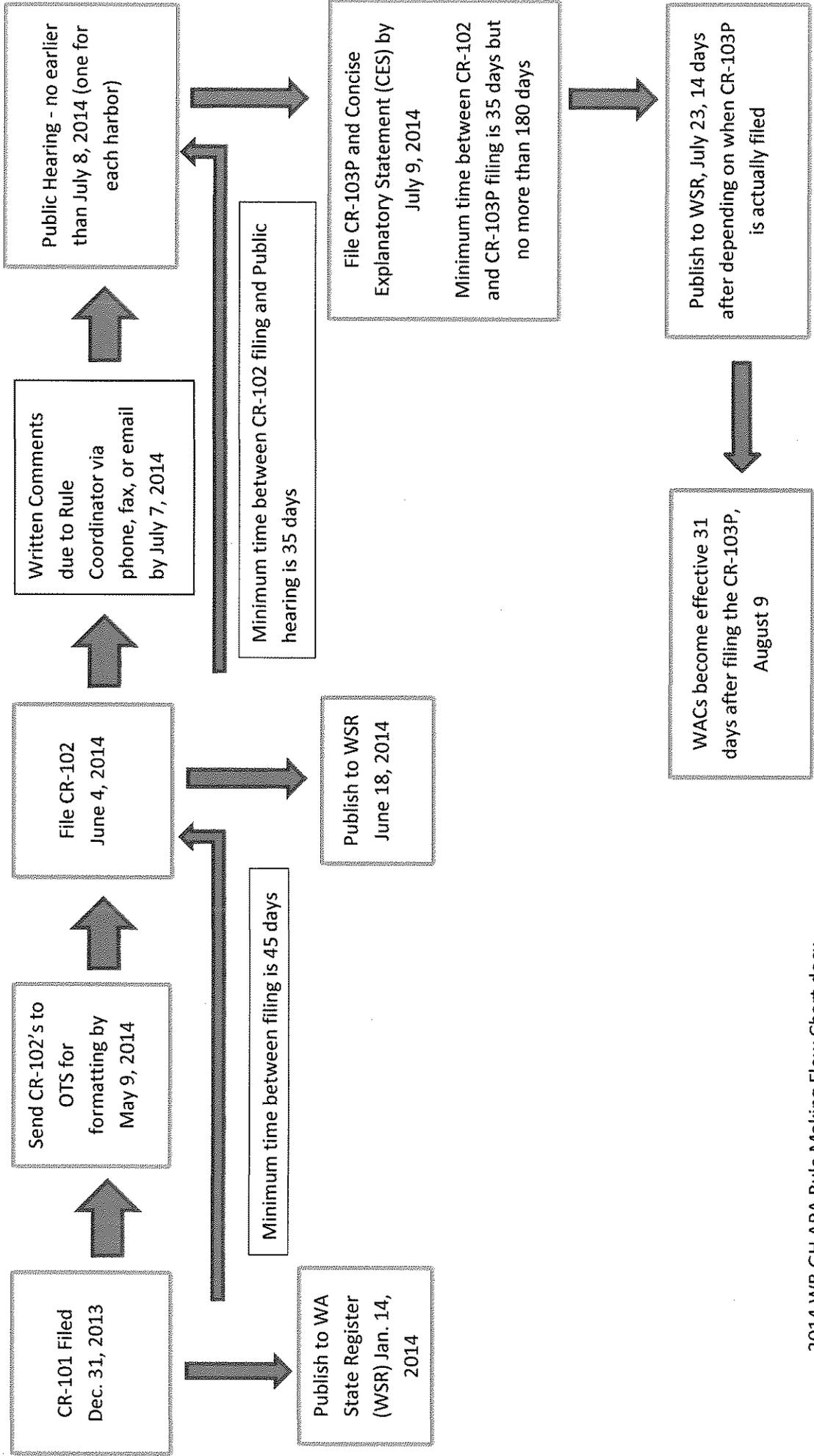


03.03.14.

