 fish that are being intentionally targeted by guides and other fishermen is too much risk to this species and needs immediate action

Against proposal. There is no conclusive evidence that the catch and release fishery for oversize sturgeon from a floating device has any negative impact on these amazing fish. In the Frazier River in British Columbia, all sturgeon must be released. Guides are required to tag sturgeon they release. It is not uncommon for guides to pull large sturgeon over the side of the boat to tag them. The survival rate is almost 100%. If anything changes, fishing from shore in this area should be banned and opened to boaters. When fishermen hook giant sturgeon from shore, they practically have to kill them in order to get them to the bank, typical fights last between 1 - 2 hours or even longer. At least when fishing from a boat, you can land the fish and release it quickly.

I am a sport sturgeon fisherman and have no formal training in fish management, but it does not seem that this rule proposal makes much sense. What is the goal.? From all that I have read, oversize sturgeon seem to take the stress of catch and release fishing very well. If they are being hurt by catch and release, I made a proposal last year that we educate the fishermen as to proper handling of this resource. Why are you considering changing the catch area? If it is for real scientific reasons, do it.

I have been fishing Bonneville for oversized sturgeon for the past 10 years. In that time I have watched oversized sturgeon numbers increase. I also have seen the number of anglers increase due to the closures of salmon fishing and keeper sturgeon fishing. Most anglers want to take fish home but when you close the opportunity to keep fish they will change to whatever is available. They want to fish. Moving the dead line down river makes absolutely no sense because researchers have been finding a constant 15 - 25 dead fish per year for the past 10 years even though fishing pressure has fluctuated over that same period. You should consider gear restrictions such as: no nickel or stainless steel hooks; 80 lb line or stronger; and equipment that will shorten the time to bring the fish to the boat. I find fish every year with small hooks & light line still in them from light tackle fishermen. We remove the hooks & line as much as possible before releasing them. I have 180 customers that come to Oregon & Washington for the opportunity to catch (& release) one of these big fish. They spend good money in these two states and the only things they take home from the day on the water are memories and pictures. If you close this fishery you will force me (and others) to take our customers from a catch & release fishery down to Astoria where they will be harvesting the resource instead of releasing it back. Which makes more sense to you?

Southwest Washington Anglers is in favor of this proposal. It is our understanding that this by itself will reduce the handle of oversized sturgeon by approximately 60%.

I have been fishing below Bonneville Dam for oversize Sturgeon for a lot of years. I have been full time guiding for these fish for the past 9 years from May thru August & just about 7days a week on these waters. I will run 50 to100 Sturgeon trips for the oversize fish per year. This is a major part about 80% of my income for the year. I have worked very hard with the Department of Fish & Wildlife people from Washington & Oregon on this 6-year study for the oversize fish. Extending this closed area will not only impede this much-needed study by not allowing us as guides to help in catching the oversize fish to be tagged & sampled but, will also shut others & myself down on this fishery. It will take us too far from base camp as it were & will allow this to no longer be an affordable fishery. This would be a huge loss for everyone for this is truly a world class fisheries drawing people from all around the nation willing to dump lots of money into the local economy. The continuation of closures is not the answer to saving these fish. It is a known fact these fish mostly spawn up by the dam & down as far as Beacon Rock on occasion. To move us any further down stream than the current closure would shut down the majority of fish now available for us to catch. I /we have already suffered & were willing to sacrifice & endorse the closure to Beacon Rock for overall protection of these fish. It was also noted at the same time the bank anglers need to be moved from this area during the same closure for protection of these fish. (why has this has not been changed in protection of these fish?) There are many factors to be considered for changing. first is we have to make gear regulation changes. The hooks should not be smaller than 8/0 barbless - this will decrease the numbers of fish ingesting the hooks & bait. I do not endorse the use of circle hooks - when I tried them the fish swallowed the hooks & the hooks remained in the stomach of the fish. Larger Octopus style hooks do make the difference in deep hooked fish however. This would allow for fewer gut hooked fish. Also monofilament line should not be allowed in this area & should be regulated to braided line like Power –Pro in 60-80lb minimums as not to have the fish broken off the line with 50 – 100 yards of monofilament line trailing behind him to only later tangle him up & possibly cause severe stress & or death. There are a lot of bank anglers allowed to fish in the closed areas that leave a considerable amount of broken off gear lying on the bottom of the river with bait still on the hooks. *(After casting ones bait & sinker out in this area they get hung up in the rocks & usually end up broken off & left on the rivers bottom)* The sturgeon come along & suck up the bait & hooks into their guts which *could & does cause harm* to these Sturgeon. I have hundreds of times cleaned up/cut off monofilament line with 3/0 to 5/0

hooks coming out of the vent holes. This is a good indication to me that the shore fishing in the spawning / closed areas has a detrimental affect on this fisheries. *NO ONE* should be allowed to fish above Beacon rock during the closed period for keeper or oversize Sturgeon. Second is making prop guards mandatory for this fisheries. This will keep any Sturgeon from accidentally being cut by a prop upon boating or the releasing of these fish. Third is general education on this fisheries. Public clinics etc. on the *right ways to fish* is to as soon as you see a bite on the rod set the hook so the fish gets hooked in the lip area rather than in the throat or deep in the mouth. *Wrong ways to fish* letting the fish swallow the bait before you set the hook or free spooling line out of the reel for the first 50 ft of the run & then setting the hook I have had very few hooks even go deep into the mouth using this method. This is not as harmful to the fish & the fish are easily released with out cutting the line & or leaving the gear in the fish. There are many other things like tying the proper knots, using proper rods & reels, how to anchor safely, proper fish handling, boating skills to lessen the chances of accidents or harm to the fish. Chasing fish down with boats & kicker motors as not to run over the fish as they come to the boat. Using gear properly as not to overstress the fish by having them on the line for to long of a time. There are many things we could teach the general public during these clinics. I for one would help in setting up these types of clinics & in conducting them. Fourth is overall smaller retention limits to 5-8 fish per year. This would allow more fish to become mature spawning fish. Changing size limits could make a huge difference also. Why not change the keeper size from 44" or 46" to 60" allowing more & stronger fish to slip through to maturity? Cutting down the amount of commercial fishing to equal the cut down in sport fishing would be very important also. Changing to a shorter harvest season & leave open for catch & release. I find that most people really don't mind the fact they are not going to take home a fish but are really bothered that they cannot catch & release. I see that everyone needs to be a bit more critical in these fisheries & with the effort from all aspects of these fisheries it will continue to survive & be strong. Without equal effort or without making some changes in the allowable gear to be used & getting EVERYONE not to fish above Beacon Rock during the closed period along with public education this fisheries doesn't stand a chance in the long run if left open without these changes! Changing the boat fisherman's boundaries *again* is only pushing everyone into more dangerous waters & conditions this is not the answer. Fifth, I have sat on the banks of Hamilton Is. for a time of 5 hrs one Saturday There were a lot of people fishing from the bank. Most all of them they told me that they were trying to catch keeper fish. In this 5 hr period of time there were 6 oversize Sturgeon hooked. After the fisherman realized that what they had on was not a keeper fish they cut the line all 6 times. This left a lot of monofilament & gear in the fish & in the water to tangle up & stress out or to even possibly kill these fish as they get caught up in the gear left. *(In a boat, fisherman would be able to chase the fish down & release the fish unharmed & in a timely manner. Also boat fisherman have the ability to back down on there gear & retrieve any hung up baits / gear & not leave them on the bottom of the river for a fish to swallow or ingest.)* I believe it should be illegal to cut your line unless the fish has ingested the hook / bait.. In changing the retention season for keeper fish in 2003 there was a 91% reduction of bank fishing efforts. If one is going to fish these areas you should be prepared to land & release these fish in a reasonable amount of time & care. This kind of release cannot be healthy for them. This is not a fishery for one person alone or the timed & weak. Sometimes it takes 2 or more sharing the rod to land these fish in a timely manner.

Hope you enforce a ban on sturgeon fishing above Skamania Island to the dam. But it should be year-round. Should not let guides target these fish for their personal gain and client's thrill. (15 signatures)

Conservation Committee of the Washington Fly Fishing Club strongly supports proposal. Long overdue. Implement immediately.

Targeted fishing for spawners during spawning time has to stop for boat and bank anglers. Bank anglers account for 20% of the handle during spawning times. This is a large dollar loss to guides, but can the fishery survive without it? Other problems are shad nets, boat noise, jets, props, pesticides, fungicides, tough lines and stainless hooks, outmigration with long lines, trawls, ghost nets, etc. May need roving closures or no gill net fisheries when spawners are present. What is best for the fishery to survive as a viable long-term wild sport and commercial fishery? No one mentions green sturgeon.

Own a small business in the area. Would be substantially impacted during the closure because there is nothing else to fish for. Spawners are in the faster water close to the dam that is already protected. Only bank anglers are allowed to bother them. They have to either drag the fish over rocks to retrieve their gear or cut the gear off, leaving line and gear inside the fish. Lets look at gear changes and possibly closing bank fisheries to protect the fish instead of the increased area closure.

Opposed to boat restriction. Closures should be for everyone. Bank anglers do catch sturgeon. They put more stress on them than boat anglers because they play them longer. Biologist that took fish for the study drug it behind the boat to a dock with a rope through the mouth and gill. And we are not even allowed to take them out of the water!

Northwest Sportfishing Industry Association opposes this proposal. There is not science to back it up. This, in conjunction with an early closure for spring chinook, would cause businesses in the vicinity to lose 40% of their income.

MODIFICATION: After discussions with Oregon, the following modification was agreed to by technical staff from both states: 1) Change the time period for the closure as proposed (May 1 – July 31). 2) Close the area to all fishing for sturgeon (bank fishing as well as boat fishing) 3) Make the closed area from Bonneville Dam downstream to the Light 85 line (Light 85 is at about river mile 139.4).

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

71. SPECIAL COLUMBIA RIVER STURGEON SEASON FOR BANK ANGLERS

PROPOSAL: Open a special sturgeon season for bank anglers only on the Columbia River from the mouth to the Wauna Power Lines May 1 – September 30.
EXPLANATION: Bank angling for sturgeon is a popular source of recreation and a social event enjoyed by many anglers. Success rates for bank anglers are much lower than boat anglers in this area. This proposal would require that a small portion of the below Wauna share of sturgeon be set aside to accommodate the longer season for bank angling.
TESTIMONY :
Sturgeon fishing from the bank should be allowed from the mouth of the Columbia River to Bonneville Dam year round. Most of the fish that are harvested during the year come from charter boats near the river mouth targeting sturgeon when they can't fish for salmon, or boat anglers. Bank fishers have a limited number of areas we can make use of and when you close

sections of the river like last year, I went from probably 20 fishing trips to 5. We do not have nearly the impact on these fish that the charters and boat anglers do yet we get the same restrictions. I went from a yearly retention of three fish on average to 0 this year because the limitations and not getting time on the water.

Support (2)

Could the rule have an exception for disabled fishers to use a boat to fish from, provided it is anchored to shore or pulled up on shore so as to use it as the accessible location, since bank "accessible" fishing along rivers isn't offered very often? This should be a consideration any time a specific boat restriction is in place, assuming the reason is to prevent you from fishing beyond the bank casting abilities of most. Using a boat to get from here to there is still legal, just not fishing from it. So unless there is a specific limitation on the available bank to fish from why would we want to prevent a disabled fisher from using a boat or floating device if it provided the means of access? Maybe we should address this issue across all rules anytime this issue comes up unless the limitation is like on the Cowlitz Blue Creek area or some other really crowed site. Rory Calhoun - Recreation Accessibility Specialist – Interagency Committee for Outdoor Recreation.

I do feel that this change is unfounded & unneeded.
We have seen a large increase in fishing pressure over the past years without having an increase in mortality rate of the oversize sturgeon. This info is from your own biologists who have attend the meetings this past year.
The pressure to make these changes seems to come from a group out of the Astoria/Illwaco area based on a feeling that these fish are being hurt by the hooks & line found in the stomachs. Those of us fishing in the Bonneville area are for the most part set up with proper tackle to handle these larger fish.
The same cannot be said for the majority of the people fishing the Astoria area.
Every year oversize sturgeon are hooked as they pass through Astoria area & broke off. This will cause more damage than anything. Before we set up new boundaries, we should be setting up tackle restrictions, ban nickel/stainless hooks, proper line -- reel-pole setups.
I would like to go on record as being opposed to the boundary change

I love the idea, however I think it should be expanded to include the entire lower river, up to Bonneville dam. The reasoning is the same as that in the proposal for the lower river. Bank anglers impact to the fishery is minimal when compared to boat anglers. The closure of the river this year was extremely hard on several businesses in the area that supply bait and tackle to fisherpersons. Also as an avid bank angler I know that there are access issues that keep us limited to a few locations which the dept should not have a problem patrolling. My friends and I have fished this area for years and we would welcome the opportunity of fishing as much as possible without having to waste time, money, and fuel.

Southwest Washington Anglers is against this proposal. A time when we are trying to dampen our catch of sturgeon in the estuary is not the time to establish an unrestricted fishery for one group of anglers.

STAFF RECOMMENDATION: Do not adopt. Continue discussions with Oregon about future retention fisheries. Not on track for this year.

COMMISSION ACTION: Proposal was not adopted.

72. COWLITZ RIVER – THREE PROPOSALS

WATER	SPECIES	SEASON	ADDITIONAL RULES
COWLITZ RIVER (Cowlitz/Lewis Co) from boundary markers at the mouth to Mayfield Dam	TROUT	June 1 – Mar 31	Min size 12". Daily limit 5. No more than 2 over 20" may be retained. Release wild CUTTHROAT. Release STEELHEAD with missing right ventral fin.
	Other Game Fish	June 1 – Mar 31	Statewide min. size/daily limit.
	TROUT	April1 – May 31	Min size 20' Daily limit 2 hatchery steelhead, except release STEELHEAD with missing right ventral fin.
	SALMON	May 1 – July 31	Min size 12". Daily limit 6. No more than 1 adult may be retained. Release wild CHINOOK.
	SALMON	Aug 1 – Dec 31	Min size 12". Daily limit 6. No more than 3 adults may be retained, of which no more than 2 may be adult CHINOOK. From Blue Creek to Mill Creek, release CHINOOK Oct 1 – Dec 31.
	SALMON	Jan 1 – April 30	Min size 12". Daily limit 6. No more than 2 adults may be retained. Release wild CHINOOK, wild COHO and CHUM.
	STURGEON	May 1- June 30	Catch and release (see page 64)
	STURGEON	July 1 – April 30	Min size 42". Max size 60". Daily limit 1. (See page 64)
	EULACHON	CLOSED	
	Additional rules for Mill Creek to Barrier Dam: upstream from a line from Mill Creek to a boundary marker on the opposite shore: 1) CLOSED WATERS from the Barrier Dam downstream 400' or the posted deadline. 2) ALL SPECIES – night closure and non-buoyant lure restriction April 1- Oct 31 3) Fishing from boats prohibited at all times 4) CLOSED to fishing on the south side of the river May 1- June 15 5) Hours of access to this area are 4:00 a.m. to 10:00 p.m. daily.		
Cowlitz River From posted PUD sign on Peters Road to the mouth of Ohanepecosh and Muddy Fork	TROUT	June 1 – Oct 31	Min size 8". Daily limit 2. Release CUTTHROAT.
	All Game Fish	June 1 – Oct 31	Statewide min. size/daily limit.
	STEELHEAD	Nov 1 – May 31	Min size 20". Daily limit 2 hatchery steelhead only.

Proposal 1: Make the regulations for the Cowlitz River from the Barrier Dam to Mayfield Dam the same as below the Barrier Dam.
Explanation 1: This proposal would allow anglers to harvest hatchery salmon and steelhead that may jump the barrier dam or may have been placed upstream, while offering protection to smolts, wild cutthroat, spring Chinook and coho.
PROPOSAL 2: Close the Cowlitz River to all fishing from the south side of the river from Mill Creek to the Barrier Dam May 1 – June 15.
EXPLANATION 2: Currently, in the permanent rules, the area from Mill Creek to the Barrier Dam is open to fishing from the south bank. Spring chinook stage in this area and are vulnerable to snagging. This rule has been put into effect by emergency rule for the last several years. This stock is critical for wild spring chinook recovery in the Cowlitz basin and throughout the lower Columbia.
Proposal 3: Change the season on the upper Cowlitz from year-round to the standard stream season.
EXPLANATION 3: By changing the game fish season from year-round to the standard stream season (June 1- Oct 31) with a steelhead only season the rest of the year, this

proposal provides protection for smolts while still providing opportunity to harvest late hatchery winter steelhead, both part of the re-introduction program in the upper Cowlitz watershed.

TESTIMONY :
Support (4)

Lower Columbia River Fly Fishers supports all three proposals

Support #1, oppose #2 – there is no more snagging on the South bank than on the North, support #3.

Suggest that regulations be changed to read: Fly Fishing Only year round, single barbless hook only. All wild fish must be released. Slot limit for trout, limit: 2 trout only, must be 14" minimum to 18" maximum. All trout 18" or over in length must be released.

Wild Steelhead Coalition supports all three proposals (4 letters).

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Washington Council of TU supports all 3 proposals.

STAFF RECOMMENDATION: Adopt all three proposals as proposed.

COMMISSION ACTION: Adopted all three proposals as proposed.

73. NORTH FORK LEWIS RIVER NIGHT CLOSURE

PROPOSAL: Extend the night closure and non-buoyant lure restriction on the NF Lewis River from the mouth to Colvin Creek to end November 30 instead of October 31.
EXPLANATION: To reduce the potential for snagging salmon. There are still significant numbers of salmon in this area during the month of November.

TESTIMONY :
Sent in the proposal to extend the night fishing closure to the end of November from Johnson Creek to Colvin Creek, due to the amount of snagging in this area only. Fish the Lewis 120 days/year and there is no snagging problem below the EF. This area does not need a night closure or NBL restriction. Please only consider the original proposal for a night closure between Johnson Ck and Colvin Ck.

I don't believe it will stop the snaggers as they will snag anyway. If additional harvest is wanted then the upper section below the dam should be opened. But that would most likely interfere with spawning fish.

Support (4)

Lower Columbia River Fly Fishers support

I disprove of the new rule of changing the night closer and nonboute rule on the North Fork Lewis River. I fish this river ever year. I look forward to night fishing in November. We throw glow balls at them they love it. This time of year not very many people fish there. Most of

the fish are dark. There is a very little amount bright ones. I was just there tonight 11/18/03. Not very many people there. I can see that you don't snaggers. But you can't punish the real fishermen. I run of snaggers when I see them. I think it should be open for night fishing. THIS IS FROM A CONCERN FISHERMAN PLEASE MAKE IT RIGHT.

I strongly support this change. It will protect late return wild chinook and reduce snagging. I am generally opposed to night fishing over wild stocks of fish.(2)

Sad to hear this proposal. Don't like "combat fishing" during the day. The best bite is the 20 minute prior to one hour before sunrise and the 20 minutes after one hour after sunset. A Portland TV station may have cast a bad light on this fishery. There are snaggers – some in broad daylight. From my fishing experiences at night: about 60% hooked in the mouth, 35% in the dorsal or pectoral fins, 5% hooked in the belly or tail. Estimate one fish out of 5 or 6 would be native and 70-80% are females. We mark November 1 on our calendars to get together to go night fishing – it has been a blast and we hope we can continue, not be discontinued due to the actions of a minority.

Single pointed hooks should be mandatory year-round. We have to release wild fish. Treble hooks after November 30 is stupid.

MODIFICATION: Change the affected area to Johnson Creek to Colvin Creek (as in the original proposal) rather than the mouth to Colvin Creek. This is the area where snagging is a problem.

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

74. CLOSE TRIBUTARIES TO THE LOWER KLICKITAT RIVER

PROPOSAL: This rule, requested by the Yakama Nation, would close Swale Creek, Wahkiacus Creek, Skookumchuck Creek, Snyder Creek, Wheeler Creek, Dillacort Creek, and Silvas Creek (Klickitat Co) to fishing for trout.
EXPLANATION: This is intended to provide protection to summer steelhead juveniles (an ESA listed species). The tributaries recommended do not contain sufficient numbers of catchable size trout to warrant a fishery. Stream survey information confirms the presence of juvenile anadromous fish.

TESTIMONY :
Support. No need to fish the Klickitat tribs. We must protect wild smolts and parr.

Support WDFW's attempt to protect native steelhead fisheries.

Support (9)

Lower Columbia River Fly Fishers support

I strongly support this change. These creeks contain spawning and rearing areas for wild fish. They provide minimal opportunity for legal harvest. Provides protection to ESA listed wild summer steelhead juveniles. The Yakima Nation supports.(2)

Steelhead Committee of Federation of Flyfishers supports proposal for closure of a smaller steelhead stream or reach that is particularly important for ESA listed or depressed steelhead stocks.

The summary of the Yakama Nation's proposed rule change is by and large accurate. The first sentence under the explanation portion needs to be expanded to include protection of "*both summer and winter steelhead juveniles*". Both stocks are federally listed as threatened.

Wild Steelhead Coalition supports (4 letters).

Please clarify how far (if any) upstream from the mouth is allowable.

Conservation Committee of the Washington Fly Fishing Club supports proposal to protect ESA listed juveniles.

Washington Council of TU supports proposal.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

75. UPPER KLICKITAT SEASON EXTENSION

PROPOSAL: Extend the season for game fish on the Klickitat River (Klickitat Co) above Pitt Bridge through the last day of February. The season for whitefish would still remain open December 1 – March 31, but special whitefish gear would only be required in March.

EXPLANATION: By extending the season, this proposal would increase harvest of marked hatchery summer run steelhead throughout Klickitat River and reduce the stray rate of this non-indigenous stock and the potential negative impacts to listed ESA wild steelhead populations.

TESTIMONY :

Against this proposal. No need to fish into the winter on the Klickitat. This would allow a skilled poacher to clean out wild fish on redds.

Support (4)

Lower Columbia River Fly Fishers support

Support but would recommend reducing the number of hatchery smolts planted.

I wholeheartedly endorse the extension of the season. I live in Oregon, but regularly visit, fish, raft the Klickitat. Historically, I have found it odd that the season ends so prematurely. I'm sure that the Washington residents would like me to spend money in their area during December-February. As a member of the Hood River watershed group, Trout Unlimited, and Oregon Trout, I am attuned to the concerns of the natural resources of the Klickitat River. However, I do not see how allowing fishing of hatchery fish can do nothing but support the economy of the area, improve wild steelhead spawning opportunities without harming the future potential of the river. I

would also endorse a no bait provision and barbless hooks to protect the wild strain of fish so that future runs will remain vital.