2014 Willapa Bay and Grays Harbor APA Rule Making Process



03.03.14

**2014 - North of Falcon
Grays Harbor and Willapa Bay
Meeting Schedule**

Area	Date/Location	Topic
Grays Harbor Advisors Public Comment	March 4 th Grays Harbor Advisors from 5:30 pm to 7:00 pm. Montesano Office	Advisory Group function APA Process Review Pre-season forecasts Management Objectives Meeting Coordination Public Comment
Willapa Bay Advisors Public Comment	March 4 th Willapa Bay Advisors from 7:00 pm to 8:30 pm. Montesano Office	Advisory Group function APA Process Review Pre-season forecasts Management Objectives Meeting Coordination Public Comment
Grays Harbor Advisor Public Comment	March 14 th 6 to 8 8 to 9 Montesano Office	APA Process Review Forecast Management Objectives Policy Implementation Fishery suggestions Public Comment
Grays Harbor Public Workshop	March 19 th 6 to 8 Montesano City Hall	APA Process Review Forecast Management Objectives Policy Implementation Fishery suggestions
Grays Harbor Testimony	March 19 th 8 to 9 Montesano City Hall	Individuals will be provided up to 3 minutes to go on the record relative to Grays Harbor Rule Making (Fishery Development)
Willapa Bay Advisor Public Comment	March 21 st 6 to 9 Montesano Library 125 S Main St, Montesano, WA 98563	APA Process Review Forecast Management Objectives Policy Implementation Fishery suggestions Public Comment
Willapa Bay Public Workshop	March 25 th 6 to 8 Raymond Elks	APA Process Review Forecast Management Objectives Management Plan Implementation Fishery suggestions
Willapa Bay Testimony	March 25 th 8 to 9 Raymond Elks	Individuals will be provided up to 3 minutes to go on the record relative to Willapa Bay Rule Making (Fishery

		Development)
Grays Harbor Public Workshop	April 4 th 9 to Noon NRB Room 172	APA Process Review Forecast Management Objectives Policy Implementation Fishery suggestions Fishery Structure
Grays Harbor Testimony	April 4 th Noon to 1pm NRB Room 172	Individuals will be provided up to 3 minutes to go on the record relative to Grays Harbor Rule Making (Fishery Development)
Willapa Bay Public Workshop	April 4 th 1 to 4 NRB Room 172	APA Process Review Forecast Management Objectives Management Plan Implementation Fishery suggestions Fishery Structure
Willapa Bay Testimony	April 4 th 3:30 to 4:30 NRB Room 172	Individuals will be provided up to 3 minutes to go on the record relative to Grays Harbor Rule Making (Fishery Development)

2014 North of Falcon APA Process Recreational and Commercial Fisheries

CR 101	Filed January 2, 2014
Preseason Forecast and Management Objectives Initiate Solicitation of Public input on fishery options	March 3, 2014
PFMC Ocean Options Developed Sacramento, CA http://wdfw.wa.gov/fishing/northfalcon/	March 8 – 13, 2014
Continue to Solicit Public input on fishery options	March 13 – April 4, 2014
Final PFMC meeting for fishery completion Vancouver, WA http://wdfw.wa.gov/fishing/northfalcon/	April 5 – 10, 2014
CR 102 to Order Typing Services (OTS)	May 9, 2014
Written comments notice of CR 102	
CR 102 Filing	June 4, 2014
Closing Written comment period CR 102	
Public Hearing	July 8, 2014
CR 103 and Concise Explanatory Statement (CES)	July 9, 2014 (no sooner than this date) ¹
Effective Date	August 9, 2014

OTS is a cooperative effort between the office of the code reviser and state rule-making agencies to prepare new, amendatory, and repealed rules.

¹ With the public hearing the day prior we must be certain that due consideration was given in the CES See RCW 34.05.325 for specific language. <http://apps.leg.wa.gov/rcw/default.aspx?cite=34.05.325>
March 2, 2014

2014 GRAYS HARBOR PRE-SEASON FORECASTS SUMMARY

SPRING CHINOOK	FORECAST	3,024
	GOAL	1,400

HARVESTABLE	1,624
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FALL CHINOOK

	CHEHALIS		HUMPTULIPS	
	NATURAL ORIGIN	HATCHERY	NATURAL	HATCHERY
FORECAST	16,876	744	6,959	1,479
GOAL	12,364	578	2,236	369

Achieve goal 3 of 5 years:	No	Yes
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COHO Ocean Age 3 Estimates

	CHEHALIS		HUMPTULIPS	
	NATURAL ORIGIN	HATCHERY	NATURAL	HATCHERY
FORECAST	93,145	46,405	7,413	15,679
GOAL	28,506	2,850	6,894	2,120

Achieve goal 3 of 5 years:	Yes	No
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CHUM

	ORIGIN NATURAL	HATCHERY	TOTAL
	FORECAST	44,670	
GOAL	21,000	500	

Achieve goal 3 of 5 years:	Yes
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2014 WILLAPA BAY PRE-SEASON FORECAST SUMMARY

CHINOOK

	NATURAL <i>-ORIGIN-</i>	HATCHERY	TOTAL
TOTAL FORECAST	2,850	29,514	32,364
Willapa/ North River	1,392	13,935	15,327
Nemah/Palix	172	11,416	11,588
Naselle/Bear	1,286	4,163	5,449
TOTAL GOAL	4,350	9,925	14,275
HARVESTABLE	-1,500	19,589	18,089

COHO

Ocean Age 3 Estimates

	NATURAL <i>-ORIGIN-</i>	HATCHERY	TOTAL
FORECAST	58,883	40,998	99,881
Willapa/ North River	40,308	7,921	48,229
Nemah/Palix	6,786	0	6,786
Naselle/Bear	11,789	33,077	44,866
TOTAL GOAL	13,090	6,100	19,190
HARVESTABLE	45,793	34,898	80,691

CHUM

	NATURAL <i>-ORIGIN-</i>	HATCHERY	TOTAL
FORECAST	52,612	2,766	55,378
TOTAL GOAL			35,400
HARVESTABLE			17,212

FISH AND WILDLIFE COMMISSION POLICY DECISION

POLICY TITLE: Grays Harbor Basin
Salmon Management

POLICY NUMBER: C-3621

Cancels or
Supercedes: NA

Effective Date: March 1, 2014
Termination Date: December 31, 2023

See Also: Policies C-3608, C-3619

Approved: February 8, 2014

by: *Miranda Wecker*, Chair
Washington Fish and Wildlife Commission

Purpose

The objective of this policy is to advance the conservation and restoration of wild salmon. Where consistent with this conservation objective, the policy also seeks to maintain or enhance the economic well-being and stability of the fishing industry in the state, provide the public with outdoor recreational experiences and a fair distribution of fishing opportunities throughout the Grays Harbor Basin, and improve the technical rigor of fishery management. Enhanced transparency and information sharing are needed to restore and maintain public trust and support for management of Grays Harbor salmon fisheries.

Definition and Intent

This policy sets a general management direction and provides guidance for Washington Department of Fish and Wildlife (Department) management of all Pacific salmon returning to the Grays Harbor Basin. The Grays Harbor Basin is defined as Grays Harbor and its freshwater tributaries.

General Policy Statement

This policy provides a cohesive set of principles and guidance to promote the conservation of wild salmon and steelhead and improve the Department's management of salmon in the Grays Harbor Basin. The Fish and Wildlife Commission (Commission) recognizes that management decisions must be informed by fishery monitoring (biological and economic), and that innovation and adaptive management will be necessary to achieve the stated purpose of this policy. By improving communication, information sharing, and transparency, the Department shall promote improved public support for management of Grays Harbor salmon fisheries.

State commercial and recreational fisheries will need to increasingly focus on the harvest of abundant hatchery fish. Mark-selective fisheries are a tool that permits the harvest of abundant hatchery fish while reducing impacts on wild stocks needing protection. As a general policy, the Department shall implement mark-selective salmon fisheries, unless the wild populations substantially affected by the fishery are meeting

spawner (e.g., escapement goal) and broodstock management objectives. In addition, the Department may consider other management approaches provided they are as or more effective than a mark-selective fishery in achieving spawner and broodstock management objectives.

Fishery and hatchery management measures should be implemented as part of an "all-H" strategy that integrates hatchery, harvest, and habitat systems. Although the policy focuses on fishery management, this policy in no way diminishes the significance of habitat protection and restoration.

In implementing the policy guidelines, the Department will work with the tribes in a manner that is consistent with *U.S. v. Washington* and other applicable state and federal laws and agreements.