I own and operate a guide service and have done so for nearly 14 years. I have been involved with studies on the steelhead in this river as well. I too support this proposal to extend the season to allow harvest of hatchery steelhead. During the winter months the Klickitat is usually open for whitefishing. Using small fly rods and tiny flies in sizes 14 or smaller, on just about every trip to the river I would hook 1 to 5 steelhead, not even trying. Some were hatchery steelhead that had to be released, some were beautiful mint bright wild winter steelhead.
For years I have spoken with various biologist, Dan Rawding included about the reasons why the river closed at the end of November. Most of what I heard didn't make sense to me, I admit I am not a scientist or biologist, and agree that there are things I need to learn or do not know about steelhead, but at the same time I know common sense. The following is my approval of your proposal and with a little more incentive.
I am in total support of this proposal and would also like to add something as well...
Added Proposal: As of December 1st - to the last day of February, Barbless artificial lures only**.**
Explanation: To further protect wild spawning fish. It is a proven fact that fish take bait deeper which ultimately results in higher mortality. If we adopted barbless artificial lures only during this time, fish will be released easily, quickly and unharmed. I make my living on this river and in no way want to hurt my way of life. I take great pride in releasing wild steelhead unharmed, unetted, quickly and safely. I have hundreds of clients who have agreed with this explanation. This would create more economy for an area in desperate need of it. Hotels, restaurants and more would all be affected.
I am 100% IN FAVOR of your proposal**,** with or without my additional proposal. I just think that the added proposal could help both worlds. The wild steelhead will be protected and at the same time provide a valuable fishery while harvesting the hatchery steelhead that would normally be left to spawn (try to) with the native fish.

This proposal is a worthy consideration based on the number of hatchery steelhead that remain in the Klickitat well beyond the traditional December 1 closure. I want to encourage you and your staff to extend the season for non-bait fishing, allowing harvest of only hatchery steelhead. If this change is accepted, it would also be of value to enact it immediately after the decision to apply through March 31 of 2004. P.S. I buy an annual Washington out-of-state fishing license every year primarily for fishing the Klickitat

I am very much in favor of extending the season for hatchery Steelhead fishing on the Klickitat River. I believe to further protect the native Klickitat fish some sort of protective regulations should be put in place.

I strongly oppose. During this period, hatchery steelhead are all past prime. The department provides no data to demonstrate the benefits of this fishery. It would adversely affect the wild winter steelhead entering the system.(2)

I have enjoyed fishing the Klickitat with my family and friends for more than ten years. It is a very valuable resource for the local economy, the sportsman and the state of Washington. We spend most of our time late in the season and there are ample amounts of steelhead, both native and hatchery, in the river. We were just on the river two days ago for the final day of the season and my partner and me caught multiple fish.
I realize that the intent of closing the season early is to protect the native steelhead, and I agree that these fish need to be managed wisely. I do not agree, however, that closing the season on 11/30 is the best way to do this because many hatchery fish are still in the river at that time and

for many weeks after that. Two days ago, for example, we were still catching hatchery fish. Hatchery fish will spawn with wild fish and damage our native runs. The season should remain open at least until February so the sportsman can continue to weed out the hatchery fish. After November, the rules should prohibit the use of bait in order to protect the wild fish.

My understanding of why the Klickitat steelhead season closed while other eastern Washington and Oregon rivers stayed open was that there may be a run of winter fish in the lower river. I support the proposed change because it protects the winter run on the lower river, while at the same time allows local sportsmen the opportunity to catch fish from the healthy run of hatchery fish in the upper river. Judging from the counts over Bonneville and the Dalles Dams this year, it appears that there are a number of hatchery fish still in the Bonneville pool that have not yet run up to the upper river. Since the Department is trying to enhance the run of wild fish, it makes sense to allow fishermen the chance to harvest the hatchery fish through the winter. I am a resident of Yakima. We have no local options in the winter months for steelheading. Extending the Klickitat season will give the citizens of central Washington the same opportunities that other residents of the state have to fish locally for hatchery steelhead in the winter months.

I would like to see the Klickitat River season, above the Pitt Bridge remain open from the end of November to the end of February. For the last two years I have caught some beautiful hatchery fish. The river should remain open to harvest these fish and also from the first of December until the end of February, Single Point, Artificial Lures only should be allowed. By eliminating the use of bait and using barbless hooks, the Native fish can be released with a much lower mortality rate. Please consider the above modifications to the original proposal and, I look forward to many more trips to the Klickitat.

Steelhead Committee of Federation of Flyfishers generally supports harvest of hatchery steelhead to reduce interbreeding, but it would be better to reduce the number of smolts released, rather than extending the season.

I agree that the fishing season should be extended but single barbless hooks and a bait ban should go into effect for the extended season. This would allow anglers to release native fish unharmed and decrease the chance of accidental death due to taking bait too deep. This proposal should also be applied to other river systems that have a run of hatchery fish. Many anglers would use artificial lures in order to extend their fishing seasons on their favorite river system, I know that I would and given the right conditions I personally can catch as many if not more with artificial lures. I would also like to know how or if I could pursue this same proposal for the South Fork Stillaguamish system

The Yakama Nation does not support this proposed rule change to extend the sport-fishing season at this time for the following reasons:
Currently there is limited information on the stock status of the federally listed winter run steelhead known to occur in the Klickitat. It would be premature to extend this fishery until sufficient information exists on incidental impacts to the wild population. An extended sport fishery targeting hatchery summer run will also extend the catch of both ESA listed wild winter and summer run fish, subjecting them to increased hooking mortality and/or reduced spawning success. The co-managed Yakima Klickitat Fisheries Project (YKFP) has on-going studies designed to determine wild winter and summer run status. Discussions with WDFW of potential YKFP supplementation of wild winter were put on hold until the stock status of the ESA listed wild winter run could be assessed. The Yakama Nation feels the same caution should hold true for expanding the sport fishery on these fish it until it can be scientifically justified.

Observations by Yakama Nation Fisheries crews identified wild moralities during the existing fisheries, particularly in remote sections of the Klickitat River. On occasion, harvested wild fish were filleted and carcasses thrown on the bank. While use of selective gear many not result in the same amount of wild mortality as "back bouncing" eggs from a drift boat, there would indeed be substantial "takes" of both ESA listed wild summer and winter steelhead.
The Yakama Nation acknowledges the contention that out of basin (non-indigenous) Skamania summer steelhead may pose a risk to ESA listed fish in the Klickitat Basin. Preliminary results of a recently completed genetics analysis under the YKFP showed introgression of some Skamania alleles into the wild population. Therefore the upcoming transition of Klickitat Hatchery to the co-managed YKFP proposes to implement a genetically sensitive supplementation program using a local brood source of Klickitat wild summer run steelhead.
Summary
The information presented above outlines the Yakama Nation's position on the proposed recreational fishing change and at this time does not support proposed Rule #75. As additional information becomes available this proposed season extension may be reconsidered. The Yakama Nation understands the vital importance of recreation to the depressed economies in the Klickitat Basin, but feels that a clearer picture will emerge with increased scientific understanding under the co-managed YKFP.

Current season length is sufficient to harvest hatchery fish. Or increase the daily limit to 3 hatchery fish. In the 1980's you sponsored several experimental fishing days to test whether or not there was a winter steelhead run to the upper Klickitat. There was a winter run identified. This proposal would put undue pressure on that run. Should increase the daily limit instead.

Oppose. It is commonly understood that the majority of the wild summer-run steelhead return later in the Klickitat (late simmer/fall/early winter). Extending the season will place additional pressure on these fish. Proposal 74 and 75 contradict each other. (2)

Wild Steelhead Coalition supports with caution (4 letters). Additional enforcement is needed during the winter when fewer fishers and eyes are on the river.

Generally support harvest of hatchery steelhead to reduce interbreeding, a more scientific strategy would be to reduce the number of hatchery smolts released.

Has me concerned. Will it allow additional fishing in the Klickitat Gorge? Why not just allow fish to be retained Dec 1 – Feb 28. Why was size 14 hook selected for whitefish – a size 10 fly hook has been taken many times by whitefish. Disagree with rationale – please see rule #71 – very similar to Klickitat. Need more game officers along the Klickitat.

Conservation Committee of the Washington Fly Fishing Club opposes proposal. Will cause increased mortality on ESA listed wild stocks. Reduce hatchery plants instead.

Oppose – would like rules to stay the way they are. Fishing in November over the last 10 years, hatchery fish are less than 10% of the catch. Opening until the end of February would benefit the guides but hurt local wild winter-run fish. The damage is already done from introducing hatchery fish into the system. Currently there is only one enforcement officer in the area. The whitefish fisheries are the best in the state. Should make the rule Chinook release after the 31st – very few Chinook after that date are edible.

Washington Council of TU supports proposal.

STAFF RECOMMENDATION: Do not adopt at this time. Continue to work on a compromise with the Yakama Tribe as a possibility for the future.

COMMISSION ACTION: Proposal was not adopted.

76. CARLISLE LAKE BASS RULE

PROPOSAL: Change the bass rule for Carlisle Lake (Lewis Co) to the statewide standard for bass: no minimum size – daily limit 5, but only bass less than 12" or greater than 17" may be retained. No more than one over 17" may be retained.
EXPLANATION: The bass rule for Lake Carlisle was not changed to the statewide rule last year – and was an oversight that this rule will correct.

TESTIMONY :
Support (2)

I oppose. I do not support the protection of deleterious exotic fish in water, which may hold native fish. We are spending millions to save the salmon and to kill the native Northern Pike minnow, while at the same time protecting introduced predators. In recent years, bass have severely impacted Crane Prairie and Davis Lakes (among others) in Oregon.(2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

77. FORT BORST POND FISHING

PROPOSAL: For Fort Borst Pond (Lewis Co) - drop the family fishing rule (licensed adults accompanied by a juvenile) for this water. Allow fishing only by juveniles (under 15 years old).
EXPLANATION: This proposal is intended to provide more opportunity for juveniles to fish in this water. The family fishing rule has not worked as intended. Instead of families fishing together throughout the summer, more experienced adult anglers got easy limits for a few weeks while their kids watched or played nearby, followed by greatly reduced angling opportunity for the rest of the year.

TESTIMONY :
My family and I support proposal. Have witnessed the abuse by adults of the "family" use designation. Would enjoy taking my kids there more if it was like it used to be.

This is to encourage the return of Borst Lake fishing to juveniles only.

Would like to go on record as opposing the change. There are people disobeying the rules at this lake, but the lake is small and it is easy for a game warden to stop by and enforce the rules. Before the family fishing people didn't use the lake because it is so unsafe to leave kids alone these days. Have personally heard of cases where a parent was harassed by a game warden for helping a juvenile correctly land a fish. The current signs do not explain family fishing, so that may be one reason to change back to juveniles only.

Support the change. Have witnessed multiple violations of the current rule, even though there are signs posted.

Support (4)

COMMISSION ACTION: Adopted as proposed.

STAFF RECOMMENDATION: Adopt as proposed.

78. MOTOR RULES FOR LAKES IN GIFFORD PINCHOT NATIONAL FOREST

PROPOSAL: Prohibit fishing from boats with internal combustion engines in Goose, Mosquito, Tahklakh, Ollalie and Horseshoe lakes in Gifford Pinchot National Forest (Skamania Co).
EXPLANATION: The US Forest Service, who manages these lakes, restricts the use of boats equipped with internal combustion engines. This proposal will match the Forest Service Rules.

TESTIMONY :
Support (3)

Currently all lakes on the Gifford Pinchot National Forest are closed to all combustion motors except Walupt Lake. I recommend the proposed regulation be changed to state ALL LAKES on the Gifford Pinchot National Forest are close to combustion motors (including Walupt Lake).

I strongly support this change. These are small lakes and offer a relatively pristine and remote fishing experience without the need for motors. The use of motors is an obnoxious distraction in this type of setting. Good potential for gas/oil spills and associated pollution in an area very difficult to clean up. (2)

STAFF RECOMMENDATION: Do not adopt. National Forest rules already preclude the use of motorized boats. Put Gifford Pinchot phone number in the pamphlet for anglers to reference Forest Service rules.

COMMISSION ACTION: Proposal was not adopted.

79. COWLTIZ RIVER, MAYFIELD AND RIFFE LAKES CLOSED WATERS

PROPOSALS: Identify closed areas below Mayfield, Mossyrock, and Cowlitz Falls dams and around the water intake structure at the Cowlitz Hatchery. CLOSED WATERS areas would be– (1) Cowlitz River from 400 feet or posted markers below the barrier dam to boundary markers near the Cowlitz Salmon Hatchery water intake located about 1,700 feet upstream from the barrier dam; (2) Cowlitz River from Mayfield Dam downstream 400 feet; (3) Mayfield Lake from Mossyrock Dam downstream to the Tacoma Power safety signs at Onion Rock Bridge located just below the dam: and (4)

Riffe Lake from Cowlitz Falls Dam downstream to the Lewis CO PUD safety signs located about 800 feet below the dam.
EXPLANATION: To provide orderly fisheries with closed areas consistent with access closures below the dams and around the water intake structure at Cowlitz Salmon Hatchery. Tacoma Power and Lewis CO PUD already have closed some of the areas to access. This proposal would close these same areas to fishing.

TESTIMONY :
Support (3)

Lower Columbia River Fly Fishers support

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

80. MAYFIELD LAKE AND TILTON RIVER CUTTHROAT

PROPOSAL: In Mayfield Lake and the Tilton River from the mouth to the West Fork, require the release of all cutthroat.
EXPLANATION: This proposal will provide protection for sea-run cutthroat trout, which are part of the Tilton River anadromous fish re-introduction project. Juvenile sea-run cutthroat are being released into the Tilton River and smolts are collected from Mayfield Lake and released downstream. Returning adults are released back into the Tilton River. This rule would be consistent with the rules in the Cowlitz and Cispus Rivers and Lake Scanewa.

TESTIMONY :
Support WDFW's attempt to protect native species with a catch and release fishery.

Support (3)

Lower Columbia River Fly Fishers support

I strongly support this change. This protects sea-runs, which are part of the Tilton river reintroduction project. Good river and a good project. (2)

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

81. BIG BEEF CREEK

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
Big Beef Creek (Kitsap Co) from Seabeck Highway Bridge to Lake Symington	All Game Fish	June 1 – Aug 31	Catch and release and selective gear rules.

EXPLANATION: This proposal makes the Big Beef Creek fishery catch and release for all game fish, with selective gear rules. Hatchery cutthroat and rainbow trout are not stocked in the Big Beef Creek watershed. Resident, and sea-run cutthroat trout, wild coho, and wild steelhead parr are present throughout the system during the open fishing period. Changing to selective gear regulations and catch and release would retain fishing opportunity, reduce the numbers of wild coho and steelhead smolts encountered in the fishery, and reduce injuries to these fish. This rule change would also standardize freshwater regulations of several Hood Canal tributaries (see Dewatto, Union, and Tahuya River regulations).

TESTIMONY :
NO

Support (3)

Lower Columbia River Fly Fishers support

Steelhead Committee of Federation of Flyfishers supports proposal if wild steelhead release is not adopted statewide.

Wild Steelhead Coalition supports (4 letters).

Support if wild steelhead release is not adopted statewide. (2)

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Disagree. Catch and release should only be used when hatchery fish are to be retained. Should fish be below their escapement goal the fishery should be closed.

Washington Council of TU supports proposal.

Support change – rationale is well thought out and substantiated for steelhead protection.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

82. BIG RIVER WILD STEELHEAD RETENTION

PROPOSAL: Close the wild steelhead retention fishery and change to catch and release and selective gear rules for all game fish. (Retain the June 1 – Feb 28 season).
EXPLANATION: Big River is a small, non-monitored tributary to Lake Ozette and is vulnerable to over harvest. There is no information to determine the status of the wild steelhead run. It has been open for wild steelhead harvest for many years and only 3 have been reported caught since 1994/95. An average of 4 marked (hatchery) winter steelhead were harvested annually from 1994/95-99/00 (WDFW Catch Record Cards). No steelhead were reported harvested in 2000/01-01/02. Marked summer steelhead were reported caught in 1999/00 (6), 1996/97 (8) and 1994/95 (3). All hatchery fish caught are strays because there are no hatchery releases into Big River. This regulation is consistent with the Olympic National Park regulation in the Ozette River.

TESTIMONY :
For proposal. Wild Steelhead Release.

NO

Support (3)

Lower Columbia River Fly Fishers support

Change to: Flyfishing only, single barbless hook. Catch and Release only. Eliminate selective gear rules.

I strongly support this change the closure. Big River is not stocked. Only three wild fish have been recorded on punch cards in the last nine years. This change is consistent with regulations on place on the Ozette River. (2)

I would definitely oppose any reduction in the number of harvestable steelhead in the Olympic Peninsula rivers.

I am opposed to any more reduction in our wild steelhead harvest season. The spring is my favorite opportunity to fish for steelhead and to have a chance to harvest a fish or two.

I am a senior in Mech. Engineering at WSU. I have fished the rivers on the Peninsula my entire life. I nearly flunked High school because I fished so much. That is why I am 28 now and still in college. Anyhow I want to be taken seriously as a source of knowledge on the rivers at least on the Olympic Peninsula. The native steelhead runs are not endangered. The fishing in fact is pretty darn good in those late winter months. If you are concerned about a run on a particular year please select the rules accordingly and drop the native retention on the particular system to at least one a year. Do not ban us completely from keeping natives. I catch and release many of the natives that I encounter but if I get a trophy worth putting on the wall I would like the option of keeping it. Once we give this opportunity away we will never get it back. Please govern the rivers independently and based on yearly analysis. I am asking you to vote the proposed rulings down regarding taking fish out of the water for photos and mandatory release of all steelhead.

I would ask that the department evaluate each river, and the facilities available, before further reducing the amount of unmarked steelhead that sport fishers can keep. The Salmon River, at

least, has a tribally run hatchery that does not clip the adipose fins of the fish released. If WDFW would like to reduce the retention of actual wild fish, please re-implement the use of "fin cards" that measure the size of the fish's dorsal fin, thus allowing anglers to keep hatchery fish that are otherwise unmarked. There seems to be a growing confusion between unmarked hatchery fish and actual wild fish, and I would hate to see this cause unnecessary regulation where not needed.

President of SH Trout Club of WA says: Review of the Sportsfishing Proposed Rule Changes indicates that many concerning steelhead fishing are inconsistent with, and in some cases actually in conflict with, the Steelhead Management Plan quoted in the 'explanation' portion of rules 95 and 96. Specifically, proposed rules 82, 87, 90, 92, 94, and 97 will allow a catch and release fishery on stocks that show no evidence that predicted escapement goals have been met as required by the management plan: 'all recreational fisheries will be closed' [i.e. no catch and release]. Other proposals are similar. We request that the Dept. withdraw these changes from the request to the commission for adoption. This matter is not critical and can readily be delayed to the next cycle. The rules have not been thoroughly addressed in relation to predicted escapement goals, nor have they been reviewed with the public or with the Steelhead and Cutthroat Advisory committee established specifically for this purpose.

Steelhead Committee of Federation of Flyfishers supports proposal if wild steelhead release is not adopted statewide.

Concur, but the department should get data on this river and then re-evaluate the rule change.

Steelhead Trout Club opposes proposal. Justification is weak. No information is available to justify the change. There were an average of only 4 wild fish for 6 years. No fish reported for 2 years. Extremely limited # of strays (when not planted).

South Sound Fly Fishers (80 members) supports proposal.

Wild Steelhead Coalition supports (4 letters).

Olympic National Park strongly supports proposal.

Support if wild steelhead release is not adopted statewide. (2)

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Disagree. Catch and release should only be used when hatchery fish are to be retained. Should fish be below their escapement goal the fishery should be closed.

Washington Council of TU supports proposal.

Clark-Skamania Fly Fishers strongly supports. Runs have been disappointing lately and need protection. Is consistent with Sol Duc closure.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed. (See also proposal 5.5 – Statewide Moratorium on Wild Steelhead Retention).

83. DICKEY, BOGACHIEL, AND CALAWAH SEASONS

PROPOSAL: Close all of these streams on April 15 instead of April 30 (or in the case of the SF Calawah, February 28).

EXPLANATION: This proposal is similar to the Sol Duc proposal listed previously. It provides a consistent closure for most streams in the area, which should help spread out angling pressure and expands the opportunity on the SF Calawah. It also closes these rivers to wild steelhead harvest prior to peak spawning time, which is normally around the first of May.

TESTIMONY :

For proposal. I fished the last 2 weeks of April on the Bogachiel and only saw redds and fish on redds. No fresh fish. Protect the redds and the spawning fish Maintain the start of salmon fishing on May 1.

Do not support (5)

Support (2)

Lower Columbia River Fly Fishers support.

Support earlier closure on the Dickey and Bogachiel. SF Calawah should close Feb 28. The Dickey is in intense habitat degradation from massive floods over the last 10 years, and should be closed Feb 28.

I strongly support this change. In the last few years, wild steelhead returns have been disappointing and need additional protection. It is consistent with the Sol Duc closure. Closes these rivers prior to wild spawning time. (2)

I would definitely oppose any reduction in the number of harvestable steelhead in the Olympic Peninsula rivers.

I am opposed to any more reduction in our wild steelhead harvest season. The spring is my favorite opportunity to fish for steelhead and to have a chance to harvest a fish or two.

Because the great north coast Olympic Peninsula streams support the healthiest remaining runs of wild steelhead in Washington, the heart of the debate over wild steelhead retention is centered around these streams. Harvest of wild steelhead has contributed significantly to the depressed state of nearly every other stock of wild steelhead in the state, leaving only the north coast streams. Closing wild fish retention on April 15 rather than April 30 will do little to retard the decline that has occurred in almost every other stock. Complete elimination of retention would be a huge step in creating robust wild steelhead sanctuaries. Recent Department records show that more wild than hatchery fish have been harvested, that the return of wild steelhead to the Quillayute system has declined by almost 50% in three years. (Steelhead Committee of Federation of Flyfishers) and two others.

I am adamantly opposed to increased harvest opportunities of wild steelhead on the Quillayute River system rivers, (in fact any of our rivers.) Especially in December, January or February. In fact I do not want wild fish harvested from those rivers at all. I posit to you that you have no idea what the actual harvest from these rivers is.

Steelhead Trout Club opposes proposal. Combining 3 streams is not good management. Kalaloch and Cedar are tiny. Arbitrarily shutting down harvest with no knowledge of status and no prospects of more data in the future hardly appears to be an acceptable WDFW management policy. Consider a limited harvest. Principle should be sound science. Mosquito Creek is of legitimate concern due to unprecedented poaching by locals. WDFW should submit a summary of past catch record card data to give a reasonable rationale for closing.

Disagree with wild steelhead retention. All wild steelhead should be released.

South Sound Fly Fishers (80 members) supports proposal.

Oppose because SF Calawah needs to remain closed after the end of February to provide a spawning sanctuary. Support April 15 closures of other streams. (2)

Wild Steelhead Coalition (4 letters) does not support as written. Request a December and January wild fish release fishery. This will allow rebuilding of wild fish runs during these early run months. A recent WDFW report and a private report state a significant decline has occurred during these early months in comparison to historical runs. This harvest closure will help restore the run timing diversity to these rivers, and provide improved population resiliency, stability, and productivity. We do support additional seasons as determined by WDFW as needed for conservation of wild steelhead.
We further request changing to wild fish release, not allowing the 1 wild fish per day retention, to assure they do not follow the run depletion trends that have occurred in most other rivers of Washington (as well as the Georgia Basin).

Olympic National Park opposes. Recommend the closure date remains February 28 and do not support increased effort and harvest of wild steelhead that would otherwise spawn in portions of SF Calawah located in the Park.

Washington Council of TU recommends that wild steelhead in the Quillayute River system be released in December and January. The early portion of the run has been severely depleted. If we protect them it will increase the productivity of the river system. However, if this would influence the Quileute Tribe to increase fishing pressure, then WCTU opposes extending protection to the early wild component. The so-called foregone opportunity doctrine does not apply to steelhead and WCTU believes that treaty fishing seasons that harvest more than their lawful allocation of steelhead must be dealt with by WDFW policy level staff. Support changing the season for wild steelhead retention to April 15, but further recommends changing the entire season to wild steelhead release.

Do not support – favor the continued opportunity to harvest steelhead until April 30.

Support change – rationale is well thought out and substantiated for steelhead protection.

STAFF RECOMMENDATION: Do not adopt. Watch escapements carefully and implement restrictions next year if run sizes continue downward trend.

COMMISSION ACTION: Proposal was not adopted. Note: This river was affected by the moratorium on wild steelhead retention - see proposal 5.5 – Statewide Moratorium on Wild Steelhead Retention.

84. DUNGENESS RIVER SEASON

PROPOSAL: Extend the game fish season in the Dungeness River (Clallam Co) from the mouth to the hatchery intake pipe at RM 11.3 to end March 15 instead of the last day of February, making the season Oct 16 – March 15. (All other rules remain in place)
EXPLANATION: This extension will allow anglers additional time to harvest additional hatchery steelhead.

TESTIMONY :
No

Support (5)

Lower Columbia River Fly Fishers support.

Oppose – there are supposedly no surplus hatchery stock in this river.

Strongly oppose. We were successful only a few years ago in closing the Dungeness Feb 28 to save the last of the wild steelhead. Records show how weak they are. This is no time for additional fishing pressure.

Jamestown S'Klallam Tribe is opposed to this proposal for two reasons.
First, they are not certain what the run sizes and escapements are of naturally produced Dungeness steelhead, so they have no means of determining the potential impact of this proposal on naturally produced Dungeness steelhead. Until this improves, cannot agree with an extension of the season.
Second, the annual production of hatchery steelhead from Dungeness Hatchery is relatively small. However, the recent returns to the hatchery are not adequate to provide for the station's relatively small egg take requirements. It is not at all clear that there are additional hatchery steelhead to harvest.

I am opposed to any increase of pressure on the Dungeness River fishery in it's entirety. I see many anglers abusing the Bull Trout there, and I see quite a few people who appear to be taking fish there illegally.

Steelhead Trout Club supports proposal.

Wild Steelhead Coalition opposes at this time (4 letters) . Reg is written to allow clean up of hatchery fish but run is currently so low we are not making egg take needs. Wild run is depressed.

STAFF RECOMMENDATION: Do not adopt. Current hatchery run sizes do not justify extending the season.

COMMISSION ACTION: Proposal was not adopted.

85. HOKO RIVER HATCHERY STEELHEAD

PROPOSAL: Allow anglers to retain up to 2 hatchery steelhead per day during the fly fishing only fishery in the Hoko River from the upper Hoko Bridge to the Ellis Creek Bridge (RM 18.5) from June 1 – March 31.This fishery would remain catch and release for trout other than hatchery steelhead.

EXPLANATION: This section of the Hoko River has been on catch-and-release, fly fishing only regulations for many years. The Makah Tribe's hatchery rearing pond is just downstream of the upper Hoko Bridge and consequently hatchery steelhead do stray into the catch-and-release, fly fishing only area. This regulation will allow the harvest of some of these strays and prevent them from spawning in the wild.

TESTIMONY :

Support WDFW's attempt to protect native steelhead fisheries.

Support (7)

Lower Columbia River Fly Fishers support

Steelhead Committee of Federation of Flyfishers supports proposal.

Steelhead Trout Club supports proposal.

South Sound Fly Fishers (80 members) supports proposal.

Wild Steelhead Coalition supports (4 letters).

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Washington Council of TU supports proposal.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed. . Note: This river was affected by the moratorium on wild steelhead retention - see proposal 5.5 – Statewide Moratorium on Wild Steelhead Retention.

86. HOQUIAM RIVER AND ALL FORKS, CATCH AND RELEASE SEASON

PROPOSAL: For the Hoquiam River, (Grays Harbor Co), including all forks, retain the June 1 – Mar 31 game fish season but make the fishery catch and release and selective gear rules from March 1 – March 31. The salmon season would remain unchanged.

EXPLANATION: Early timed hatchery steelhead smolts were released into the EF Hoquiam River: 2002 - 22,000; 2001 - 15,000; 2000 - 18,300. Statewide rules will maximize hatchery winter steelhead harvest, Catch & release with selective gear rules beginning March 1 will provide fishing opportunity on a healthy wild fish stock. The opportunity to harvest hatchery steelhead will still be provided.

TESTIMONY :
NO (2)

Support (5)

Lower Columbia River Fly Fishers support

Steelhead Committee of Federation of Flyfishers supports proposal.

Steelhead Trout Club opposes proposal. Use option of 1 per day, 2-5 annually. If the run is healthy, it should be available for harvest.

Wild Steelhead Coalition supports (4 letters)

Do not support. River has healthy wild run, so why go catch and release? From 1994-95 to 2001-02 only 10 wild fish were kept – not hurting the wild run and allows you to get away from the crowd.

Should leave the rules as they are.

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Disagree. Catch and release should only be used when hatchery fish are to be retained. Should fish be below their escapement goal the fishery should be closed.

Washington Council of TU supports proposal.

MODIFICATION: Retain the June 1- March 31 season and selective gear rules, but instead of catch and release in March, allow harvest of up to two hatchery steelhead. Salmon season would remain unchanged.

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

87. KALALOCH, CEDAR AND MOSQUITO CREEKS WILD STEELHEAD RETENTION

PROPOSAL: Close the wild steelhead retention fishery in these three creeks, and require selective gear rules.
EXPLANATION: The wild steelhead populations in these streams are small and vulnerable to over-harvest. Kalaloch and Cedar Creeks are not monitored for escapement. Mosquito Creek was monitored in 2000, 2001 and 2003 (only 2 surveys per season). Approx. 6.1 miles and 5.3 miles were surveyed in 2000 and 2001, respectively. Spawning escapement estimates were 112 (18.4/mile) in 2000 and dropped to 52 (9.8/mile) in 2001. No surveys were conducted in 2002 due to lack of available staff. Only one survey in the 5.3 mile index area was completed on 4/16/03 and one additional in the lower 2.5 miles of the index area on 4/29/03. A total of only 27 redds were counted which is equal to about 50 steelhead (~9/mile).

TESTIMONY :
NO

Oppose due to lack of survey data, loss of fishing opportunity.

Support (3)

Lower Columbia River Fly Fishers support

Eliminate selective gear rules. Change to: Flyfishing only, single barbless hook. Catch and release only.

Support the closure to wild steelhead retention, but should include Goodman Creek because of habitat degradation. (2)

I would definitely oppose any reduction in the number of harvestable steelhead in the Olympic Peninsula rivers.

Support, but should add Goodman Creek.

I am opposed to any more reduction in our wild steelhead harvest season. The spring is my favorite opportunity to fish for steelhead and to have a chance to harvest a fish or two.

I am a senior in Mech. Engineering at WSU. I have fished the rivers on the Peninsula my entire life. I nearly flunked High school because I fished so much. That is why I am 28 now and still in college. Anyhow I want to be taken seriously as a source of knowledge on the rivers at least on the Olympic Peninsula. The native steelhead runs are not endangered. The fishing in fact is pretty darn good in those late winter months. If you are concerned about a run on a particular year please select the rules accordingly and drop the native retention on the particular system to at least one a year. Do not ban us completely from keeping natives. I catch and release many of the natives that I encounter but if I get a trophy worth putting on the wall I would like the option of keeping it. Once we give this opportunity away we will never get it back. Please govern the rivers independently and based on yearly analysis. I am asking you to vote the proposed rulings down regarding taking fish out of the water for photos and mandatory release of all steelhead.

President of SH Trout Club of WA says: Review of the Sportsfishing Proposed Rule Changes indicates that many concerning steelhead fishing are inconsistent with, and in some cases actually in conflict with, the Steelhead Management Plan quoted in the 'explanation' portion of rules 95 and 96. Specifically, proposed rules 82, 87, 90, 92, 94, and 97 will allow a catch and release fishery on stocks that show no evidence that predicted escapement goals have been met as required by the management plan: 'all recreational fisheries will be closed' [i.e. no catch and release]. Other proposals are similar. We request that the Dept. withdraw these changes from the request to the commission for adoption. This matter is not critical and can readily be delayed to the next cycle. The rules have not been thoroughly addressed in relation to predicted escapement goals, nor have they been reviewed with the public or with the Steelhead and Cutthroat Advisory committee established specifically for this purpose.

Steelhead Committee of Federation of Flyfishers supports proposal if wild steelhead release is not adopted statewide.

I support the closure of Cedar and Kalaloch creeks to harvest of wild fish based on the sport catch data showing a decline in harvest of wild fish(the only data available).You should consider using the dorsal fin measurement for identifying wild fish because some of the fish in these creeks are stray, unmarked ,hatchery fish from the Queets and Quinault. I oppose the closure to harvest of wild fish in Mosquito creek because the sport catch of wild fish is increasing (the only data available over long term). The department should get data on spawning escapement in these rivers and then revaluate the regulations.

South Sound Fly Fishers (80 members) supports proposal.

Wild Steelhead Coalition supports, but should add Goodman Creek (4 letters).

Olympic National Park supports proposal. Recommend you also close Goodman Creek to wild steelhead harvest and require selective gear rules. Coastal tribes do not target this water and foregone opportunity is not an issue. ONP will adopt wild release in the park portion - requests WDFW to do the same or any benefits gained from their closure will be negated by harvest in the rest of the stream.

Kalaloch has a good wild run with hatchery strays, is lightly fished and allows you to get away from the crowd. From 1991-92 10 wild fish were kept. Not hurting the wild run. Cedar Creek has a good wild run with hatchery strays, is lightly fished. From Hwy 101 up is only accessible by foot and should be left for those who want to get away from the crowd. Only 14 wild fish kept from 1992-92 to 2001-02. Mosquito Creek has a good wild run with hatchery strays, is lightly fished. Lower miles is foot access only. From 1991-92 to 2001-02 averaged 7 wild fish per season. Should leave the rules as they are for these creeks.

Support if wild steelhead release is not adopted statewide. (2)

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Washington Council of TU supports proposal and recommends adding Goodman Creek.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed. (See also proposal 5.5 – Statewide Moratorium on Wild Steelhead Retention).

88. NASELLE RIVER SEASON

PROPOSAL: Naselle River – mouth to North Fork – extend the game fish season to April 15. Retain current rules (catch and release for all game fish except up to 2 hatchery steelhead may be retained), but add selective gear rules from March 1 – April 15.

EXPLANATION: The Naselle wild steelhead run is healthy and exceeding its escapement goal. This proposal will allow anglers additional opportunity to utilize this resource. The season will close prior to the peak of spawning.

TESTIMONY :

Ok to extend season, no to selective gear rules.

Support (3)

Lower Columbia River Fly Fishers support

Remove selective gear regulations and change to: Flyfishing only, single barbless hook. Catch and release only.

I oppose the extension. This is not a large river. There is not adequate data to support additional pressure. The proposal adds confusion to the regulations since the April 15 closure is consistent with other SW Washington streams. (2)

Steelhead Committee of Federation of Flyfishers supports proposal if wild steelhead release is not adopted statewide.

Wild Steelhead Coalition supports (4 letters)

Support if wild steelhead release is not adopted statewide.

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Washington Council of TU supports proposal.

Clark-Skamania Fly Fishers opposes the extension. This is not a large river. There is not adequate data to support additional pressure. Makes the rules more confusing.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

89. PUYALLUP AND CARBON RIVERS SEASON

PROPOSAL: On the Puyallup River from the 11th St Bridge to the Soldier's Home Bridge in Orting and the Carbon River from the mouth to the Highway 162 Bridge - close the game fish season on the last day in February instead of March 31. Other rules remain unchanged.

EXPLANATION: The Puyallup and Carbon rivers have been closed at the end of February by emergency regulation the past several years because the number of wild winter steelhead returning to the system has been substantially below the escapement goal.

TESTIMONY :

No – low return is due to tribal gill nets.

Support (4)

Lower Columbia River Fly Fishers support

Steelhead Committee of Federation of Flyfishers and two others would support a proposal for a catch and release season with selective gear March 1-31 rather than closing in March.

Wild Steelhead Coalition supports (4 letters)

Conservation Committee of the Washington Fly Fishing Club supports proposal for conservation of wild stocks.

Washington Council of TU supports proposal.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

90. QUILLAYUTE RIVER SEASON

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
Quillayute River (Clallam Co) from mouth to confluence of Sol Duc and Bogachiel rivers, including Olympic National Park waters	TROUT	June 1- April 15	Min size 14". Daily limit 2. 1 wild STEELHEAD per day may be retained Dec 1 – Apr 15.
	Other Game Fish	June 1-April 15	Statewide min size and daily limit.
	All Game Fish	Apr 16 – May 31	Catch and release except up to 2 hatchery steelhead may be retained.
	SALMON	Mar 1-Aug 31	Min size 12" Daily limit 6. No more than 2 adults may be retained. Release wild adult CHINOOK and wild adult COHO.
	SALMON	Sept 1 – Nov 30	Min size 12" Daily limit 6. No more than 3 adults may be retained. No more than a total of 2 adults may be CHINOOK or wild COHO.

EXPLANATION: This proposal will provide consistent winter steelhead closures to wild steelhead retention on the north coast (Queets, Clearwater, Hoh and S.F. Hoh all close on Apr. 15). The current game fish catch and release fishery (except up to 2 hatchery steelhead may be retained) during the spring chinook salmon fishery would still occur, but would begin on April 16 instead of May 1. Anglers will still be concentrated here and on the Sol Duc during the last two weeks in April because of the open salmon fishery but harvest of wild steelhead will be eliminated after April 15. This also closes the river to wild steelhead harvest prior to peak spawning time which is normally around the first of May.

TESTIMONY :

For proposal. Support closing the kill fishery 2 weeks early, but why not go to 100% wild steelhead release year round? Maintain the start of salmon fishing on May 1

Support (5)

No

Oppose early closure, favor the continued opportunity to harvest steelhead until April 30.

Lower Columbia River Fly Fishers support

I would definitely oppose any reduction in the number of harvestable steelhead in the Olympic Peninsula rivers.

I am opposed to any more reduction in our wild steelhead harvest season. The spring is my favorite opportunity to fish for steelhead and to have a chance to harvest a fish or two.

President of SH Trout Club of WA says: Review of the Sportfishing Proposed Rule Changes indicates that many concerning steelhead fishing are inconsistent with, and in some cases actually in conflict with, the Steelhead Management Plan quoted in the 'explanation' portion of rules 95 and 96. Specifically, proposed rules 82, 87, 90, 92, 94, and 97 will allow a catch and release fishery on stocks that show no evidence that predicted escapement goals have been met as required by the management plan: 'all recreational fisheries will be closed' [i.e. no catch and release]. Other proposals are similar. We request that the Dept. withdraw these changes from the request to the commission for adoption. This matter is not critical and can readily be delayed to the next cycle. The rules have not been thoroughly addressed in relation to predicted escapement goals, nor have they been reviewed with the public or with the Steelhead and Cutthroat Advisory committee established specifically for this purpose.

Because the great north coast Olympic Peninsula streams support the healthiest remaining runs of wild steelhead in Washington, the heart of the debate over wild steelhead retention is centered around these streams. Harvest of wild steelhead has contributed significantly to the depressed state of nearly every other stock of wild steelhead in the state, leaving only the north coast streams. Closing wild fish retention on April 15 rather than April 30 will do little to retard the decline that has occurred in almost every other stock. Complete elimination of retention would be a huge step in creating robust wild steelhead sanctuaries. Recent department records show that more wild than hatchery fish have been harvested, that the return of wild steelhead to the Quillayute system has declined by almost 50% in three years. (Steelhead Committee of Federation of Flyfishers) and two others.

Do not approve. There is no reason to close the Quillayute before 4/30 when wild fish escapements have exceeded goals by 100% even in recent years. If the negative trend continues downward in future years, consider emergency closures. The fishing pressure in the last 2 weeks of April is very low and the impact to harvest is minimal by cutting off two weeks of fishing at that time.

Disagree with wild steelhead retention. All wild steelhead should be released.

South Sound Fly Fishers (80 members) supports proposal.

Wild Steelhead Coalition (4 letters) does not support as written. Request a December and January Wild Fish Release fishery. This will allow rebuilding of wild fish runs during these early run months. A recent WDFW report and a private report state a significant decline has occurred during these early months in comparison to historical runs. This harvest closure will help restore the run timing diversity to these rivers, and provide improved population resiliency, stability, and productivity. We do support additional seasons as determined by WDFW as needed for conservation of wild steelhead.
We further request changing to wild fish release, not allowing the 1 wild fish per day retention, to assure they do not follow the run depletion trends that have occurred in most other rivers of Washington (as well as the Georgia Basin).

Do not support.(2)

Disagree. River has exceeded the wild escapement goal most years and the season should be longer, not shorter.

Washington Council of TU recommends that wild steelhead in the Quillayute River system be released in December and January. The early portion of the run has been severely depleted. If we protect them it will increase the productivity of the river system. However, if this would influence the Quileute Tribe to increase fishing pressure, then WCTU opposes extending protection to the early wild component. The so-called foregone opportunity doctrine does not apply to steelhead and WCTU believes that treaty fishing seasons that harvest more than their lawful allocation of steelhead must be dealt with by WDFW policy level staff. Support changing the season for wild steelhead retention to April 15, but further recommends changing the entire season to wild steelhead release.

Support change – rationale is well thought out and substantiated for steelhead protection.

STAFF RECOMMENDATION: Do not adopt. Watch escapements carefully and implement restrictions next year if run sizes continue downward trend.

COMMISSION ACTION: Proposal was not adopted. Note: This river was affected by the moratorium on wild steelhead retention - see proposal 5.5 – Statewide Moratorium on Wild Steelhead Retention.

91. UPPER QUINAULT RIVER SEASON

PROPOSAL: Extend the game fish season on the Upper Quinault River (from the mouth at the upper end of Quinault Lake upstream to the National Park boundary) from the current March 31 to April 15. This would also extend the wild steelhead retention fishery until April 15.

EXPLANATION: This proposal provides consistent winter steelhead closures on the north coast (Queets, Clearwater, Hoh and S.F. Hoh all close on Apr. 15) to help spread out angling pressure during the wild steelhead retention season.

TESTIMONY :

For proposal. Consistent closure. However, go to 100% wild steelhead release.

Support (2)

Lower Columbia River Fly Fishers support

I strongly oppose. Tribal fishery already kills almost all wild steelhead returning to the Upper River. Very few wild fish manage to return to spawn, and these should not be killed. This is a step backward for wild fish protection. (2)

Because the great north coast Olympic Peninsula streams support the healthiest remaining runs of wild steelhead in Washington, the heart of the debate over wild steelhead retention is centered around these streams. Harvest of wild steelhead has contributed significantly to the depressed state of nearly every other stock of wild steelhead in the state, leaving only the north coast streams. Closing wild fish retention on April 15 rather than April 30 will do little to retard the decline that has occurred in almost every other stock. Complete elimination of retention

would be a huge step in creating robust wild steelhead sanctuaries. Recent Department records show that more wild than hatchery fish have been harvested, that the return of wild steelhead to the Quillayute system has declined by almost 50% in three years. (Steelhead Committee of Federation of Flyfishers) and two others.

I highly endorse this change. Escapements are being met in the Quinault. This river is often clear and fishable when the neighboring Queets is out. This change makes the Quinault consistent with other rivers. The harvest of wild fish is very low in the Quinault due to limited access, clear water, etc., so the impact to wild fish escapements should be minimal.

Steelhead Trout Club opposes proposal. make it April 30. Tribe harvests 70-98%, an additional 15 days is not significant and is comparable with other April 30 changes recommended.

No – should stay open until 4/30. Would have no effect on wild fish. For bank fishermen, it's the toughest river on earth to fish.

Oppose. Additional harvest is not necessary and could quickly cause decline.

Wild Steelhead Coalition opposes as written (4 letters). The states catch comes from the area above the Quinault Lake and in the ONP. The river has traditionally made escapement. Support with the request of the addition of wild steelhead release and selective rules to provide this upper section of the Quinault River the same protection given to wild steelhead in the upper reaches of most of the other major ONP rivers.

Olympic National Park opposes based on increased opportunity to harvest wild steelhead that otherwise would be destined to spawn in Park waters. Also would be inconsistent with ONP regs, where existing regs are the same.

Excellent idea- long overdue.