Guiding Principles

The Department will apply the following principles in the management of salmon in the Grays Harbor Basin:

- 1) Promote the conservation and restoration of salmon and steelhead by working with our partners (including Regional Fishery Enhancement Groups and Lead Entities) to protect and restore habitat productivity, implementing hatchery reform, and managing fisheries consistent with conservation objectives.
- 2) Meet the terms of *U.S. v. Washington* and other federal court orders and promote a strong relationship with the Quinault Indian Nation. Spawning escapement goals, fisheries, and artificial production objectives will be developed and jointly agreed with the Quinault Indian Nation. The Department shall seek agreement with the Quinault Indian Nation to manage fisheries with the intent of meeting the Chinook and coho salmon spawner goals for the Humpulips River and the Chinook and coho spawner goals for the Chehalis River. Agreements between the Department and the Quinault Indian Nation related to salmon in the Grays Harbor Basin shall be made available to the public through the agency web site.
- 3) The Department will work through the Pacific Salmon Commission to promote the conservation of Grays Harbor salmon and, in a manner consistent with the provisions of the Pacific Salmon Treaty, pursue the implementation of fishery management actions necessary to achieve agreed conservation objectives.
- 4) Within the Pacific Fishery Management Council (Council) process, the Department will support management measures that promote the attainment of Grays Harbor conservation objectives consistent with the Council's Salmon Fishery Management Plan.
- 5) In a manner consistent with conservation objectives, seek to enhance the overall economic well-being and stability of Grays Harbor Basin fisheries.

- 6) When establishing fishery seasons, the Department shall consider the anticipated impact of both Quinault Indian Nation and nontreaty fisheries in the Grays Harbor Basin.
- 7) In a manner consistent with conservation objectives, fishing opportunities will be fairly distributed across fishing areas and reflect the diverse interests of WDFW-managed fishers.
- 8) Recreational and WDFW-managed commercial fisheries shall be structured (e.g., schedule, location, gear) to minimize gear and other fishery conflicts. WDFW-managed commercial gillnet fisheries in a fishing area or aggregate area (i.e., Area 2A/2B/2D; or Area 2C) shall be scheduled, if possible, so that in any given calendar week there are a minimum of three consecutive days when no treaty or state-managed commercial fisheries occur. If the treaty fishery occurs 4 or more days in a calendar week, no WDFW-managed commercial fishery shall occur in the remaining days of the week.
- 9) Monitoring, sampling, and enforcement programs will adequately account for species and population impacts (landed catch and incidental fishing mortality) of all recreational and WDFW-managed commercial fisheries and ensure compliance with state regulations.
- 10) If it becomes apparent that a scheduled fishery will exceed its preseason catch expectation, and the overage will put at risk the attainment of conservation objectives, the Department shall implement inseason management actions that are projected to enhance the effectiveness of fishery management relative to the attainment of the conservation objectives and impact sharing in the preseason fishery plan.
- 11) Salmon management will be well documented, transparent, well-communicated, and accountable. The Department shall strive to make ongoing improvements in the transparency of fishery management and for effective public involvement. These shall include: a) clearly describing management objectives in a document available to the public prior to the initiation of the preseason planning process; b) enhancing opportunities for public engagement during the preseason fishery planning process; c) communicating inseason information and management actions to advisors and the public; d) seeking Quinault Indian Nation support for the inclusion of observers in co-management meetings; and e) striving to improve communication with the public regarding co-management issues that are under discussion.
- 12) The Department shall seek to improve fishery management and technical tools through improved fishery monitoring, the development of new tools, and rigorous assessment of fishery models and parameters.

- 13) The Department shall explore and pursue options to increase hatchery production in the Grays Harbor Basin in a manner consistent with the Hatchery and Fishery Reform policy (C-3619). These shall include:
 - a. The Department shall work with the public and parties to the Wynoochee Settlement Agreement with the goal of submitting to the Federal Energy Regulatory Commission by September 30, 2014 the Wynoochee Dam mitigation plan and initiate spending of the mitigation funds in an expeditious manner thereafter.
 - b. The Department shall seek restoration of hatchery funding cut in the Grays Harbor Basin since the 2007-2009 biennium.
- 14) When a mark-selective fishery occurs, the mark-selective fishery shall be implemented, monitored, and enforced in a manner designed to achieve the anticipated conservation benefits.