Oppose the change. (3)

Conservation Committee of the Washington Fly Fishing Club requests an amendment – wild steelhead release. Although currently escapement goals are being met, it may well be the incubator for the progeny of wild fish that stray and colonize other streams – needs careful management.

Washington Council of TU supports proposal if the season extension contains wild steelhead release.

Clark-Skamania Fly Fishers strongly opposes. Lower river tribal fishery already kills almost all wild steelhead returning to the upper river. Few wild fish return to spawn – they should not be killed.

Extend the season until April 30 - favor continued opportunity to harvest steelhead until April 30.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed. Note: This river was affected by the moratorium on wild steelhead retention - see proposal 5.5 – Statewide Moratorium on Wild Steelhead Retention.

92. SALMON RIVER WILD STEELHEAD RETENTION

PROPOSAL: Close the wild steelhead retention fishery in the Salmon River outside the Quinault Indian Reservation and Olympic National Park. Anglers may still retain hatchery steelhead, but hatchery steelhead are identified in the Salmon River as steelhead with a dorsal fin height of less than 2 1/8" or with an adipose or ventral fin clip.

EXPLANATION: This proposal will provide protection to wild steelhead. The Salmon River wild winter steelhead are subjected to high fishing pressure because of directed harvest on hatchery steelhead. Very few of the hatchery steelhead are marked and the wild escapement is not monitored in Salmon River. The Olympic National Park (ONP) has required the dorsal fin measurement to identify hatchery steelhead in the Queets mainstem and has adopted this same regulation in the Park area of Salmon River. This proposed regulation would be consistent with the ONP regulation.

TESTIMONY :

Support WDFW's attempt to protect native steelhead fisheries.

Support (6)

Grays Harbor Chapter of TU opposes – leave as it is – same as National Park Res.
Lower Columbia River Fly Fishers support

I oppose the new definition of a hatchery fish. It is my position that a hatchery fish is properly defined as a fish with a fin clip. There is no adverse impact on the fishery if an unclipped hatchery fish must be released. (2)

I would definitely oppose any reduction in the number of harvestable steelhead in the Olympic Peninsula rivers.

I am opposed to any more reduction in our wild steelhead harvest season. The spring is my favorite opportunity to fish for steelhead and to have a chance to harvest a fish or two.

I am a senior in Mech. Engineering at WSU. I have fished the rivers on the Peninsula my entire life. I nearly flunked High school because I fished so much. That is why I am 28 now and still in college. Anyhow I want to be taken seriously as a source of knowledge on the rivers at least on the Olympic Peninsula. The native steelhead runs are not endangered. The fishing in fact is pretty darn good in those late winter months. If you are concerned about a run on a particular year please select the rules accordingly and drop the native retention on the particular system to at least one a year. Do not ban us completely from keeping natives. I catch and release many of the natives that I encounter but if I get a trophy worth putting on the wall I would like the option of keeping it. Once we give this opportunity away we will never get it back. Please govern the rivers independently and based on yearly analysis. I am asking you to vote the

proposed rulings down regarding taking fish out of the water for photos and mandatory release of all steelhead.

President of SH Trout Club of WA says: Review of the Sportsfishing Proposed Rule Changes indicates that many concerning steelhead fishing are inconsistent with, and in some cases actually in conflict with, the Steelhead Management Plan quoted in the 'explanation' portion of rules 95 and 96. Specifically, proposed rules 82, 87, 90, 92, 94, and 97 will allow a catch and release fishery on stocks that show no evidence that predicted escapement goals have been met as required by the management plan: 'all recreational fisheries will be closed' [i.e. no catch and release]. Other proposals are similar. We request that the Dept. withdraw these changes from the request to the commission for adoption. This matter is not critical and can readily be delayed to the next cycle. The rules have not been thoroughly addressed in relation to predicted escapement goals, nor have they been reviewed with the public or with the Steelhead and Cutthroat Advisory committee established specifically for this purpose.

Steelhead Committee of Federation of Flyfishers supports proposal if wild steelhead release is not adopted statewide. However, the Department needs to insist that all Salmon River hatchery steelhead are adipose fin clipped. Trying to legislate the separation of wild from hatchery steelhead by dorsal fin size will inevitably result in killing off the smaller wild fish over time and reducing the diversity of the stock.

Fishery is really “put and take” based on hatchery production. Fish are not marked, enforcement difficult. Suggest you leave the rule as it is.

Wild Steelhead Coalition supports (4 letters).

Olympic National Park supports proposal based on consistency with ONP regulations.

Most of the early wild fish are from hatchery stock that spawns in the upper river after being passed at the hatchery after escapement is met. Original late fish don’t come until March. River closes at the end of February. ONP should change their rules go allow wild fish retention if you have a bleeder that will die anyway.

Support if wild steelhead release is not adopted statewide. Need to insist that all hatchery steelhead are fin clipped. (2)

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Washington Council of TU supports proposal.

Clark-Skamania Fly Fishers opposes the portion containing the new definition of a hatchery fish.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed. (See also proposal 5.5 – Statewide Moratorium on Wild Steelhead Retention).

93. EAST FORK SATSOP RIVER SALMON SEASON

PROPOSAL: Open a salmon season for hatchery coho and chum (no retention of wild coho or chinook) on the EF Satsop River (Grays Harbor Co) from the bridge at Schafer Park upstream to the mouth of Bingham Creek November 1 - 30. The game fish season (with current daily limits and minimum sizes) would also be extended in this area through November. Selective gear rules would be required for all species in this area during the month of November.

EXPLANATION: Large numbers of excess coho return to the Bingham Creek Hatchery, located on the East Fork Satsop. Extending the fishing area and season for salmon will allow anglers access to hatchery coho, but minimize potential snagging problems. (This proposed season addition is not shown on the pamphlet entry for the proposal titled "*Satsop and Wynoochee Rivers Motor Prohibition*").

TESTIMONY :

Support (5)

Lower Columbia River Fly Fishers support.

Chehalis Basin Fisheries Task Force (CBTF) opposes proposal. This area is the primary spawning area for wild chum and Chinook. Our volunteers have spent thousands of hours and considerable money to rebuild these runs. The EF Satsop below Schafer Park has poaching problems, especially at the mouth of Decker Creek and an entrance to a man-made spawning channel during low flows. CBTF has brought this to WDFW's attention repeatedly, with no results. Poaching was extremely bad this year. CBTF requests the commission close the EF Satsop 500 ft above the confluence of the East and Middle Forks to reduce the debauchery we have been witnessing in recent years.

One of the big reasons the Simpson Hatchery has that excess of Coho is that most of the better fishing holes with good bank access have disappeared. The "S-curves" became the "elongated L" hole 20 years ago when the river punched through the upper bend. The deep hole at the quasi-boat launch near Cook Creek filled in about 15 years ago. The hole at the junction of the East fork and Tornow has been essentially closed off by landowners, and just recently both the gravel bar at Cook Creek and the access downstream from the mouth of the East fork have been eliminated.

Opening the water above the bridge is a bad idea. Who exactly thinks it will minimize potential snagging problems? Much of that water has small, shallow sections away from the road, where anyone could snag fish to their heart' s content. Instead, load up the excess and truck them back down to the mouth.

Better yet, get some access to the main river. That was the whole idea behind the Access Stewardship program. Well Steward, get some Access! I would think that long gravel bar on the west side of the river near the Hinkanen ranch could handle all the traffic that river gets.

Grays Harbor Chapter 111 of TU strongly opposes. Over 70% of the Chinook, wild coho and chum spawn in this reach. Fishery would have a negative effect on recovery and adequate spawning. Fishers would be walking on spawning beds and harassing spawning fish. Should be a sanctuary. Have tried at NOF meetings to get the EF closed at, or near the confluence of the Middle Fork in October and November. This would end the snagging problem.

STAFF RECOMMENDATION: Do not adopt. The proposal needs more evaluation and may be discussed at the 2004 salmon management meetings this spring.

COMMISSION ACTION: Proposal was not adopted.

94. SOL DUC RIVER

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
Sol Duc River (Clallam Co) from mouth to concrete pump station at Sol Duc Hatchery	TROUT	June 1-April 15	Min size 14". Daily limit 2. 1 wild STEELHEAD per day may be retained Dec 1 – Apr 15.
	Other Game Fish	June 1-April 15	Statewide min size and daily limit.
	All Game Fish	Apr 16 – May 31	Catch and release except up to hatchery steelhead may be retained.
	SALMON	Mar 1-Aug 31	Min size 12" Daily limit 6. No more than 2 adults may be retained. Release wild adult CHINOOK and wild adult COHO.
	SALMON	Sept 1 – Nov 30	Min size 12" Daily limit 6. No more than 3 adults may be retained. No more than a total of 2 adults may be CHINOOK or wild COHO.
From concrete pump station at Sol Duc Hatchery to Hwy 101 Bridge downstream of Snider Creek	TROUT	June 1 April 15	Min size 14". Daily limit 2. Selective gear rules Nov 1 – April 15.
	Other Game Fish	June 1 –April 15	Statewide min size and daily limit. Selective gear rules Nov 1 – April 15.
From Hwy 101 Bridge downstream of Snider Creek to Olympic National Park boundary	TROUT	June 1 – Oct 31	Min size 14". Daily limit 2. Selective gear rules.
	Other Game Fish	June 1 – Oct 31	Statewide min size and daily limit. Selective gear rules.

EXPLANATION: This rule change will provide consistent winter steelhead closures on the north coast (Queets, Clearwater, Hoh and S.F. Hoh all close to wild fish retention on Apr. 15). The current game fish catch and release fishery (except up to 2 hatchery steelhead may be retained) during the spring chinook salmon fishery would still occur, but would begin on April 16 instead of May 1. Anglers will still be concentrated here and on the Quillayute River during the last two weeks in April because of the open salmon fishery but harvest of wild steelhead will be eliminated after April 15. This also closes the river to wild steelhead harvest prior to peak spawning time, which is normally around the first of May.

TESTIMONY :

For proposal. Support closing the kill fishery 2 weeks early, but why not go to 100% wild steelhead release year round? Maintain the start of salmon fishing on May 1

Support (6)

Lower Columbia River Fly Fishers support

Change to: Catch and Release all Wild Steelhead.

I would definitely oppose any reduction in the number of harvestable steelhead in the Olympic Peninsula rivers.

I am opposed to any more reduction in our wild steelhead harvest season. The spring is my favorite opportunity to fish for steelhead and to have a chance to harvest a fish or two.

President of SH Trout Club of WA says: Review of the Sportsfishing Proposed Rule Changes indicates that many concerning steelhead fishing are inconsistent with, and in some cases actually in conflict with, the Steelhead Management Plan quoted in the 'explanation' portion of rules 95 and 96. Specifically, proposed rules 82, 87, 90, 92, 94, and 97 will allow a catch and release fishery on stocks that show no evidence that predicted escapement goals have been met as required by the management plan: 'all recreational fisheries will be closed' [i.e. no catch and release]. Other proposals are similar. We request that the Dept. withdraw these changes from the request to the commission for adoption. This matter is not critical and can readily be delayed to the next cycle. The rules have not been thoroughly addressed in relation to predicted escapement goals, nor have they been reviewed with the public or with the Steelhead and Cutthroat Advisory committee established specifically for this purpose.

Because the great north coast Olympic Peninsula streams support the healthiest remaining runs of wild steelhead in Washington, the heart of the debate over wild steelhead retention is centered around these streams. Harvest of wild steelhead has contributed significantly to the depressed state of nearly every other stock of wild steelhead in the state, leaving only the north coast streams. Closing wild fish retention on April 15 rather than April 30 will do little to retard the decline that has occurred in almost every other stock. Complete elimination of retention would be a huge step in creating robust wild steelhead sanctuaries. Recent department records show that more wild than hatchery fish have been harvested, that the return of wild steelhead to the Quillayute system has declined by almost 50% in three years. (Steelhead Committee of Federation of Flyfishers) and two others.

Do not approve of the closure because this river is exceeding escapements by 100%.

Steelhead Trout Club opposes proposal. Consistency is understandable except that each river is unique and should be considered on its own merits. Steelhead have been observed spawning from Memorial Day through July 4 in the Quillayute system. This is an open invitation for the tribe to substantially increase their gill net fishery.

Disagree with wild steelhead retention. All wild steelhead should be released.

South Sound Fly Fishers (80 members) supports proposal.

Wild Steelhead Coalition (4 letters) does not support as written. Request a December and January wild fish release fishery. This will allow rebuilding of wild fish runs during these early run months. A recent WDFW report and a private report state a significant decline has occurred during these early months in comparison to historical runs. This harvest closure will help restore the run timing diversity to these rivers, and provide improved population resiliency, stability, and productivity. We do support additional seasons as determined by WDFW as needed for conservation of wild steelhead.
We further request changing to wild fish release, not allowing the 1 wild fish per day retention, to assure they do not follow the run depletion trends that have occurred in most other rivers of Washington (as well as the Georgia Basin).

Do not support. (4)

Washington Council of TU supports proposal.

Washington Council of TU recommends that wild steelhead in the Quillayute River system be released in December and January. The early portion of the run has been severely depleted. If we protect them it will increase the productivity of the river system. However, if this would influence the Quileute Tribe to increase fishing pressure, then WCTU opposes extending protection to the early wild component. The so-called foregone opportunity doctrine does not apply to steelhead and WCTU believes that treaty fishing seasons that harvest more than their lawful allocation of steelhead must be dealt with by WDFW policy level staff. Support changing the season for wild steelhead retention to April 15, but further recommends changing the entire season to wild steelhead release.

Extend the season until April 30 - favor continued opportunity to harvest steelhead until April 30.

Alternative 1 – wild release October1 – Dec 31. Attempts to restore an apparent historical early winter run size. Alternative 2 – wild release October 1 through May 30. Responds to an apparent diminishing run size and escapement concerns on all west end rivers.

STAFF RECOMMENDATION: Do not adopt. Watch escapements carefully and implement restrictions next year if run sizes continue downward trend.

COMMISSION ACTION: Proposal was not adopted. (See also proposal 5.5 – Statewide Moratorium on Wild Steelhead Retention).

95. TAHUYA RIVER, DEWATTO RIVER SEASON

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
Tahuya River (Mason Co) from mouth to marker approx 1 mi above North Shore Rd Bridge	All Game Fish SALMON	June 1-Oct 31 Sept 16 – Oct 31	Catch and release Selective gear rules. Min size 12". Daily limit 2 COHO only. Selective gear rules.
From marker approx 1 mi above North Shore Rd Bridge to Bear Creek-Dewatto Road crossing	All Game Fish	June 1 –Oct 31	Catch and release. Selective gear rules.
From Bear Creek-Dewatto Road crossing upstream	All Game Fish	June 1 – Oct 31	Catch and release. Selective gear rules.

WATER	SPECIES	SEASON	ADDITIONAL RULES
Dewatto River (Mason Co) from mouth to Dewatto-Holly Rd Bridge	All Game Fish	June 1-Oct 31	Catch and release Selective gear rules
	SALMON	Sept 16 – Oct 31	Min size 12". Daily limit 2 COHO only. Selective gear rules.
From Dewatto-Holly Rd Bridge to Bear Creek-Dewatto Road	All Game Fish	June 1 – Oct 31	Catch and release. Selective gear rules.
From Bear Creek-Dewatto Road upstream	All Game Fish	June 1 – Oct 31	Catch and release. Selective gear rules.

EXPLANATION: This regulation proposes to close the winter steelhead season and change the season on both these streams to the (statewide stream season). This proposal also changes all open seasons to selective gear rules which were not previously in place during the salmon seasons. This proposal is intended to protect wild winter steelhead population consistent with WDFW Steelhead Management Plan which states: "*If a wild steelhead run is predicted to return below the escapement goal and there are few or no harvestable hatchery steelhead mixed with the under-escaped wild run or there are few or no harvestable wild steelhead of another race (i.e. winter or summer steelhead) mixed with the under-escaped wild run, all recreational steelhead fisheries will be closed*".
Wild winter steelhead escapement in the Tahuya River has ranged from 73 to 340 fish from 1992 through 2001 and has been consistently (i.e., in 9 of the last 10 years) below the escapement goal of 236 fish; the stock is rated Depressed in Salmonid Stock Inventory due to chronically low escapement. No hatchery steelhead smolts have been stocked since 1994 so no hatchery steelhead adults are predicted to return.
Wild winter steelhead escapement in the Dewatto River has ranged from 11 to 40 fish from 1993 through 2001 and is consistently below the escapement goal of 138 fish; the stock is rated Depressed in SaSI due to chronically low escapement. No hatchery steelhead smolts have been stocked since 1994 so no hatchery steelhead adults are predicted to return.

The proposal also adds selective gear rules to the salmon fishery to protect sea-run cutthroat trout from hook-and-release mortality associated with use of bait. Catch-and-release and selective gear rules are in effect for game fish, including sea-run cutthroat. Many sea-run cutthroat are caught and released during the salmon fishery. Studies have shown that hooking mortality is high when fish are caught on bait and released. This proposal also standardizes the regulation in all sections and in all seasons to selective gear rules, which should reduce angler confusion with the regulations.

TESTIMONY :
Ok to close winter steelhead season, no to selective gear rules.

Support (5)

Lower Columbia River Fly Fishers support.

Steelhead Committee of Federation of Flyfishers supports proposal for closure of a smaller steelhead stream or reach that is particularly important for ESA listed or depressed steelhead stocks.

I think this rule change is probably structured to protect the small steelhead runs on these rivers and I'm all for that, but eliminating the opportunity for people to enjoy a very healthy catch and release cutthroat fishery as a byproduct would be too bad. I have had some of my best flyfishing days ever the last couple of years fishing for cuts on those rivers that have followed the silvers in, and it is a very healthy population.
As a side note, during the winter both of these rivers get hit pretty hard by snaggers, baitfishermen, and poachers and you guys could probably make next year's budget in fines if you sent a game warden out there once or twice a week in October and November.

Steelhead Trout Club opposes proposal. Quoted Wild Steelhead Management Plan is acceptable, but does WDFW really know what escapement goals are necessary for these smaller streams? C&R has been in effect many years, and returns are small – could argue C&R does not show a great rebound for wild returns, or maybe habitat is simply limited. Dewatto has stayed at about 100 for 20 years. Another option is preferred – allow a limited harvest (1 per day, 2-5 annually) for 10 years and see what the impact is. This is precisely the reason the SF Skykomish research program was proposed. Proposal was rejected for lack of funds. The steelhead resource would be better off if the suggested option is adopted – WDFW has learned little in 10 years and will learn less in the next 10.

Wild Steelhead Coalition supports (4 letters).

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Support change – rationale is well thought out and substantiated for steelhead protection.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

96. UNION RIVER SEASON

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
Union River (Mason Co) from mouth to North Shore Rd Bridge	All Game Fish	June 1-Oct 31	Catch and release.
From North Shore Rd Bridge to the lower bridge on the Old Belfair Highway	All Game Fish	June 1 –Aug 15	Catch and release. Selective gear rules.
	CLOSED WATERS – from watershed boundary upstream (including all tributaries)		
From to the lower bridge on the Old Belfair Highway upstream	All Game Fish	June 1 – Oct 31	Catch and release. Selective gear rules.

EXPLANATION: This proposal would close the winter steelhead season and change the Union River to a standard stream season (June 1 – Oct 31). Catch and release and selective gear rules remain in place. (NOTE – the middle section of the river closes early for protection of summer chum salmon.
This proposal is intended to protect the wild winter steelhead population consistent with WDFW Steelhead Management Plan which states: "*If a wild steelhead run is predicted*

to return below the escapement goal and there are few or no harvestable hatchery steelhead mixed with the under-escaped wild run or there are few or no harvestable wild steelhead of another race (i.e. winter or summer steelhead) mixed with the under-escaped wild run, all recreational steelhead fisheries will be closed"; and "*For wild runs where run sizes, escapement goals, escapements, and status cannot be readily estimated, WDFW will opt for conservative regulations (e.g., WSR, closed seasons and closed areas). Conservative regulations will remain in effect until it can be documented that the run is producing a harvestable surplus"*. Wild winter steelhead escapement in the Union River has ranged from 45 to 73 fish from 1998 through 2001; no escapement goal has been identified; the stock is rated Unknown in SaSI. (Salmonid Stock Inventory) No hatchery steelhead smolts have been stocked since 1994 so no hatchery steelhead adults are predicted to return.

TESTIMONY :
Steelhead Committee of Federation of Flyfishers supports proposal for closure of a smaller steelhead stream or reach that is particularly important for ESA listed or depressed steelhead stocks.

Support (6)

Lower Columbia River Fly Fishers support.

Wild Steelhead Coalition supports (4 letters).

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Support change – rationale is well thought out and substantiated for steelhead protection.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

97. WISHKAH RIVER SEASON

PROPOSAL: For the Wishkah River (Grays Harbor Co) from the mouth to 400 feet below the outlet of Wishkah rearing ponds – keep the June 1 – March 31 season, but beginning March 1 the fishery would be catch and release and selective gear rules for all game fish.
EXPLANATION: This proposal is intended to maximize the harvest of any hatchery winter steelhead that stray into the river during the December through February time frame. Catch and release and selective gear rules beginning March 1 will provide fishing opportunity on wild steelhead. Hatchery smolts are not released into the river.

TESTIMONY :
Support WDFW's attempt to protect native steelhead fisheries.

Support (5)

Lower Columbia River Fly Fishers support.

President of SH Trout Club of WA says: Review of the Sportsfishing Proposed Rule Changes indicates that many concerning steelhead fishing are inconsistent with, and in some cases actually in conflict with, the Steelhead Management Plan quoted in the 'explanation' portion of rules 95 and 96. Specifically, proposed rules 82, 87, 90, 92, 94, and 97 will allow a catch and release fishery on stocks that show no evidence that predicted escapement goals have been met as required by the management plan: 'all recreational fisheries will be closed' [i.e. no catch and release]. Other proposals are similar. We request that the Dept. withdraw these changes from the request to the commission for adoption. This matter is not critical and can readily be delayed to the next cycle. The rules have not been thoroughly addressed in relation to predicted escapement goals, nor have they been reviewed with the public or with the Steelhead and Cutthroat Advisory committee established specifically for this purpose.

Steelhead Committee of Federation of Flyfishers supports proposal.

Wild Steelhead Coalition supports (4 letters).

Washington Council of TU supports proposal.