Fishery and Species-Specific Guidance

Subject to the provisions of the Adaptive Management section, the following fishery- and species-specific sections describe the presumptive path for achieving conservation objectives and a fair sharing of harvestable fish.

Spring Chinook Salmon

Subject to the adaptive management provisions of this policy, the Department will manage spring Chinook salmon fisheries consistent with the Guiding Principles and the following objectives:

- 1) Fisheries will be managed with the intent of achieving escapement goals for wild spring Chinook. In no case, shall WDFW-managed fisheries result in an impact of more than 5% of the return when the natural-origin adult return exceeds the spawner objective by less than 10%.
- 2) Prioritize freshwater recreational fisheries, with an objective of opening freshwater areas no later than May 1.

Fall Chinook Salmon

Subject to the adaptive management provisions of this policy, the Department will manage fall Chinook salmon fisheries consistent with the Guiding Principles and the following objectives:

- 1) Fisheries will be managed with the intent of achieving escapement goals for wild and hatchery Chinook. In no case, shall WDFW-managed fisheries result in an impact of more than 5% of the return when the natural-origin adult return exceeds the spawner objective by less than 10%.
- 2) The fishery management objectives for fall Chinook salmon, in priority order, are to:

- a) achieve spawner goals;
 - b) provide meaningful recreational fishing opportunities; and
 - c) limit commercial fishery impacts to the incidental harvest of fall Chinook during fisheries directed at other species.
- 3) The following guidelines describe the anticipated sharing of fishery impacts in the Grays Harbor Basin between WDFW-managed commercial, marine recreational, and freshwater recreational fisheries. Variation from these guidelines may occur if it will result in fisheries that more closely achieve the stated purpose of this policy.

- a) WDFW-managed commercial fisheries in the Grays Harbor Basin shall have the following impact limits:

Areas 2A, 2B, 2D: the impact rate of the state-managed commercial fishery shall be 0.8% on natural-origin Chehalis fall Chinook when the impact of the recreational fishery is equal to or greater than 4.2%. The impact rate of the WDFW-managed commercial fishery may be less than 0.8% when conservation concerns for natural-origin Chehalis fall Chinook result in a less than 4.2% impact rate in the recreational fishery.

When the terminal run of natural-origin Chehalis fall Chinook reaches an abundance of 18,793, the impact rate of the WDFW-managed commercial fishery shall linearly increase from 0.8% to a maximum of 5.8% at a terminal run of 25,000 natural-origin Chehalis fall Chinook.

Area 2C: the impact rate of the state-managed commercial fishery shall be 1.2% on natural-origin Humptulips fall Chinook when the impact of the recreational fishery is equal to or greater than 3.8%. The impact rate of the WDFW-managed commercial fishery may be less than 1.2% when conservation concerns for Humptulips natural-origin fall Chinook result in a less than 3.8% impact rate in the recreational fishery.

When the terminal run of natural-origin Humptulips fall Chinook reaches an abundance of 3,779, the impact rate of the WDFW-managed commercial fishery shall linearly increase from 1.2% to a maximum of 5.4% at a run of 4,070 natural-origin Humptulips fall Chinook.

- b) Chehalis Fall Chinook. Fisheries shall be developed with the intent of achieving the following sharing of impacts within the recreational fishing sector:

Run Size	% to Freshwater	% to Area 2-2
Small ¹	73%	27%
Large	52%	48%

- c) Humptulips Fall Chinook. Fisheries shall be developed with the intent of achieving the following sharing of impacts within the recreational fishing sector:

Run Size	% to Freshwater	% to Area 2-2
Small	78%	22%
Large	63%	37%

Coho Salmon

Subject to the adaptive management provisions of this policy, the Department will manage coho salmon fisheries consistent with the Guiding Principles and the following objectives:

- 1) Fisheries will be managed with the intent of achieving escapement goals for wild and hatchery coho salmon. In no case, shall WDFW-managed fisheries result in an impact of more than 5% of the return when the natural-origin adult return exceeds the spawner objective by less than 10%.
- 2) The following guidelines describe the anticipated sharing of fishery impacts in the Grays Harbor Basin between marine recreational and freshwater recreational fisheries. Variation from these guidelines may occur if it will result in fisheries that more closely achieve the stated purpose of this policy.