MODIFICATION: Retain the June 1- March 31 season and selective gear rules in March, but instead of catch and release in March, allow harvest of up to two hatchery steelhead. Salmon season would remain unchanged.

STAFF RECOMMENDATION: Adopt as modified.

COMMISSION ACTION: Adopted as modified.

98. WYNOOCHEE AND SATSOP RIVERS MOTOR PROHIBITION

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
WYNOOCHEE RIVER (Grays Harbor Co.) from mouth to 7400 Line Bridge above mouth of Schafer Creek	TROUT	June 1-Mar. 31	Min size 14" Daily limit 2.
	Other Game Fish	June 1-Mar. 31	Statewide min size/daily limit.
	SALMON	Sept. 1-Jan. 31	Min size 12" Daily limit 6. No more than 2 adults may be retained. Release adult CHINOOK.
	EULACHON	CLOSED	
	ALL SPECIES -Motors prohibited upstream of the City of Aberdeen's water intake dam. Single point barbless hooks required Aug. 16-Nov. 30.		
From 7400 Line Bridge above mouth of Schafer Creek upstream	TROUT	June 1 – Oct 31	Min size 14" Daily limit 2.
	Other Game Fish	June 1- Oct 31	Statewide min size/daily limit.
	All Game Fish	Dec 1 – Mar 31	Selective gear rules. Catch and Release except up to 2 hatchery steelhead may be retained. Fishing from a floating device prohibited.
	EULACHON	CLOSED	
	ALL SPECIES - motors prohibited. CLOSED WATERS - from Wynoochee Dam downstream 400' and from barrier dam near Grisdale downstream 400'.		

WATER	SPECIES	SEASON	ADDITIONAL RULES
SATSOP RIVER AND EAST FORK (Grays Harbor Co.) from mouth to bridge at Schafer State Park	ALL SPECIES - Motors prohibited upstream of the mouth of the East Fork. Night closure, non-buoyant lure restriction and single point barbless hooks required Aug. 16-Nov. 30. from bridge at Schafer State Park upstream		
	TROUT	June 1-Mar. 31	Min size 14". Daily limit 2.
	Other Game Fish	June 1-Mar. 31	Statewide min size/daily limit.
	SALMON	Oct. 1-Jan. 31	Min size 12". Daily limit 6, No more than 2 adults may be retained. Release adult CHINOOK.
	ALL SPECIES - Motors prohibited. Night closure, non-buoyant lure restriction and single point barbless hooks required Aug. 16-Oct 31		
From bridge at Schafer State Park upstream	TROUT	June 1-Oct. 31	Min size 14". Daily limit 2.
	Other Game Fish	June 1-Oct. 31	Statewide min size/daily limit.

WATER	SPECIES	SEASON	ADDITIONAL RULES
SATSOP RIVER, MIDDLE FORK (Turnow Branch) and WEST FORK (Grays Harbor Co) mouth to Cougar Smith Road	ALL SPECIES – Motors prohibited. Might closure and non-buoyant lure restriction Aug 16 –Nov 30.		
	TROUT	June 1 - Feb 28	Min size 14". Daily limit 2.
	Other Game Fish	June 1 - Feb 28	Statewide min size/daily limit.
	ALL SPECIES – Motors prohibited. Might closure and non-buoyant lure restriction Aug 16 – Oct 31		
From cougar Smith Road upstream	TROUT	June 1-Oct. 31	Min size 14". Daily limit 2.
	Other Game Fish	June 1-Oct. 31	Statewide min size/daily limit.

PROPOSAL: This proposal makes it unlawful to fish from a floating device equipped with a motor on the Wynoochee River above the City of Aberdeen's water intake dam, and on the Satsop River and Middle Fork Satsop above the confluence of the East and West Forks.

EXPLANATION: These small rivers are not suitable for fishing from powerboats, and can be fished form shore or from drift boats.

TESTIMONY :
I strongly encourage you to not pass this proposal. I am an avid sport angler and I believe the Satsop and the East Fork of the Satsop Rivers are more than capable of power boat usage. I feel I should have just as much of a right to use my power boat on these rivers as any other user group. I work very hard for a living, pay my share of taxes and license fees and always try to be a considerate sport angler. Fishing has become more than just a sport to me. It is a passion, a love and a way of life. Please do not take this away from me. To ban one user group for the benefit of the other user groups is just not fair! I have invested a major amount of money into this sport and I should have the same opportunity as other user groups. Morally, economically, and politically, this would be a mistake to pass this proposal. I strongly urge you to not consider this proposal.

Support (4)

Lower Columbia River Fly Fishers support.

Oppose.

Oppose – is arbitrary and capricious taking of rights. Will not fix the issue. Need to fix the offenders. Will have an economic impact of the county. WDFW is trying to "slide the rule under the radar." Was not in the news release.

Oppose – discriminates against powerboats. Worked on broodstock for 6 years. Other user groups shouldn't get the fish.

The explanation for this proposal is that these rivers are not suitable for powerboats and that they can be fished from shore or a drift boat. I *strongly* disagree. Under the current proposal, we would be asked not to fish from a floating device equipped with a motor; however, it is okay to motor up the Satsop, East Fork of the Satsop, and Wynoochee rivers, but not fish from the boat. This does not make any sense.
I believe that this is a small group of drift boat fishermen that would like to have these two rivers for themselves, as they currently enjoy *most* of the coastal rivers to themselves for drift boats only. This small minority group will tell you that the jet boats make wakes and disrupt riverbanks. Anyone who has spent time on these rivers know that more damage is done in one high-water flood stage than jet boats do in a couple of years, and we have at least one or two major floods every year. To date, we have already seen major flooding in our rivers, resulting in a change in river channels and major bank erosion. The affects of boat waves do little to no damage on the riverbanks. If this were the case, the Cowlitz River would be destroyed by some of the biggest sleds in the Pacific Northwest. I have fished the Satsop and Wynoochee rivers for the past 25 years from a jet boat, and most fishermen I know, that have jet boats, use common sense. Like any other river, when the rivers are too low, you just do not fish the rivers. Currently, there is a proposal (Proposal No. 93) to extend the East Fork from Schafer Park to the mouth of Bingham Creek (November 1-30) that will allow drift boat fishermen and bank anglers to fish for hatchery Coho. If the proposal passes, this will provide drift boat fishermen a greater opportunity to fish from their drift boats. The upper sections of these rivers are mostly privately owned, with little to no access on the upper sections. Do we really want another lower Willapa River private landowner fishery with a State Hatchery on it? Absolutely, not.

I am a licensed and insured river guide in the State of Washington. I make hotel reservations for my clients for their stay; they dine at the local restaurants, and buy their gas to travel to and from their destination. If this proposal passes, Grays Harbor's economy would significantly suffer.
In closing, I ask that you are not swayed by the minority user group; however, to look at the view of the majority of the fishermen that use and enjoy the Wynoochee and Satsop rivers like we have for the last 30 years. I urge you *not* to move ahead on this proposal.

Live on the Satsop. It is in my back yard as the rains fall and when it goes down every year I watch a large chunk of my property fall into the river. I was standing on the bank looking at the part that had just fallen when a boat came so fast and so close that the wake cut into the bank and washed away another chunk. I am for banning speed boats and others with large engines on rivers.

Opposed to the change. If you must restrict, only do it on the upper reaches and perhaps the size of motors on the lower part. There is no need to make the entire rivers restricted to motors.

Have been running the rivers for 20 years in a 15 ½ foot boat with a 65 hp. It runs high in the water leaving less wake and is safer running in shallow water. What has been proposed is dangerous, as it puts lake boats with thin bottoms with jet pumps on them. Am 62 years old and this proposal will stop me from fishing some parts of the rivers. If it is not good for the jet boats then no one should be able to fish out of boats. Once again the drift boats and guides will benefit. If put in place, there should be more boat launches. You should prohibit guides on the rivers and set up a water safety course for drift boaters, as a lot of them have sunk due to lack of knowledge on how to run the rivers. Opposed to the proposal – it takes horsepower and a boat built for rivers that have fast running shallow water. If adopted, this proposal will most likely end up in court, another waste of taxpayer's money.

Support proposal. Sleds have no business being up that high on small rivers. It creates a safety hazard and damages the streambanks. Would suggest the ban be limited to internal combustion engines, as electric motors are gaining popularity among drifters and so not pose a safety or damage issue.

Support the change. Have fished these rivers 40 years and enjoy using a driftboat on the upper reaches. Jet boats ruin my enjoyment with the noise and advantage they have of fishing holes over and over. Guides from the Cowlitz take over the Wynoochee in February and March. Would support no jet boats on both rivers, but this is a start.

Against the jet boats on the Satsop and Wynoochee. Enjoy the peace and solitude on the rivers. Jet boats are noisy and disrupt my occasional nap while fishing with my husband.

Opposed to proposal: 1) banning sleds in some areas will concentrate them in others and increase conflicts there 2) access has been reduced by landowners, this will further crowd open areas. Will increase the number of drift boats and conflicts will occur. 3) only a few rivers are accessible to sleds – drifters can go elsewhere for a wilderness experience 4) ban would set a precedent for banning sleds on other rivers 5) no biological reason to ban motorized boats, since both rivers are making wild escapements in most recent years, and both have hatchery programs – should provide access to these fish.

I and many friends would like boats with motors banned on the Satsop. It is no place for a 20 foot inboard jet sled. Have been nearly swamped in drift boat by a jet sled going 50 mph. Sleds

cause erosion. Would like to see all gas engines banned on the Satsop and Wynoochee, or failing that, a restriction of 16' boat length and 45 hp motors. To save spawning habitat, no jet boats above the confluence of the west fork on the Satsop or above the water intake on the Wynoochee.

NW Marine Trade Assn (represents 850 marine-related businesses) opposes proposal. No scientific data supporting the effects of boat wakes compared to flooding. Proposal would be poor public policy. If agency and county agree that further discussion is warranted, NWMTA would like to be part of the process. In the meantime, reject the proposal.

Have enclosed signatures (187 form letters – see below) rejecting proposal. It specifically intends to meet the needs and wants of a small group who want these stretches of rivers to themselves. Most people who favor the proposal were misled to think it was being done to preserve spawning beds and reduce bank erosion. There are no spawning beds on these parts of the rivers. The region in the Satsop where spawning occurs is already closed to fishing. Jet boats are not the cause of erosion – that is from flooding. Most importantly, many of the volunteers for the Satsop broodstock program have jet boats. Did not expect any return for our time except to be able to fish in the future. Is this an example of how WDFW repays its volunteers? We need to work together with the department and other anglers to preserve our rights as sportsmen.
Form letter:
My name is_____, I encourage you not to pass the Sports Rule Proposal No 98 on the Wynoochee and Satsop Rivers. I am an avid sports fisherman and I believe the Satsop and East Fork Satsop Rivers are more than capable of power boats; it has been for over 30 years. With the limited access of the upper section of the Wynoochee and Satsop rivers, this is a small minority group of drift boaters trying to have this river to themselves. With all of the coastal rivers that is basically drift boat only, I find it hard to believe that they would want to take away power boats on the inland rivers. Also I think this rule is unfair to motor boat owners and those people that are disabled or too old to safely row a boat. Morally, economically, and politically, this would be a mistake to pass this proposal. I strongly urge you not to consider this proposal.

Statement that the rivers are not suitable for fishing from power boats and can be fished from drift boats is a one-sided statement derived from a group that think the rivers should belong to them. Both rivers are listed as navigable waters. There is little public access by bank and there are few boat launches. There are 48 miles on the Wynoochee to fish. Proposal would give 40 miles to drift boats alone. This proposal will segregate the fishing population and we could face severe conflicts. The Satsop is self-regulating (no dam, like there is on the Wynoochee). Total fishable miles are about 12.5, and is only fished water level permitting. The proposal would limit power boats to 6 miles, whatever the water level. Power boats can be safer – partner rescued a bank fisherman stuck in a log jam, and I have rescued a drift boater with a broken oar. Proposal is a direct shot to anglers and guides using power boats. Is the justification "these small rivers are not suitable for fishing from powerboats…" a personal opinion or documented fact? Where is the proof? Broodstock operation on the Satsop is performed by using power boats, so banning them would hurt the steelhead population. Proposal should be thrown out.

Chehalis Basin Fisheries Task Force (CBTF) opposes proposal. Instead consider working with Grays Harbor County, who has the legal authority to limit the size of power boats on the river.

No, to the proposal. Have fished this area since 1968.
A)Many years from the bank;1968-1974

B)1974-1985, fished both from V-bottom boat and walked in bank fishing. At that time "access was being limited" as more and more "out of towners", were buying property along the Humptulips, Satsop, Wynoochee, and Wishkah rivers.
C)1985 bought a used driftboat, to go along with V-bottom boat, to fish upper reaches of the rivers, put in on gravel bars, or at WDF public boat launches. Major property owners, (Weyerhaeuser, Rayonier Timber Companies) began to close off their lands to public use. A major boat launch was lost on the West Fork of the Satsop and never replaced.
D) In 1989, sold V-bottom boat. Bought 14' Valco jet sled. Now I could put in and run to the places that fishing was available, take out when the weather conditions got bad, without having to spend hours just floating to a "take out spot".
Bottom line----In the past 7 years that I've been re-tired, my fishing time on the rivers has increased greatly, probably on the rivers 200 days a year. I still fish from the bank, but most of my fishing is from the jet boat. I just don't see all the "dead fry, or bank erosion" that I keep hearing about. To limit jet boat access would be to give a few landowners, a few drift owners, and a few walk in anglers a private fishery.

This proposal seems like a bad one. Access for bank anglers and drift boaters is limited. Power boats offer access for older anglers who can't row or walk.

Do not support the proposed motor ban. Access and opportunity is what we need to improve on. Attended Grays Harbor Commission meeting to testify against the proposal representing Northwest Marine Trade Association.

I do not support the proposal. This is a proposal from one user group to limit or ban other groups from using the rivers. I have fished both of these rivers from a power boat and have not had any conflicts with other users. Courtesy and common sense can not be regulated by imposing such a regulation. I also noticed that the argument for safety shows that drift boats are the one that have had the fatality accidents on these rivers and not the power boats. Perhaps the drift boats should be banned instead of the power boats.

Object to the proposal. It states that these rivers are too small for boats with motors. I have been fishing these rivers for ten years in a jet boat and have not found this to be a valid statement. Water conditions dictate when and where jet boats can operate in the higher reaches of these rivers. Isolating sleds to the lower portions of these rivers will only make the over crowding worse, and favor one type of boat fisherman over another. The access on these rivers is limited at best and if this proposal goes thru many people will not be able to fish these waters when the water is up and all the fish swim above the restriction areas. Mr. Bob Gibbons stated on public access T.V. that these rivers were unsafe when jet boats were operating on them. I have also not found this to be the case and to my knowledge there all been no accidents involving jet boats. This is clearly a statement from someone who doesn't want us on the river because he fishes out of a drift boat and doesn't want to share the waters. It is my opinion that he should not be involved in this proposal because a conflict of interest on this proposal.

This same rule was proposed 2 years ago. I provided comments on it then and my comments are no different than today. I do not understand why this has to be revisited. I totally oppose any restrictions on motor boat access on these rivers. The proposed rule did not give adequate (or any) justification for why motor boats should be restricted. Are the boats harming something? Is this a fish grab by special interest groups? I would say the latter is the case. This looks a lot like discrimination against a single user group based on greed and not facts. I would support this rule and forfeit the opportunity to fish one of my favorite stretches of the Wynoochee River if there were facts that proved significant damage to something.

Risks or possible reasons why motors should be prohibited.
"Not suitable for fishing from powerboats". Says who? Drift boaters? This is totally untrue. Both of these rivers are suitable for fishing from powerboats. There is a dependency on water levels for fishing any river. When the water levels drop to less than 800 cubic feet per second according to the USGS metering stations, then yes, they become un-accessible to motorized boats. When these rivers are flowing over 800 CFPS, then they are very suitable. The river only drops below 800 CFPS during long cold spells or during the summer. Motorized boat access on these rivers is self monitoring. To prohibit them because there's not enough water in them is bogus.
Can be fished from shore or from drift boats. Most fishermen can't afford drift boats. I could buy one if I really wanted to but I don't want to be forced to pay $2,000 to $4,000 for a drift boat. Bank access is limited on both rivers. There is very limited access on the Satsop and mid Wynoochee.
Fishing not allowed from inside a boat with a motor on it. I don't understand why a rule would be made to allow boat access but you can't fish out of it? Fishing from a boat without a motor is not much different than fishing from a boat with a motor. You don't have to row with a motor and you can run up river with a motor. If this is one of the reasons then it shows that this proposed rule is nothing more then a fish grab by one or more of the user groups that fish the river.
Motorized boats cause damage to shore lines (erosion from wakes).This is another myth. Floods damage shore lines, trees and property. Wakes from boats cause no significant damage.
The wake from boats washes smolts ashore killing them. In thirty years of fishing, I've never seen a smolt washed up on shore from a boat. I've done a lot of bank fishing and have only had a boat for the last ten (10) years. If this is an argument and causes a significant impact, then why allow motorized boat access at all, even on the lower stretches or on any river?
Motorized boats make to much noise. If this is an issue, semi-trucks, air planes, guns and my daughter's stereo should be outlawed
Motorized boats cause danger to other fishermen. This theory is ludicrous. What is the history of accidents caused by motorized boats on these rivers? Zero or next to zero. Fishermen die in drift boats just about every year
1.This is a state resource that should be shared and not given to a single or limited user group.
2.Because all the Washington State residents that fish these rivers by motorize boats pay for fishing licenses and deserve the right to access the rivers just like the other user groups.
3.There is no justified reason to limit the access according to the information presented in the proposed rules.
4.When the fish are in, opportunities to catch the hatchery fish are limited to area and time. Opportunities to catch these fish must be granted to license paying citizens.
5.Because it is part of the mission/goals of the WDFW to do so:
Maximum fishing, hunting and non-consumptive recreational opportunities compatible with healthy, diverse fish and wildlife populations

Opposed to proposed rule change. It would do nothing to address safety or environmental concerns, but would pit one user group against another and adversely effect the economy of Grays Harbor County.

Do not support the ban on motors on these rivers.

In the 1980's the big runs of coho brought fishers from all over the state to the Satsop and Wynoochee. Vandalism grew and access became more and more limited. Because you need two vehicles for a drift boat, I chose a 14" boat with a 40hp jet engine. Now I might not be able

to fish with my boat. Why? Up from the white bridge on the Wynoochee, I seldom see a bank fisher, as access is limited, so I'm not bothering them. Recently, I've had confrontations with drift boaters, usually guides, who tell me I shouldn't be fishing with a motor. More recently guides are using jet boats with hundreds of horsepower and taking 6 people in their boats. They fish the same drift over and over. My proposal is to regulate the horsepower allowed in the designated sections of the rivers. Forty hp should be enough. We have enough problems with poaching, etc for enforcement to worry about. Please consider limiting horsepower instead of eliminating their use entirely.

Alumaweld Boats is concerned over the proposed rule. Powerboat traffic on the rivers is limited to only 2 or 3 months of the year. The level of restriction proposed will effectively eliminate boating on these rivers with no justification. These rivers help provide jobs and inspire tourism. Eliminating powerboats on these rivers would impact the boat dealers in Shelton and Woodinville and send the message that you shouldn't buy a boat because sooner or later the river you like will be closed. Please be careful, thorough, and cautious when you make rules and be sensitive to an industry that has invested mush time and energy into the success of WA fish runs and the WDFW.

Opposed. This proposal would put me out of business and negatively impact the economy of Grays Harbor Co. It would allocate over 30 miles of the Wynoochee to bank and drift boat fishers, and restrict motor boats to just 6 miles. Motor boats can safely navigate some 20+ miles upstream on this river. On the Satsop, it would allocate 20 miles of the EF and MF to bank and drift boat anglers, and restrict motor boats to 6 ½ miles. Motor boats can safely navigate from the mouth of the main fork into the East Fork, to the confluence of the Middle Fork. Of the 276 rivers listed in the West side special rules in the pamphlet, 76 have motor boat restrictions. There are literally hundreds of other rivers that bank and drift boat fishers can fish. The Satsop and Wynoochee are the two largest rivers in GH County, next to the Chehalis River. Public bank access is very limited on both rivers. It is becoming increasingly hard to find a launch site for a drift boat. There is no evidence that motor boats have damaged any part of the ecosystem on either river. Floods do that, but the fish survive. Motor boats were not responsible for any accidents, they can power out of dangerous situations. This is not the proper time or the correct place to ban fishing from motor boats. Please reject the proposal.

Powerboats must be registered and part of the funding for maintaining boat ramp access areas comes from these fees. Drift boats do not contribute. Businesses in the area will lose revenue if the proposal is adopted. Proposal would make large parts of the rivers inaccessible to handicapped fishers. No rivers are designated for powerboats only, while many are designated for drift boats only. Many power boat owners have volunteered time, boats, etc on the Satsop brood stock work. Everyone pays the same amount for a license - this proposal is discrimination. Will continue to fish in usual and accustomed manner. Proposal is not legal as worded. Who would enforce it? WDFW employees should not be writing letters to the newspaper to sway the public. It is a conflict of interest.

Proposal should be changed to: Wynoochee River – restrict power boats above the water diversion above Black Creek; Satsop River – restrict power boats above the West Fork. The use of electric motors on drift boats should be restricted to one 12 volt battery. These changes would be fair to both groups, and allow the upper reaches to return to a quiet, pristine habitat.

Strongly against proposal. Just a small minority of drift boaters who want the river to themselves. Drift boaters use oar tips in shallow riffles and drag anchors that harm the

streambed. Live ¼ mile from the river, and the noise from jet boats is minimal. Floods do more damage than motors.

Oppose the proposal for the Satsop. Can no longer row a boat, so you would eliminate me from the river.

Do not pass proposal. Rivers are more than capable of handling power boats and have for over 30 years. Proposal caters to a small group. Unfair to those too old to row.

Satsop and Wynoochee have very limited access. Satsop is 90% private access. Wynoochee's lower end is 90% private. Proposal would greatly reduce the use and pleasure of a large number of fishers, and take away the livelihood of many commercial charters. Power boats have not adversely impacted the rivers, and are safe and enjoyable. (14 signatures).

Oppose the proposal. It is mean spirited. There is no data to back up claims of noise, safety, or erosion. You should look at ways to increase fishing opportunity, not take them away unless there is a real reason to do so.

Member of Sports Fishing Advisory Board says they are against the proposal. It is ill-conceived and not in the best economic, social and political interests of GH County. No evidence for claims of noise, safety or erosion. Streambeds are eroded by flooding, not wakes from boats. Most of the boating accidents over the years have happened with drift boats. Small number of landowners would be affected. Vast majority are back in the floodplain. Years ago these were only local fisheries, but now there are good salmon and steelhead runs and this has drawn guides and anglers from all over the region. This brings in lots of money from late October to the end of March.
If you enact this regulation, what rivers are next? Fear it will end up like the Willapa River, where landowners convinced WDFW that fishing from drift boats should be outlawed. GH Commissioners held a public meeting where 41 people testified, 35 were against the proposal. The organization that submitted this proposal 2 years ago has withdrawn their support. There is no problem that needs to be addressed. Please reject the proposals.

Have Lupus and cannot row. ADA was put into effect to preserve my rights. I need a motor to fish. This proposal would take away my fishing opportunity.

Own a jet boat but have never fished above Hwy 12. If you ban boats, it should be all boats. County Commissioners said they had no way to enforce such a ban. We have enough regulations already.

Losing this opportunity would be losing part of my family's heritage. There is no reasonable explanation for the change. No short or long term effect of power boats destroying habitat. Drift boats dragged across the shallows or that drag their anchors are just as bad as motorized boats. Salmon and steelhead populations in these rivers are thriving. Don't change something that is working well.

Jet powered boats should be banned above tidewater. Salmon eggs get sucked into the jet pumps and die. If this is not approved you could be held responsible for damages to landowners property from the boat wakes.

Against proposal. No public access areas between the Old White Bridge and Carter Creek where I fish, so there is not a problem with bank fishers. Proposal says drifters can fish out of

their boats, but jet boaters cannot – this is ridiculous. Access areas are closed. The area of the Wynoochee from the Aberdeen intake dam to tidewater is heavily populated with bank fishers, Yet the proposal would push all the jet boats into this area. There is more water in the river above the dam than there is below. On the Satsop there is also very little access from the boat launch to the WF, and above to Cook Creek. Satsop gets most of the big guide boats during the salmon season.

Opposed to proposal. This caters to a mere handful of people living along the rivers.

Fish the Satsop above the WF. The GH meeting was a power boaters convention. They seem to think that it is drift boaters who want motors banned, but I have not heard that from them. I am a bank fisherman. Jet boats are noisy and they go too fast. Above the WF the river is too small for power boats. Have seen boats clear up to Schafer Park. Would vote for any ban that would rid the river to motorized craft except during an emergency. There are tens of bank fishers for every boat, so the ban would not hurt the economy, except for the out of area guides.

Opposed to proposal. TU originally sponsored the proposal, saying the rivers were too small for motor usage. They have now studied the issue and have changed their stance. The only safety issue I have seen in 30 years has involved drift boats. If these two rivers are too small, why not ban motors on other smaller rivers like the Wishkah, Humptulips and Copalis? Motor boats do not cause erosion on these rivers, floods do. No conservation issue exists with salmon or steelhead. Many river sections closed by this proposal have no houses, so noise is not an issue. The proposal would cause a major economic impact to GH County. There are 2 public launches on the Satsop, one suitable for drift boats. Access is a problem that is getting worse. Bank access is very limited. Motor boats outnumber drift boats 5 to 1 or more on the Satsop, based on ramp counts. Water levels on the EF are a limiting factor. The Middle Fork has essentially no motor boat traffic. The WF has a log jam that prevents motor boat usage. So access for motor boats is already limited. We don't need more rules. There are 2 public launches on the Wynoochee. The proposal would only leave 4 miles for motor boats and the entire river for drift boats and bank fishers. Proposal is not a safety issue, would close major stretches of both rivers. Accessibility will get worse in the future. Motor boats are the largest user group. There is no reason for this proposal. Please reject it.

Opposed to proposal. Majority of fishers on these rivers use sleds. A ban would impact the guides ability to earn a living.

At the Montesano meeting there were 42 speakers opposed and 6 for it, (4 were landowners). We already have rivers gone bad because of closed hatcheries and no fish stocked. Opposed to proposal.

Start using your cell phone when you see someone trashing the river. Property owners rights stop at the high water mark. Some people don't like fishing or fishers, but banning motor boats is not the answer. Who will be next? This is the first step to banning fishing completely. Use common sense and work this out between yourselves. Do not support the proposal.

Has there ever been a study to see if or how much damage jet pumps do to spawning beds or if they wash the fry out on the gravel bars? The fishery on the Satsop and Wynoochee is a "combat fishery" these days. The Cowlitz is even worse, it's crazy, and the Satsop and Wynoochee are turning into this. My religious friends tell me I should go to church on Sunday. I tell them I do, I just thank God more on Sunday as I'm playing a mint bright native steelhead. The jet boaters run over your fishing hole and fill your boots or they fish just ahead of your drift

boat all morning. The Satsop is one of the last strong runs of native salmon and steelhead. If we can get rid of the gill nets that would be the biggest help for the fish. But that won't happen, so you should start somewhere and get power boats off the upper rivers.

Opposed to any rule that restricts the use of jet boats on any waterway. Am disabled and am very displeased with this attempt to discriminate against me and others.

What has WDFW done to increase the bank access to these rivers? Or is your proposal aimed to benefit only drift and bank fishers? You need some type of proof of why these rivers are "not suitable" for fishing from powerboats. Most powerboaters are very courteous. Could consider other ways to restrict this area (motor size, length of boat, #of people in the boat). Rivers do most of the restricting themselves. What will the next restriction be? You can't legislate courtesy, and everyone can't have exactly what they want. The Satsop ramp below the highway was worked on, but not improved!

Oppose. Access is limited due to private property and all available reasonable means of access should be allowed.

Don't ban them until and unless landowners in the area improve access to the rivers.
Banning motor boats on the sections of the Satsop and Wynoochee as listed would allocate over 80% of fishable water to a very small user group This proposal is poorly written, and it's obvious it will only benefit a small user group on both these rivers. It will negatively impact Grays Harbor County's small business that rely on outside dollars to get through the winter months. If these rivers are navigable by motor boats then they are suitable for fishing from them.
There have been jet boats on these rivers for over thirty years. These are two of Grays Harbor County's largest rivers. Why not start restricting motor boats on the smaller rivers? If the bank fishermen, of which there are precious few, and drift boat fisherman don't want to compete against fisherman that choose to fish from a motor boat then they can easily drive a short distance and fish world class rivers where there are no motor boats. I think it is an over-reaction to shut down fishing from motor boats on these two rivers. The overwhelming support of those against this proposal should be enough to con vice you to shelf this proposal.

If this was a safety issue, then the Grays Harbor County commissioners would have acted. If this is primarily a safety issue then drift boats should be banned all together on both the Satsop and the Wynoochee rivers altogether. There are more accidents involving drift boats than motor boats
There are only about 15 rivers in the whole state for jet boats to fish on, and only seven of these have jet boats on them daily. Limiting jet boats to less area than what already exists will not solve any user conflicts.
There is already a ban on fishing from any floating device on the upper 15 miles of the Wynoochee. This hasn't solved any problems, but has only created user conflict between drift boats and bank fisherman. The rules we have right now work just fine. Give them time to work before we start adopting new proposals. If this ban goes though, I believe it is only necessary to cut back state funding for these hatcheries on both the Satsop and Wynoochee Rivers.
I could go on and on about this, but I won't. High water is more damaging to the river banks and its gravel bars than jet sleds. There is no problem with fish, for both rivers have met escapement for wild fish, even with gill nets in the Chehalis, for last several years. Safety cannot be an issue for I've been in jet boats on the Wynoochee and Satsop and there is plenty of room to fish safely and effectively from them.

Have managed many user groups over 26 years. Drawing a line in the dirt and forbidding one group to use the area beyond the line while restricting another never resolved an issue because both groups lose in any such alternative. When one group is granted exclusive use of a defined area, it is presumed they alternatively lose use of the other area. No one can be happy with such a decision. Creating conduct regulations works well and once user groups adjust to the rules they even police themselves. Coast Guard rules already require motorized vessels to give way to non-motorized vessels. Closing a section of the river to a person trying to earn his living as a guide is unacceptable regardless of the type of boat he uses. Establishing "rules of the road" for both groups is the solution.

South Sound Fly Fishers (80 members) supports proposal.

Proposed rule is ludicrous. CR-102 is misleading because it says there is no change to the existing rules. Bob Gibbons is pushing this through for his personal benefit. Will be filing a formal complaint. Grays Harbor will lose a lot of money if this becomes law. Who are you to tell me I don't have the right to use my boat on public property?

Grays Harbor Chapter 111 of TU presented a package of information. They do not trust WDFW staff to present the facts because last year in the information they were listed as TU instead of the Grays Harbor Chapter. They feel that WDFW would have recommended adoption of the proposal 2 years ago if they had not contacted the GH County Commissioners and tried to sway them to take other actions. The proposal was postponed at that time, but has been brought to life again, even though the original supporter of the proposal no longer supports it. GH Chapter 111 of TU very strongly opposes this proposal. There are no ESA concerns, no scientific concern. Huge numbers of hatchery coho are surplused at Bingham Creek Hatchery. The Satsop proposal is presented by a special interest group. Safety, habitat destruction, conservation all are not mentioned in the explanation. Storm surge does more damage than boat wakes. If such a proposal were enacted, it should include a ban on fishing from any floating device. Board of Directors feels that limiting horsepower and length of boat will greatly help the situation.

Grays Harbor TU, Elma Game Club, Friends of the Chehalis, CBFTF, The Grays Harbor Poggie Club, businesses and local non-affiliated sport fishers all oppose this proposal. Will make the problem with surplus fish at Bingham Creek hatchery worse and create another "combat fishery." Rivers have been successfully fished from sleds for 40 years, with few, if any, accidents. There is no scientific justification or environmental reason for the proposal. Many need the motors to get upstream- can no longer row. If you get out of your jet boat to fish, most landowners will chase you off. Reg will only pit user groups against each other. News articles attached about the proposal and process.

Drifted the rivers in the past, but now have medical problems and use a sled. Access has eroded over the years. There are few launches on the upper river. This smacks of a territory grab by a limited group who want to enhance their fishing at others' expense. Don't change what isn't broken.

Northwest Sportfishing Industry Association opposes this proposal. Explanation is not convincing. Because of lack of access a lot of the river will not be usable to those who aren't physically able to row a drift boat. It is not the place of government to regulate the manners of its citizens.

Please ban motorized boats before someone is seriously injured or killed. Popularity of these rivers has increased dramatically recently, as has the use of drift boats and sleds. One day last year there were 83 vehicles at the White Bridge boat launch. These rivers are not the size of the Cowlitz, Skykomish, Skagit, Lewis or Chehalis. Thy Wynoochee and the EF Satsop are very narrow in many places, and have blind corners, log jams, and obstructions under the surface. Combined with adverse weather and inexperienced boaters - there is not enough room to get out of the way. Have had 3 close calls in the last two years with jet sleds coming around corners too fast, trying to pass where they should not, or trying to avoid obstructions in the river and running too close. The EF Satsop and the Wynoochee are simply too small for sleds to navigate safely. It is only a matter of time before someone is hurt or killed.

I don't think you're going far enough. I would not allow them above Black Creek on the Wynoochee. I have fished the local rivers for over 60 years and I have never ran into such a bunch of non sportsman in my life as jet boat drivers. The only worse drivers are the ones on I-5. I have been up to my waist in the river fishing and have had them go by throwing water over me with never a backward look. I've seen drift boats thrown up on gravel bars. They have no place on small rivers that are so shallow that the pump disturbs the spawning beds. Also I would like to know how many of the Grays Harbor County Commissioners have jet sleds.

I am strongly in favor of a ban on motor boats on all the upper parts of the both rivers above the specified sites. Although I have fished predominately from a drift boat I would also like to see more access for bank fisherman. I believe bans on motor boats on smaller rivers and upper reaches of others enhances the fishing experience for the majority of fishermen.

Why is it so important for the Department to schedule a public meeting away from the area that is involved? Are you trying to undermine public confidence in the department even further? I know that one cannot predict the bad weather we are experiencing, but be realistic, have the courage to have a dialog with the sportsman that will be effected most with this issue. Do not try to back door this topic! Come to Aberdeen and conduct the meeting in a forum**!** Usually I am able to accept changes in the department's rules and act on them, whether I totally agree or not. In this case however the is a fire burning in my gut, because what is being proposed is unfair and it shows the short sightedness of those who make policy. Public access on these two rivers is very limited, but to any who have special permission and a drift boat, access is quite easy. Presently there are too few boat ramps and with the state financial woes it would appear that there aren't going to any new ones added anytime soon. The real issue is drift boating against jet boating. Courtesy seems to have disappeared, whether a fisherman is in any type of boat or pursuing the sport from the bank. I hope that the WDFW come to their senses and not turn away or restrict any one who wishes to use their boat. We should all share the rivers and resources as equals! Come to Aberdeen, schedule ample time to talk the people, listen in tentatively and you may find that the few that are promoting this change are in the minority.

Banning motor boats on the sections of the Satsop and Wynoochee as listed in the proposal would allocate over 80% of fishable water to a very small user group. I periodically fish these rivers with friends, sometimes from a drift boat and sometimes from a jet sled. I would bank fish more often but there is very little public access on either river that is mentioned in the proposal. This proposal is poorly written, and it's obvious it will only benefit a small user group on both these rivers.

A motor boat ban on these rivers will negatively impact Grays Harbor County's small business that rely on outside dollars to get through the winter months. There have been jet boats and motor boats on these rivers for over thirty years. These are two of Grays Harbor County's

largest rivers. Why not start restricting motor boats on the smaller rivers? If the bank fishermen, of which there are precious few, and drift boat fisherman don't want to compete against fisherman that choose to fish from a motor boat then they can easily drive a short distance, and fish world class rivers where there are no motor boats.
If this was a safety issue, the Grays Harbor County commissioners would have acted appropriately. If this was a safety issue, then drift boats and bank fishermen should be required to follow the same regulations that the motor boats have to follow. That is, lifejackets and fire extinguishers, flares and the whole works. If this is primarily a safety issue then drift boats should be banned all together on both the Satsop and the Wynoochee rivers. In thirty years of motor boats running up and down the Satsop and Wynoochee Rivers, not one accident caused by a motor boat in the river. I'd say that is a decent enough record to continue fishing from motor boats. There is already a ban on fishing from any floating device on the upper 15 miles of the Wynoochee. This hasn't solved any problems, but has only created user conflict between drift boats and bank fisherman. The rules we have right now, all 133 pages of them, work just fine and I suggest we should at least give them time to work before we start adopting new proposals. If this ban goes though, I believe it is only necessary to cut back state funding for these hatcheries on both the Satsop and Wynoochee Rivers.

Sorry to hear there is a conflict once again. Opposed to banning jet boats – would forever change fun for the future.

Oppose proposal. Advisory group was not involved in developing – no reason or justification for it. No safety issues involved. (2)

Disagree with proposal explanation. Region was hesitant to support the proposal. Floods do the damage, not jet boats, or the Cowlitz would be destroyed.

Grays Harbor Commission opposes proposal. Lack of information on impacts of motorized boats. Where are the economic statements? Will host a committee to gather information. Who would enforce rule? GH cannot afford it.

Proposal is depressing. Rivers are suitable for motors. Just a few “bad eggs” spoil it for everyone.

WA Council of TU takes no position on the proposal.

Opposed to proposal. Rivers dictate when you can take a boat. People make mental errors just like on the highway.

Primary concern is to let you know I do not support this proposal. Also, WDFW has failed to satisfy at least two state laws. RCW 77.04.012 (department mandate) talks about fishing and hunting opportunities for all citizens, including juvenile, disabled, and senior citizens. If you do not allow fishing form boats an entire segment of the fishing population will not be able to fish there. This limits opportunity rather than maximizing it. RCW 77.04.020 states that the intent of the legislature is to insure a high degree of public involvement in the decision making process and provide effective communication among the commission, the governor, the legislature and the public… This does not mean to listen only to a small special interest group. Some individuals commented on the proposal 2 years ago but received no response and did not receive the new proposal. Communications are not effective or honest. The news release did not mention proposal. Everyone pays for a license and should have equal access. Proposal is arbitrary and capricious, with no scientific foundation, analysis or reports. The proposal will

increase the tension between drift boaters and motorized boaters. Solution needs to be offender specific. Proposal will have a big economic impact on GH County. CR 102 files was inadequate – indicated there would be no rule change associated with the proposal.

Why do you have nothing in the file from me on this proposal? – I sent in comments on the proposal 2 years ago. State should prepare a significant analysis on the proposed rules. An SBEIS may be required if there are impacts on small businesses. Your philosophy that recreational fishing regulations do not affect small businesses is flawed. They affect businesses as well as the lives of people in the community. It is disturbing the department makes no effort to analyze these effects. People depend on state agencies to act responsibly and not in the interest of a few. The CR-102 says the proposal does not change the existing rules. I disagree. It was filed in error and misleads the public. Main problem is with the rule itself. Rules should be proposed in a responsible manner with sound justification. This proposal is proposed by a special interest group and the only justification is their desires. It impacts many people, both private citizens and small businesses. WDFW should analyze impacts under RCW 34.05.028 (5) (a) (ii). Why are you proposing such a rule? I will lose $2000 per year from this rule. Others will lose more. Have filed a petition with Joint Legislative Rules Committee to apply RCW 34.05.238 to this proposal. This is allowed under RTCW 34.05.655.
Proposed rule eliminates access to many people, including disabled or challenged due to age or physical ability. Has input been solicited from disabled hunters and fishers in accordance with RCW 77.04.150? Rule would create a public health and safety concern because it would compress usage of motorized boats into a small area. Placing restrictions of powerboaters will make them provide less courtesy to drift boaters. The department will be responsible for this conflict. WDFW did not conduct any analysis on this potential. This rule creates a special privilege for a specific group. National Organization of Rivers research says rivers cannot be closed to appease landowners or appease fishers or to dedicate it to only one type of fishing or make enforcement easier. Also cannot create a special privilege for one group. All users pay license fees. WDFW mandate RCW 77.04.012 says "the department shall seek to maintain the economic well being of and stability of the fishing industry. The department shall promote orderly fisheries and shall enhance and improve recreational and commercial fishing in the state." This proposal is in direct conflict and the public interest is not served. Have to maximize opportunities for all citizens, not just a few. There are several local businesses that would be impacted by this rule. Has been a large public outcry against this proposal, yet the department seems determined to go forward with it with no justification.'

STAFF RECOMMENDATION: Do not adopt. Based on testimony, there appears to be less public support for this proposal than there was 2 years ago. Grays Harbor County Commissioners did not see a need to limit boat traffic on these rivers.

COMMISSION ACTION: Proposal was not adopted.

99. WYNOOCHEE RIVER SELECTIVE GEAR RULES

PROPOSAL: Remove the selective gear rules requirement on the Wynoochee River (Grays Harbor Co) from the 7400 Line Bridge above the mouth of Schaefer Creek upstream from June 1 - October 31. Selective gear rules would remain in place for the winter fishery (December 1 – March 31). (This proposed change is shown on the pamphlet entry for the Wynoochee River from the proposal titled "*Satsop and Wynoochee Rivers Motor Prohibition*").

EXPLANATION. Provides consistent gear regulations within the Chehalis River system. Both the Satsop and Chehalis rivers are open during the same time period without the selective gear restriction.

TESTIMONY :
Support (5)

Wild Steelhead Coalition opposes (4 letters). We recommend retaining the selective rules during June 1 to October 31 to protect parr, resident rainbow/steelhead, and early run wild steelhead. As recommended on the Grande Ronde River, bait should be kept from this river during the summer/fall months.

Oppose the change. (3)

Lower Columbia River Fly Fishers oppose.

Fishing from a floating device above the 7400 Bridge should be changed. Leave as is for restricted gear, but let us fish from boats. More boats would help police the poaching of steelhead. Area should not be open to winter fishing.

STAFF RECOMMENDATION: Do not adopt. There seems to be public support to keep the selective gear rules in place. Our enforcement personnel and biologists have not seen or heard of a problem with this rule as it is.

COMMISSION ACTION: Proposal was not adopted.

100. BEAVER LAKE TROUT MAXIMUM SIZE AND DAILY LIMIT

PROPOSAL: Add a 12” maximum size for trout and change the daily limit from one to 5.
EXPLANATION: Beaver Lake has been on selective gear rules with a one fish limit since 2000. The regulations were designed to produce quality fishing, defined primarily as providing an increased number of larger fish. The regulation has failed to produce larger cutthroat and has resulted in much less fishing pressure on the lake. The lake was sampled (electrofished) by WDFW’s Region 6 warmwater team in the fall of 2002. They found an abundant population of native cutthroat that were under the average for condition factor. (A lot of fish but they were pretty skinny) This could be due to a limited food supply, competition with spiny ray fishes, (there are largemouth bass and yellow perch in the lake) or probably a combination of both. Harvesting more cutthroat (and spiny ray fishes) should result in producing larger, more robust fish. If more large fish are produced then, the 12-inch maximum size limit will assure that some have the opportunity to reach a larger size (15+”) for catch and release opportunity.

TESTIMONY :
Support (2)

Lower Columbia River Fly Fishers support

I agree with the new proposal. I was against the changes made a few years ago. As I stated then the lake holds too many fish for its size. I'm a fly fisherman but would like to see the proposed regulations go a step farther and eliminate the selective gear restrictions now on the

lake. The 5 or 6 fish limit with a 12- inch maximum is good. I have fished the lake for about 43 years and since the selective gear restrictions were in place I find no one fishing the lake. The area that needs hook and release with restricted gear is the creek above and below the lake. (Beaver Creek). The largest percent of local fisherman would also like to see the selective gear restrictions removed. It was a special interest group from out of the area that originally proposed the restrictions.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

101. BENSON LAKE MOTOR RESTRICTION

PROPOSAL: Make it unlawful to fish from a boat with an internal combustion engine at Benson Lake (Mason Co).
EXPLANATION: This is a small lake unsuited for the use of internal combustion engines. Homeowners around the lake passed a resolution in 1996 banning these engines. Mason County rules restrict their use.

TESTIMONY :
Support (2)

Lower Columbia River Fly Fishers support

STAFF RECOMMENDATION: Do not adopt. Mason County has already banned the use of motorized boats on this lake.