- a) Chehalis Coho. Fisheries shall be developed with the intent of achieving the following sharing of impacts within the recreational fishing sector:

Run Size	% to Freshwater	% to Area 2-2
Small	73%	27%
Large	55%	45%

- b) Humptulips Coho. Fisheries shall be developed with the intent of achieving the following sharing of impacts within the recreational fishing sector:

Run Size	% to Freshwater	% to Area 2-2
Small	82%	18%
Large	66%	34%

¹ A small run is defined as a run size less than 110% of the spawner goal. A large run is defined as more than 182% of the spawner goal for fall Chinook salmon and more than 156% of the spawner goal for coho and chum salmon.

Chum Salmon

Subject to the adaptive management provisions of this policy, the Department will manage chum salmon fisheries consistent with the Guiding Principles and the following objectives:

- 1) Fisheries will be managed with the intent of achieving escapement goals for wild and hatchery chum salmon. In no case, shall WDFW-managed fisheries result in an impact of more than 5% of the return when the natural-origin adult return exceeds the spawner objective by less than 10%.
- 2) No fisheries directed at chum salmon shall occur unless the adult coho salmon return exceeds spawner objectives, or if coho salmon impacts remain after coho and Chinook salmon fisheries.
- 3) The following guidelines describe the anticipated sharing of fishery impacts between marine recreational and freshwater recreational fisheries. Variation from these guidelines may occur if it will result in fisheries that more closely achieve the stated purpose of this policy.
 - a) Fisheries shall be developed with the intent of achieving the following sharing of impacts within the recreational fishing sector:

Run Size	% to Freshwater	% to Area 2-2
Small	>98%	≤2%
Large	>98%	≤2%

Adaptive Management

The Commission recognizes that adaptive management will be essential to achieve the purpose of this policy. Department staff may implement actions to manage adaptively to achieve the objectives of this policy and will coordinate with the Commission, as needed, in order to implement corrective actions. Components of the adaptive management will be shared with the public through the agency web site and will include the following elements:

- 1) Annual Fishery Management Review. The Department shall annually evaluate fishery management tools and parameters and identify improvements as necessary to accurately predict fishery performance and escapement.

As a component of the annual fishery management review, the Department shall assess if spawner goals were achieved for Chehalis spring Chinook, Chehalis fall Chinook, Humptulips fall Chinook, Chehalis coho, Humptulips coho, and Grays Harbor chum salmon. If the number of natural-origin spawners was less than the goal in 3 out of the last 5 years (beginning in 2009), the Department shall implement the following measures:

- a) The predicted fishery impact for that stock in WDFW-managed fisheries in the Grays Harbor Basin will not exceed 5% of the adult return to Grays Harbor; and
 - b) If a spawner goal for fall Chinook salmon is not achieved, the Grays Harbor control zone² off of the mouth of Grays Harbor will be implemented no later than the second Monday in August and continue until the end of September.
- 2) Inseason Management. The Department shall develop, evaluate, and implement fishery management models, procedures, and management measures that are projected to enhance the effectiveness of fishery management relative to management based on preseason predictions.
 - 3) Spawner Goals. The Department shall review spawner goals to ensure that they reflect the current productivity of salmon. The review shall be initiated with Chinook salmon in 2014.

To promote improved management of chum salmon, the Department shall include in the 2015 annual review an evaluation of options to improve chum salmon stock assessments. The Department shall subsequently initiate in 2015 a review of the spawner goal for chum salmon.

Delegation of Authority

The Commission delegates the authority to the Director, through the North of Falcon stakeholder consultation process, to set seasons for recreational and WDFW-managed commercial fisheries in Grays Harbor, to adopt permanent and emergency regulations to implement these fisheries, and to make harvest agreements with treaty tribes and other government agencies.

² The Grays Harbor control zone is defined as an area at the entrance to Grays Harbor bounded by a line from the lighthouse 1 mile south of the south jetty to buoy #2 to buoy #3 to the tip of the north jetty to the tip of the exposed end of the south jetty.