COMMISSION ACTION: Proposal was not adopted.

102. COLLINS LAKE

PROPOSAL: Change the season on Collins Lake (Mason Co) from year-round to an opening day season (Last Sat in April – Oct 31)
EXPLANATION: the Collins Lake Community stocks this lake. All surrounding property is privately owned. Landowners and Community Board of Trustees sent in a petition requesting this change.

TESTIMONY :
Support (2)

Lower Columbia River Fly Fishers support

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

103. LOST LAKE

PROPOSAL: Change the season on Lost Lake (Mason Co) from an opening day season (Last Sat in April – Oct 31) to a year-round season.
EXPLANATION: Lost Lake is very remote and is not fully stocked with hatchery trout. It also offers a good winter fishery, making it a good candidate for a year-round lake.

TESTIMONY :
Support (2)

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Lower Columbia River Fly Fishers support

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

104. TEAL LAKE

PROPOSAL:

WATER	SPECIES	SEASON	ADDITIONAL RULES
Teal Lake (Jefferson Co)	All Game Fish	Last Sat in Apr-Aug 31	Statewide min size/daily limit. Internal combustion engines prohibited.
	All Game Fish	Sept 1 – March 30	Catch and release only. Selective gear rules.

EXPLANATION: The proposed change, from the current last Sat in April-Oct 31 season to a catch-and-release fishery beginning Sept 1, will provide a diversity of opportunity at this lake. A traditional opening day experience will be maintained, but a quality fishery will also be provided for part of the season.

TESTIMONY :
Support (3)

Lower Columbia River Fly Fishers support

Conservation Committee of the Washington Fly Fishing Club supports proposal.

Port Ludlow Fly Fishers support proposal. It is in a retirement community – has handicapped access.

STAFF RECOMMENDATION: Adopt as proposed.

COMMISSION ACTION: Adopted as proposed.

Testimony on other subjects or proposals that were not supported

Instead of changing the seasons, just eliminate the killing of wild steelhead. The Skagit and Snohomish systems should be proof enough. When the numbers climb back up, then maybe, some fish could be kept. An annual limit of 5 is more than plenty. The hatchery fish are there for the catch and klunk fans. The wild fish are too precious of a resource to abuse for someone's wall. A fiberglass reproduction can be made if someone really needs to hang one on the wall.

I support the idea of additional harvest of hatchery steelhead on those listed rivers.

Overall, I was happily surprised to see the number of people in favor of statewide 100% release of wild steelhead. The list went on and on. Only 1 person was for expanding the wild steelhead kill fishery. Can't we see the majority here????!!!! 100% Wild Steelhead Release is what the concerned citizens and conservationists of WA want - regardless if it was just recently hotly debated last year. To remove this proposal from the ballot because it was narrowly defeated last year is ridiculous. Lets pull our heads from the sand and protect wild steelhead!

Reading through the proposals, I could not find one that I could disagree with. I can see by the thought that went into these proposals that you are thinking of our future fisheries as well as the present.

Agree that it's unwise to adopt the two-rod rule at this time. In California they do it and I don't believe that monies collected amount to much.

My proposal was not included: Skagit River from Bacon Creek to Gorge Dam-open year-round, catch and release only for game fish and salmon (or selective gear rules or fly fishing only) Rationale: The closure at the end of February is in place to protect wild steelhead spawners and juvenile anadromous fish. I would like to modify my proposal to read: Skagit River above Bacon Creek, June 1 - last day in February-catch and release only- closed the remainder of the year. My reasons are as follows: I have been fishing this area for years on a strictly catch and release basis with the exception of the retention of one hatchery steelhead (when they used to be planted up there). There are a few others who practice the same. My concern is the disappearance of a large number of residualized steelhead (rainbow trout) to bait fishers. I know this because they brag and I hook fewer and fewer each year. They also take large Dolly Varden/bull trout. Though the latter are still plentiful, this area is comprised of a smaller main channel broken up by easily accessible side channels where protected salmon spawn. The vulnerable dollies and resident rainbow are easily targeted in these side channels and the spawning salmon are also an incidental catch. Whereas barbless fly hooks and lures are easily removed from incidental catch with little harm, deeply taken bait is another story. Changing this rule would provide a quality but protected fishery that would preserve the brood stock for fluvial rainbows and dollies and their mostly anadromous offspring as well as further protect the salmon and wild steelhead. Please consider adding this modified rule change.

Who determines the length of time for how long commercial nets stay in the Columbia? The coho run was pretty much taken by them this year.

Additional changes for consideration: allowing harvest of tagged salmon in MA 8,9, and 10. We are the groups who tagged these fish, yet we are denied access to them, except in MA 4,5 and 6. The season for area 9 is a joke. We had the best run of kings in 2003, yet in Area 9 we couldn't even catch hatchery fish we tagged at the Wallace River Hatchery. I am sick and tired

of your political mis-management of our salmon resource. I will be fishing for tagged kings in 2004 in area 9.

I have no objections to any of the proposed changes.
In fact, I have encouraged WDFW to simplify rules wherever possible and avoid the tendency to attempt to micromanage fisheries. Therefore, I was encouraged by rules numbers 33 and 55 standardizing gear for the Kettle River and proposing uniform Walleye limits for the Snake River and portions of the Columbia River.
Since the definition of "Trout" encompasses "...landlocked chinook, coho, and Atlantic salmon..." the definition of "Salmon" should be amended to read "Includes searun chinook, coho, pink, chum, sockeye and Atlantic Salmon" in order to reduce confusion.

Reading the proposals in the gray section creates a question relative to current regs. Suggestions for barbless hooks were turned down on pp 39 and 48 because "research doesn't indicate that barbless hooks reduce hooking mortality" and " research has shown that hooking mortality in adult fish is virtually the same with barbed and barbless hooks." Yet the current regs mandate barbless hooks for salmon and in any area with selective gear rules.
I no longer offer suggestions for WDFW consideration because I don't believe the department is really interested in public comment. The proposed changes indicate that because the 104 items in the section under consideration all originated from within the department, while the rejected ones are from outside sources.

Want to take this opportunity to air a grievance about selective fisheries in Marine Areas 1-6. The rules are unnecessary and wasteful and a frustration to fishers. Propose the following alternatives either this time or next year:
1. Allow retention of all coho or Chinook within the size limit, daily limit of 2, no more than one Chinook. Must mark CRC as marked or unmarked
2. Mark ALL hatchery coho and Chinook with a small yellow tag inserted in the neck at the base of the head to be readily visible.
Identification of the clipped adipose fin is very difficult – fish must be played to near exhaustion because you must get the tail out of the water to see the clipped fin. Don't see how charter boats can make identification without bringing the fish on board. Believe the mortality rate is at or above 20%. Rules acknowledge this be not allowing C&R fisheries after the limit is caught because of "hyperbaric mortality." Tagging would cost more bur release mortality would be greatly reduced. Commercial and native fishers are not burdened with the release rule. Why should only the recreational fishers be?

Comment. It appears the WDFW is trying to make everything the same in Washington waters to compensate for the lack of manpower. It looks like it would prefer two areas, one offshore and one in Puget Sound. This always results is adverse actions towards the sports fishery. You must manage the resources in the various areas and different rules are OK.

I have two comments regarding the rule proposal I submitted re: Region 4, Skagit River above Bacon Creek: "Catch and release only, no bait and selective rules, from Bacon Creek to Nehalem." (Edited for clarity) If possible I would like to amend the change to include the season dates as they currently are, June 1-end of February.
1. My proposed rule was not included, yet I am confused to the reasoning. The reason given was "A comprehensive review of the state's hatchery program is currently being conducted... The current regulations should remain in place until this review is completed." The area of the Skagit affected buy my proposal is currently closed to salmon fishing year round. While it is open for steelhead, I am unsure of the stocking that takes place above Bacon Creek, if any?

Any further clarification would be much appreciated. Why would salmon stocking (or lack of it) effect an area currently closed to salmon fishing?
2. Providing further info re: reasoning for rule my rule proposal: The upper Skagit is prime spawning habitat for both steelhead and salmon. Even though fishing for salmon is closed, use of bait results in many "incidental" hookups of salmon. Studies have shown barbed bait mortality to be significantly higher than with barbless fly or lure. Fishing over these spawning fish with eggs is not consistent with the current rules closing these waters to salmon targeting or retention above the Cascade River. Of greater concern to me, are the resident trout and Dolly Varden/bull trout in this section of river. The upper Skagit is home to a very limited number of resident rainbow trout, most likely residual "steelhead" who serve to insulate the sea-running population from catastrophic events and provide additional spawn/fry who will revert to anadromous lifestyle. Currently, out of area guides are using bait to target these few fish with a catch and kill fishery. Removing these fish should be stopped. The area is also prime resident Dolly Varden/bull trout habitat. While the numbers of fish is healthy, it is dangerous to assume it always will be so. With the majority of the Skagit drainage open for a two fish above 20-inch retention, closing the upper Skagit to harvest will provide a safer area for the resident population. I believe the measures I have submitted will do much to increase the recreational fishing potential of the Skagit River above Bacon Creek. The benefits might be compared to the Yakima River- where local fish resource based businesses have seen a strong economic upturn. As one of, if not the, premiere watersheds in the State, I believe the upper Skagit deserves this protection, while still allowing an open public fishery June 1- Feb 28. My rule proposal will slowly increase the fishing opportunities while further protecting spawning steelhead and salmon. It is a win-win rule.

I am a recreational salmon fisherman in Point Roberts and have watched the Commercial fleet for many years fishing off of Point Roberts. I realize that this resource must be shared between all users, but feel the sport fisher is not getting a fair shake at Point Roberts. The best fishing for Kings and Silvers is off of the SW corner of PR, locally called Light House Point and naturally this is where most of the sport fishing is done. The native fishery gets the first commercial crack at these fish usually around the middle of July. The seiners line up off of the SW corner taking turns with their nets, extending almost on shore , and in 2 days clean out most of the Silver and King runs. Then the other seiners and gill netters come in and finish it off. The non-native seiners along with the natives do not brill their catch normally and keep both hatchery and wild Silvers along with the Kings. This is suppose to be a sockeye fishery, but in fact includes these other species because of where they fish. The sport fishing after this is poor for many weeks and when it starts to improve the Commercial fleet shows up again and we go through the same process .
Since the Commercial Fleet does not seem to have the ability or the inclination to be specie specific in this small area of Point Roberts it would seem fair to me to restrict this small area around the SW corner for the sport fisher. I would appreciate your consideration in your deliberations this winter.

A select gear/catch and release trophy lake fishery in the Methow would do a lot for Methow Valley tourism, and alleviate the \view that we are just a gas stop for fly fishers on their way to Chapaka and Blue lakes. Nutrient rich Davis Lake has the greatest potential to become a trophy lake. It is not affected by drought, is deep enough for fish to winter well, and has shallow flats for surer hatches. Methow Valley fly fishers are willing to pay to stock the lake with triploid trout if it is designated as catch and release.
Adopt-a Lake Program
Would improve tourism be offering trophy lakes in each region
Adopted lakes will be stocked with triploid trout

Funds will be provided by local fishing clubs or other interested organizations in partnership with WDFW matching funds
Regulations will be select gear, artificial lure/fly, single barbless hook, catch and release (alternative – one fish limit to 14" if funds permit).
WDFW will work closely with local community to provide education, signage, water quality monitoring
Benefits would be – community becomes a tourist destination, community's involvement and investment insures success, community can help itself grow financially in partnership with a government agency that is strapped for funds.
Proposal for Davis Lake(possibly other higher elevation quality lakes in the Okanogan such as Blue Lake) – change regulations to artificial lure/barbless hook with a 5 fish take, to 14". This enables larger predator brown/rainbows to help control small bass populations.

At a recent meeting of the Inland Advisory Committee, access to lakes prohibiting gas motors was discussed. The proposal was on a no gas motor lake to allow the use of boats with fixed mounted motors with the engine trimmed up and the propeller removed. Both licensed anglers and enforcement are confused as to the interpretation and this would clean it up.

In regards to snagging and poaching problems, I suggest the following: Making all streams and rivers with anadromous fish populations fly fishing or artificial lures only, single barbless hook, Catch and Release All Wild Fish.
Every time I venture to the Snake River and Grande Ronde rivers to fish, the litter problem seems to be worse. Since most of this litter seems to be alcoholic beverage cans or bottles, I suggest that these rivers be made alcohol free areas. Alcohol can still be served and consumed in legally licensed establishments.
If those suggestions for changing regulations to eliminate bait fishing or selective gear regulations might eliminate license sales to gear and bait fishermen, then just what is the cost of enforcement for policing those streams and rivers where such practices are allowed?

A group of us drive 70 miles one way to fish Rufus Woods Lake near the pens. There are lots of trout there, due to natural production. The Colville Tribe plants 5,000-8,000 into the river and Lake Roosevelt, a lot come down into Rufus Woods. People fish walleye and trout from all over the state. They think a change in the rules is needed. Change the trout limit to 5 fish per day with a slot limit of no more than 2 over 24". This would not impact the population any amount due to the numbers of fish and the large body of water involved.

I realize part of the reason fishing is good in this state is the rules that we have. However, the complexity of the rules is becoming intimidating even for someone who reads the regulations as often as I do.

I am very disappointed that the issue of Wild Steelhead Release Statewide was not selected for public comment in this cycle. About forty (40) citizens and groups proposed this change, and it was strongly supported in the last cycle, failing by only one commission vote. After the vote, WDFW stated that the issue would be reviewed and re-evaluated. By failing to do this, the department severely restricted open public participation in the regulation process.(3)

In general I strongly support and encourage even more restrictive "catch and release" type rules and regulations to protect wild fish: (Steelhead, Cutthroat, trout species, etc...), this is an issue for me not of just sustaining the fishing industry and more aggressively protecting our wild stocks, but it is more in keeping with the Governor's Sustainable Washington Advisory Panel

Action Plan Priority on protecting, preserving and restoration of the State's Natural Resources and biodiversity (see "Essential Strategic Outcome" no 8, and Priority Action item No. 4).

I hope it might be possible for the Commission and the DFW to lobby the NMF and other regulating organizations to see if those same catch and release rules mentioned for the Cedar River could be applied to the Wenatchee River and some of its tributaries such as Nason Creek in order to allow fishing for resident trout during the summer season only. Such rules would: (1) assure a near zero negative impact on salmon and steelhead runs in the streams; (2) open up many miles of productive trout fishing waters for catch and release anglers; and (3) Relieve some of the angling pressure on other streams such as the Yakima.

I'm writing to urge the opening of the Humptulips River 10-1- 04 and not 10-15-03 as was the case this year. The rain on 10-15 was like clockwork and the floods wiped out the entire month of fishing. The reason for the delayed opening was you could keep a chinook from 10-15 to the end of the month. Instead there wasn't a season for that month at all. I bet the hatchery was overloaded in silvers and chinook. Quit trying to mess and guess what mother nature might do and standardize the opening dates of all western Washington river openings. I believe all the other like rivers opened on 10-01.

ALSO, on the subject of cross examination, please help the public gain access to help prevent Hood Canal and Quinault waters from becoming Navy testing sites. Our state is an endangered temperate wildlife sanctuary and is the pride of our country. One of our countries first boasts was of our vast wilderness and protected lands. If my comments on my limitations in my home waters cannot be observed, please raise concern on my behalf about the Greater Puget Sound's wilderness water preservation. At least send me information about how to get involved.

A very popular area for coho salmon is the two sea-water ponds that fill as the tide comes in at Penn Cove. Once these fish go into the ponds, they cannot get out at low tide. The fish are looking for a place to spawn but they can't spawn in the sea-water. As a result they end up swimming around in the ponds until they die. 95% of the fish that enter these ponds are already deep dark red with large hooknoses. Because these fish die without spawning, why doesn't the state make this small area open to snagging?

This is to request the Commission's reconsideration of a proposal that was rejected for the proposed sport fishing rule changes. Specifically, please direct your attention to the rationale used in dismissing the following two proposals that may be found on page 39 of the *Proposals Not Included For Comment*."

PROPOSAL DESCRIPTION	SUBMITTER	RATIONALE
More barbless hooks used for salmon and steelhead and get rid of the treble hooks on plugs for salmon and steelhead.	Ralph Hatzenbeler	Hook regulations are generally considered on a case-by-case basis and *barbless hooks are in use now in all marine areas.*
Require barbless hooks statewide in fresh water for any non-handicapped angler over the age of 12 (or some age from 10-16)	Dean Albertson	Commission rejected a similar proposal in the last major cycle - *research doesn't indicate that barbless hooks reduce hooking mortality*

If the "r*esearch doesn't indicate that barbless hooks reduce hooking mortality*" then why are barbless hooks required in all marine areas, required of all fly fishermen in "Fly Fishing Only"

areas and required on numerous rivers throughout the state as specified in the 2003/2004 Sport Fishing Rules pamphlet? Without revisiting a myriad of literature and references that I'm sure you are all familiar with, I believe you will agree the use of barbless hooks does in fact reduce hooking mortality; otherwise, we have regulations currently in place that you approved and that have no basis in fact.
I respectfully request the Commission give favorable consideration and approval during this session of the Sport fishing Rules Changes to a statewide mandatory use of barbless hooks for all recreational fisheries.

Mandatory catch and release on All native (NATURAL SPAWNING) steelhead in Washington waters ! This is way overdue. We spend large amounts of money on our hatcheries. We can and do get plenty of dinners from our good hatchery fish . People do not need to kill these great native fish. Hey mark all salmon and lets let the nate's (natural spawners) go ! It is not killing fish that keeps us going it is the chance to fish great water and catch good numbers and to just be there when they are. Not to fill our smokers.

Realize it's not on the "menu", but we still need to conserve ALL wild steelhead.

The greatest freshwater fish of all is Steelhead. It has the strength to live in salt and fresh water. It is able to penetrate rushing rivers to perpetuate its species and live. What a magnificent species of fish, and, yet, it is on the decline, and may not survive this century. How can we let this happen? It is a target species for us to measure our stewardship of our natural resources and our own existence. With all of our technical improvements, there are ways to allow commercial fishing of salmon without wild steelhead by-product. DNA studies are being done in Canada, right now, offering insights into the steelhead migrations and how commercial netting of salmon can work around these runs. Weirs can be fabricated to cull the harvest of salmon and not destroy thousands of steelhead. The First Nation of Indians, in Canada, is giving thoughts to helping the plight of steelhead, instead of harvesting them.
So, why can't WDFW, utilize science to overcome this very real problem? At the very least, the steelhead decline must be stopped. Time is not on our side. Commercial fishing has a huge lobby, but their time to step up and take responsibility, is at hand. Stop the decline of steelhead. Then, find a way to commercial fish for salmon without the killing of steelhead. There really is no more time to wait. Your decision will affect the survival of an entire species of fish, the magnificent Steelhead. Make the right decision for our future. Director- Mammoth Flyrodders

Steelhead Committee of Federation of Flyfishers opposes the retention of wild steelhead and fishing for steelhead with barbed hooks and/or bait, and supports the closure or, if that is not possible, the shortening of wild steelhead retention seasons and the reduction of daily and season limits on wild steelhead harvest. Except in waters in which high water temperatures may threaten wild fish and in situations calling for extreme conservation measures, we also support catch and release seasons with selective fishing regulations and strict guidelines for handling and release as ways to expand angling opportunity with insignificant impact on wild steelhead escapement. It is important in writing the regulations pamphlet that clarity and completeness override brevity. Finding the applicable regulation in the current pamphlet is too much of a treasure hunt, even for serious anglers. Six conservation minded college graduates tried to understand the Skagit River rules between the Dalles Bridge and Bacon Creek. There is no mention of steelhead in this section and a lot of confusion and effort was expended before agreement was reached. Regulations (specifically wild steelhead release) must be stated in every section of the pamphlet an angler might read.

I recently watched with considerable interest most of the recent workshop in Richmond on the University of Washington channel. This was my first opportunity to see how your organization functioned. What impressed me the most was a question from your chairman at the end of the session, which went something like this. What results occurred from the public input portion regarding rules and regulations. The answer I think I heard was there was very little if any results from the public. I was appalled by this but not totally surprised having seen the voting record on the proposal on wild steelhead release statewide. If the majority of the angling public supports this, then the commission should adopt it, unless there are deleterious resource reasons. It seems to me the only reason this regulation has not been adopted is the prejudicial opinions of Bob Gibbons, who has considerable influence on the commission. Gibbons is wrong on his "harvest" approach to wild steelhead. This magnificent animal should not be managed like crabs, salmon or food fish. It is the premier sports fish in the area and should be managed for catch and release regardless of the size and sustainability of the runs. What is especially irksome is with huge declines in river runs, the commission continues to push for kill regulations on "healthy runs".
I expect little effect from this message, as the commission only gives lip service to all those who do not agree with Bob Gibbons, including scientific organizations and those with much more technical knowledge such as the Steelhead Advisory Committee, the Wild Steelhead Coalition, and numerous angling organizations.

You say you want to encourage children to fish. However, catch and release rules for sea-run cutthroat are not conducive to kids fishing. It is important for them to keep at least one fish to show off. Why can we keep these fish in the rivers but not in saltwater? Please let us keep one, at least in the summer and fall.

Member of Sports Fishing Advisory Board is upset that they were not given the opportunity to express their views on proposed changes until after staff had submitted the proposals and placed them on the agenda for adoption.

Object to the Department deleting from public comment at this meeting a proposed rule change that, if adopted, would require statewide release of all wild steelhead, with no exceptions. Stated reasoning for deleting the proposal is nonsense. The problems will not go away. The rationale that it is "too soon" to re-address this issue does not make sense. The additional comment that it would complicate allocation issues with treaty tribes would be laughable if it were not issued by a state agency. Are we to infer that the Department is only able to manage simple matters? Commission needs to address the preservation of wild steelhead. This is not a matter that should be delayed any further.

Please keep in mind I fully support the WDFW, especially the enforcement section. Those are the people we see in the field most often, and they are always quite courteous and helpful. With that said, I should note the disturbing trend towards total "catch and release", "fly-fishing only" and other "sporting" restrictions that has overtaken the fisheries of this state. Follow the trend for a few more years, and we will see hookless lure restrictions.
I have a fly rod, and use it. I also use bait, where necessary. I even EAT fish, to the consternation of some of the fly-fishing groups. If it were legal to bow-fish for salmon, I'd do that too. My point is that while the sporting groups have a powerful voice in Olympia, they don't represent all the views of all the people, and it's time to steer the ship back towards the consumption side of the river. Also, I understand the put-and-take trout fishery is both popular and economically important. If it must continue, why don't you change the food formula you use to provide at least some color, better flavor and firmer flesh to the little beasties? I generally turn them all loose, but now and again one gets hurt and I keep it. They are pretty disgusting to eat.

Generally I want to express to you that any efforts to protect wild fish of any species is the most important thing in my mind. This would include moving toward Washington fully protecting wild steelhead from harvest statewide. And increasing the efforts toward hatchery reforms that would reduce the displacement of wild strains of salmonids of all species. I do not feel that increasing hatchery fish opportunities is helpful to the long term survival of indigenous strains of fish species. You need to focus on hatchery reforms and wild fish protection. Of course catch and release fishing of any kind does additionally stress wild, spawning fish, and so I generally support you in limiting pressure on wild fish at critical times in their riverine lives- even if that means that I may not pursue catch and release fishing for them.

You have a tremendous enforcement problem on the Olympic Peninsula. I am certain that WDF&W has no clue as to the severity or extent of the illegal harvest of fish from these waters. And you already know that the tally on tribal netting is not accurate. I see chinook salmon and sea run cutthroat trout taken illegally on the beaches of area 9 with regularity. I see people on the rivers of the Olympic Peninsula clubbing and hiding wild steelhead out of season too frequently to count. When approached these people are defiant and belligerent. And they are flagrant in their breaking of the law- in fact on occasion they flaunt it. Until significant efforts are made to address enforcement issues here; your rules won't mean a thing to the survival of our wild fisheries resources. I am not blaming our conservation officers- if anything I am saying we need more of them, and they need more support.
Even though most of the fish,(hatchery runs), come earlier in the winter here- the busiest time of motels and restaurants and related businesses has always been during the wild fish seasons. Washington needs to set an example and begin to do demonstrably more to protect our dwindling wild fisheries, including salmon and steelhead. Reduced harvest is not the only tool that we have, but it is the most immediate. You could always err on the side of conservation and not fail. But continued harvest of wild fish can only end in disaster. This is why I feel you should also reduce the harvest of cutthroat trout in our rivers. These are the same wild fish, in many instances, that are protected in their salt water life history phase. They are already under too much pressure. People brag about all of the cutthroat trout they kill. It is sickening.
As a professional fisherman and guide I have much at stake here; The success of wild fishery management is what my entire livelihood rests upon. I see protection of wild fish as an investment in the future, not a sacrifice. I feel that all fisheries and shellfish rules, allotments, seasons etc, should be managed on a scientific basis first. The Washington Department of Fish and Wildlife has the scientific capacity to address the concerns of our resources and the Commissioners should continue to be the cornerstone for citizen interaction with WDF&W in this process. At no time should politics or small group pressure be a tool in wildlife management.

Steelhead Committee of the Federation of Fly Fishers would like the following to be considered by the Commission at the December public hearing: On all rivers where STEELHEAD may be present, add the words " 2 hatchery STEELHEAD may be retained" if there is not already some reference to STEELHEAD in the special rules for a specific river. If killing a wild steelhead is not allowed on a specific river, a comment should be added, "All wild steelhead, identified by presence of an adipose fin, must be released carefully and quickly." A reference should also be added pointing to the diagram in the regs packet that clearly shows which fin is the adipose fin. This may entail adding a specific STEELHEAD line item instead of lumping them with TROUT. The reason behind this is I believe that a large number of anglers are not reading the regulations from "cover to cover". It is easy for them to skip over the "Statewide Freshwater Species Rules" and just go to the specific river for their answer. The Skagit for example looks like STEELHEAD, that is TROUT, are available year-round.

Steelhead Trout Club says: what is really bothersome here in this entire regulation package is WDFW is proceeding at Mach 3 to shut down harvest of all wild steelhead regardless of the health of the resource. Review our comments objectively with our 75 year legacy in mind of saving the wild steelhead resource for everyone.

Urge WDFW to do whatever it takes, including higher license fees, to increase opportunities for fishers in the state. Interest is dropping off already and people are going to other states. Please do whatever is necessary to change fisheries management practices in WA so residents will not need to travel elsewhere to catch fish.

Proposal: Be able to retain 10 wild steelhead per year in the Chehalis River system from the mouth to the Sickman-Ford Bridge in Oakville. Explanation: Fishermen are fishing behind tribal nets that take both hatchery and wild steelhead. We should be able to take both hatchery and wild fish too. According to the records of the last 5 years, there are good numbers of available wild steelhead.

People for Puget Sound supports proposal to designate portions of 6 Seattle shoreside parks as marine reserves. Staff did not support this proposal, but they ask the Commission to adopt the proposal. These areas provide valuable habitat for fish and wildlife and a valuable educational and scientific resource. General Parks policies provide some protection, however marine and intertidal areas could benefit greatly from enhanced protection as marine reserves because the city does not have regulatory authority over the harvest of fish and invertebrate species.

Seattle Aquarium requests WDFW designates the intertidal and subtidal areas designated as marine reserves by the Seattle Parks Commission (SPC) wildlife education reserves. SPC adopted these marine reserves July 10, 2003 after testimony from 14 citizens, (13 in favor). Taking of shellfish, seaweed, and marine plants, or the capture of any wildlife species, or otherwise destroying or damaging submerged or intertidal lands is prohibited. Plan to use these areas to educate the public about protecting Puget Sound. Areas contain eelgrass beds and are spawning sites for sand lance and surf smelt, also providing refuge for spawning salmonids. Educational intent would be enhanced by WDFW's recognition of City's authority to prohibit the take of shellfish, seaweeds and marine plants. Would welcome restrictions of commercial fishing and fishing gear in these areas. Want to work with staff to develop signage, educational outreach, and monitoring.

Staff also did not support the proposal to place 200-yard buffers around USFWS National Wildlife Refuges in the San Juans. We know WDFW is completing its PS conservation plan for rockfish and has chosen not to recommend further area closures until that happens. Rockfish are a shared resource between the state and treaty tribes, and the conservation plan should reflect that shared responsibility. The plan should also be ecosystem based and entail more than single-species harvest restrictions. There is much we don't know about rockfish. What we do know is: 1)some populations are depleted 2)adult life stages of these species are sedentary 3) difficult to eliminate incidental catch solely with harvest regulations and 4) site-based management shows increase in biomass within no-take borders. Urge WDFW and tribes to move forward with area closures where goals can be established for certain species at certain sites.

Increased population means increasing crab fishing pressure. For this reason commercial pressure is capped. Why not the sports? Commercial share is eroded through exclusion zones and sport over-runs with no pay-back to the commercials. Both groups feel increased pressure

with increased population. What sense does it make to value a group more because it harvests less efficiently (i.e. uses more fuel and natural resources per pound of crab caught)? (2)

You do not give enough opportunity for the average fisherman to give input to new rule changes for the next year...the meetings for these changes are always held in obscure towns on the West coast and this input does not matter anyway to your fish biologists who hold the meetings. You hold the meetings for public comment in December in non accessible locations in the state.. Also. NO working person can make it to these meetings...gripe number two: why make fishing rules if you are going to constantly change those rules from the booklets through special closures posted on public boat launches during the year...example: sturgeon fishing this past year near Maryhill state park was closed very early for keeping fish by posting a small obscure poster on the boat launch. Fisherman need to bring a lawyer along with them to fish any more to interpret the law. The pamphlet means nothing...why waste money and time printing it if you are going to constantly change your rules through the season??? I would rather you limited everyone's catch to two keeper fish (sturgeon fishing, salmon, steelhead etc.) than to allow a few fisherman to load up their punch cards then close fishing to all others for keepers who have not even had a chance to go fishing for the year. You need to find a way that spreads the catchable fish to more people and limiting total caught per year would be better than allowing a few to catch most of the fish and then close season. I know you do not have an easy process but...try harder...my tax dollars pays your wages...start earning it or I quit going fishing all together.

Sportsfishermen license fees are constantly increased, our open periods are established then closed, catch limits are developed then are modified also new limits are given ,areas are opened then closed. The regulations as printed are mumble jumble that it is so doubtful if a Beverly Hills attorney could decipher them. With a fin without a fin? When a hatchery fish comes in to spawn and that smolt goes out to sea and returns is it then a wild salmon? Sportsfisher license fees I am certain represent a great proportion of monies that the State/Federal F-G receive annually, yet we get a very disproportionate share of the intent. “Give us a Break". Here is an idea. Being biased because I live close to the Dungeness Spit- Bay (area-6) my issue is that this Dungeness Bay be closed to all but Sportsfishermen (and ladies) for fishing and shellfishing .This proposal closes the Dungeness Bay to commercial and Tribal fishing as well as shellfishing excluding the existing commercial oyster operation. Closing this Bay to all but sportsmen, doesn't mean that the Tribes or commercials fish/shellfisher people cannot do so in this location. They can if they purchase a sportsfishing/shellfish license same as mine and thus abide by the same regulations, i.e. size, quantity, locations, methods and allowable time periods. Why is it the Federal and State can spend millions acquiring Commercial (Buy-back) licenses yet the Tribes can continue to catches without a Commercial License and apparently no limits. 50% of what number of fish or shellfish caught by the sportsman and a non Tribal commercial. If the Fishing nets and the many, many Tribal crab pots, I have seen in the Dungeness Bay are indicative of the attempt by the State -Federal F/G regulators to limit the catches and opening periods by the sportsfishermen in this Bay area well it isn't right. 4 million pounds of crab go to the tribes. 2.5 million pounds go to recreational people. My limit is 6 crabs average weight of 6 is about 10.5 pounds. Do the State punch cards reflect recreational fishermen caught 250000 crabs ? We pay and pay but are not getting a fair deal. Again, consider closing the Dungeness Bay to all but a current License carrying sportsmen for fish/shellfishing. The Dungeness Bay is prone to many closures due to fecal coliform. O.K. I can accept that but cannot understand this problem. It has existed for many years yet no source of that problem is ever forthcoming. human, animal, avian marine ? What about approximately 700 pinipeds and the supposed 25 #s of scat from each one? Why was no study ever made as

to the specific type of fecal coliform. Please consider the recreational licensed fisherman--- Ladies too.

The wild steelhead populations are dwindling on the Olympic Peninsula and elsewhere in the state. They are dangerously low and need the opportunity to grow back. It's apparent that WDFW has in good faith tried to do their to satisfy all sport fishermen/women, commercial fishing tackle industry as well as trying not to over harvest the steelhead. UNFORTUNATELY it has not been a success- ACT NOW before it is to late, take a strong leadership role and SAVE THE WILD FISH. Suggested action: Enact a rule for Catch and Release of WILD STEELHEAD state wide no exceptions plus well advertised BIG FINES for keeping wild steelhead. Be remembered as the administration that saved the WILD STEELHEAD. Wouldn't you be proud in the years to come, at some family Christmas gathering or other occasion, to be able to tell your grandchildren that looking back I think that the healthy vibrant wild steelhead stocks today were due to better stewardship of our rivers and ENACTING the wild steelhead 100% statewide release program back in 2004!!!!! Please conserve these magnificent wild fish before it is too late and we see all the rivers closed due to over harvest.

Regarding Rules and Regulations for the East side of the Cascades. First of all I believe the fishing rules and regulations on the east side should be decided by East side license holders not by the people who live on the West Side. Look at the weather for older people to go and protest at the meetings this time of the year in Port Townsend, to drive to the West side. Unbelievable rashness based on the WFDF Commissions logic.
I am not in agreement on the changes of the rules and regulations on the Columbia River Salmon Fishing. I don't think enough meetings in the cities and counties from the East Side have the opportunity to address issues and input. This may not be true, but I think the WFDF Commission Administration does not hear the "little people" who are the license holders for fishing and hunting rules and regulations. Hopefully you will have a meeting in Kittitas County within two weeks before you make everything in black and white.

The Wild Steelhead Coalition recommends changing all rivers to wild steelhead release, no exceptions, statewide (4 letters). Until all the depressed runs are sufficiently recovered from their listed or depletion status, and all stocks are considered in a healthy status, we believe all wild steelhead should be released by sport fishers to assure the remaining healthy stocks are not further jeopardized by the directed harvest of even one wild steelhead. The WSC believes that our proposed changes when merged with the proposals presented by WDFW staff will add considerably to the recovery and protection of wild steelhead.

Olympic National Park has concerns regarding the limit of 5 chinook in Lake Cushman. Disagree with the rationale that the Chinook are “most likely of hatchery origin and not a stock in need of protection.” We requested closure because of low escapements from 1993 to 2003. Recent results of genetic analysis regarding the origin of Cushman Chinook were inconclusive. Request directed fisheries on this stock be terminated until conclusive evidence is obtained. Any other measure will result in extirpation of this population.

Strongly object to rules that still allow killing of wild steelhead in the Bogachiel, Calawah, Clearwater, Dickey, Hoh, Upper Quinault, and Sol Duc. State produces hatchery fish for that purpose. WDFW must see the light and impose mandatory release of all wild steelhead at all times.

Have watched the precipitous decline of wild fish. All wild steelhead should be released in all streams statewide, all year, no exceptions. This proposal should have been one of the

numbered proposals because it was sent in 39 times. Omission is arrogant. Oppose the retention of wild steelhead, fishing for steelhead with barbed hooks and/or bait, and support closure or, if that is not possible, shortening the reduction seasons for wild steelhead retention and the reduction of daily and season limits for wild steelhead. Support catch and release seasons with selective gear rules and strict rules for handling fish. (2)

Note that submitter's name is provided on proposals not put out for comment, but not for those supported for comment. Recommend in future proposal packages that both should be identified. Many proposals were submitted for wild steelhead release. These were dismissed because they were recently addressed. Yet several other recently addressed proposals were in the package. WDFW is unresponsive to a substantial constituency.

Humptulips was a zoo this year but people caught kings and a lot of poaching went on early. Need more enforcement. Fines should be publicized more in the papers. Humptulips should open October 1 to help keep poaching down. Open up all the rivers for fall kings, 1 fish a day and 2 for the season. This will keep poaching down. Also open the Humptulips for wild or hatchery coho until November 30, then hatchery only.

Conservation Committee of the Washington Fly Fishing Club requests consideration for statewide wild steelhead release. Rationale for not considering is totally unreasonable. Commission should listen to the public, they have said they want this proposal heard. Scientific publication completed since the last major cycle (see McLean, UW PhD dissertation 2003). The best available science uniformly recommends preservation of all wild steelhead populations. We reject the legal argument of foregone opportunity. Majority of streams with viable runs have been co-managed with the tribes. They have a vested interest in the continued survival of steelhead stocks. If we ever see an enormous return of wild fish, we can open a fishery by emergency rule.

The individual fisher should use his prerogative to keep or release a fish. To limit catch and release excludes equal opportunity to all fishers. To limit a special type of gear does not allow equal opportunity to all. WDFW is required to do this by law. There has been some discussion on equal opportunity to participate in the rule change procedure. Should prepare a flow chart shoeing how it works with a time line for input.
Department has strayed from its mandate for steelhead. Proposals 81,82,86,87,88,90,94,97 and 97 miss the mark. Catch and release (torture and abuse) should not be standard practice unless a thorough study has been completed, publicized and accepted by the people. 1) is it ethically and morally acceptable? 2) is it a matter the state should decide, or should it be left to the individual? 3) is it good conservation. Is the Department's position defensible on all of the above? Many don't think so. If you can't keep 'em, don't fish 'em.

Disagree with any changes referencing the use of motorized boats on any Washington waters. Under the ADA, how would you help me fish in these areas? All my boats use motors. I cannot get around without them. I have a disability license plate and assisted handicap hunting and fishing licenses. I have been under the assumption I could fish all open waters. Please strike these changes to the 2004 rules.

Department must discontinue the enhancement of predatory exotic fish in waters where there are anadromous fish and other native cold water species. Taxpayers are spending millions of dollars to recover anadromous fish populations in the Columbia and Snake Rivers while WDFW places rules so that bass and walleye populations will continue. Focus on enhancing and managing these species when they are not in conflict with native species. Also WDFW must

develop new strategies for commercial salmon fisheries, offering opportunities other than netting. Nets (gill nets or tangle nets) only aggravate the ability to fish on mixed stocks. Offer commercial fishers the opportunity to use hook and line, fish traps and fish wheels on an experimental basis. Begin to develop a system of marine sanctuaries. They have met with great success for the enhancement of marine fishes in other states, B.C. and the Philippines.

Support wild steelhead release statewide without exception. Changing the annual limit from 30 to 5 was an important first step. Do not wait any longer to stop the killing. We will not go away. If even a single race of wild steelhead goes extinct before it receives the protection it deserves, the F&W Commission will have to shoulder a heavy burden of responsibility for such a tragedy.

Recommend a move to wild steelhead release state-wide with no exceptions. And at a minimum, wild steelhead release in the entire Quillayute system in December and January to protect the early component of the run.

Support wild steelhead release statewide with no exceptions. Was disappointed two years ago. Have been asking if people would sign an initiative to stop the intentional killing and harvest of our state fish. Most were aghast that our state promotes killing our state fish. The initiative may take management of wild steelhead out of your hands and we will not have to revisit this issue ever again. This is your last chance. Act now while you still have the opportunity.

Puget Sound Water Quality Action Team Special Projects Director supports expanding the buffer to 200 yards around USFWS National Wildlife Reserves. This will help protect rockfish and their habitat.

Kitsap Poggie Club would like to see salmon fishing in Central Puget Sound all year. Fish we have released at Gorst Pond the past 2 years or longer have been adipose fin clipped. Upcoming regs should be tailored for hatchery fish reaching legal size. A year round fishery for marked fish and a daily limit of two should be considered. The 22" minimum size is not in the best interest of the resource. Sometimes you have to release several undersized fish (20-22") before keeping one. The minimum size should be reduced to 20." This would lessen hooking mortality. Over 10,000 fish returned to Gorst Creek last fall. More of them need to be caught. A special area west of Bainbridge Island for year-round fishing should be considered.

Steelhead Trout Club of WA has twice submitted a proposal for a summer steelhead research program on the SF Skykomish River. No indication was given of the proposal's merit in the rejection. One reason was: "prior to the harvest of wild steelhead in the SF Skykomish, an escapement goal needs to be established." This is astonishing. There is not one other river system in the entire state where WDFW has an actual fish count on all species for over 40 years between July 14 and December 15 that can be separated by hatchery and wild fish. The second reason was the need for monitoring the harvest by spawning surveys (not anywhere near being precise data) or catch monitoring and: "there are no funds available for either activity." The most important objective is to establish the escapement goal – then to measure harvest by in-stream monitoring as well as CRC data. The area is unique – immediately adjacent to Hwy 2, 25% within the city limits of Skykomish – would be easy to monitor, The basic tenet of the ESA is to return such species to harvestable levels. This river is a classic success story, producing some 50,000 coho adults returning to the fishway and 20-30,00 harvest. If science is the basic principle underlying fish management, there is no better program that can develop the basic data needed to support management decisions. Request the research program be brought to the table for a commission decision.

Wild steelhead are in decline – present programs don't work. Segregate steelhead from salmon, have no harvest, for recreational and social purposes only. Works in B.C. Reduce hatchery plantings.

Congratulations on reducing the annual steelhead limit 2 years ago. Wild steelhead are in more serious jeopardy now. Hoh has 600 harvested per year by sport fishers. Run came in lower than predicted this year. Lots of proposals to close harvest- majority should prevail.

Close 16 rivers where wild steelhead harvest is allowed. Presented commission with book "King of Fish – the 1000 year run of Salmon. History in Great Britain, New England and the Pacific NW – all failures for salmonids. There are now 6 "H's." #4 is harvest still allowed in these 16 rivers. #5 is history – use the past to make better decisions. #6 is hubris, or humility.

Wild Steelhead Coalition says we need a paradigm shift for wild steelhead. Now we have maximum harvest, minimum protection. Need ecosystem protection. Hoh was overfished last year. The 5 fish annual limit does not limit harvest. To rebuild resilience we need life history diversity. Concentrating harvest on early runs narrows diversity. Support the proposals to close harvest on small streams.

Conservation VP of Wild Steelhead Coalition says wild stocks are listed in 4 of 7 ESUs. Olympic Peninsula has only rivers open to harvest – only healthy stocks. They are in a downward trend since the 1990s. Ocean productivity has changed. Yearly limit of 5 has not helped. Need population diversity. Quillayute early run is reduced. Release all wild steelhead. In 2001 65% of anglers favored this.

VP Wild Steelhead Coalition says: Thanks for proposals to end wild steelhead harvest. Request wild steelhead release statewide.

Release wild steelhead – lots of people support it. (4)

Change wild steelhead kill fisheries to start in January, or better yet, close them entirely. Quillayute net catch peaked in January, now its in March because the early run was overfished.

Wild steelhead are more aggressive and are hooked more often. See Dr Jennifer McLean thesis. Hatchery fish can't sustain themselves. Ditto for hatchery/wild crosses.

Chair of SH Committee Federation of Flyfishers outraged wild steelhead release was not considered. 5 years ago no one predicted the drop off in the Skagit, Stillaguamish, Skykomish. Release all wild steelhead and fish only with selective gear rules, catch and release. Science says hatchery fish are inferior and impact wild fish.

Some of our waters need to be declared as "Fragile." (WA Waters Forever) Mission is good fishing in WA forever. Hoh would be a good choice. We are doing too little too late. Close for wild steelhead retention tonight.

Advisory groups should be more involved in regulation development process.

Commercial/sport allocation for crab based on old numbers. There are lots more sport fishers now – their allocation should go up. Need better sport catch accounting – separate catch record card for crab.

City of Auburn and Steelhead Trout Club request a change of the rules for Mill Creek Pond in Auburn from “juveniles only” to “juveniles and seniors 62 and over only.” The man-made pond has been stocked with trout the past 2 years. Parks and Recreation has coordinated two youth derbies and one senior day (with a special permit). Want to provide more intergenerational opportunities. Were not aware of the deadline for proposals.

This program receives Federal financial assistance from the U.S. Fish and Wildlife Service Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972. The U.S. Department of the Interior and its bureaus prohibit discrimination on the bases of race, color, national origin, age, disability and sex (in educational programs). If you believe that you have been discriminated against in any program, activity or facility, please write to:

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