

6. 2010-2012 SPORTFISH RULE PROPOSALS – DECISION

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“GREEN SHEET”

Meeting dates: February 4-6 Commission Meeting

Agenda item #6: 2010-2012 Sportfish Rule Proposals – Adoption

Staff Contact: Patricia Michael

Presenter(s): Craig Burley – Fish Management Division Manager

Background:

This year we received a total of 327 proposals for consideration. These proposals were reviewed by recreational fishery advisory groups and department staff. The proposals were divided into two categories during this review for inclusion in the public mailout. Proposals that were supported by the department for further public comment were presented in text format, describing the proposed change and the reason the change is needed. Public proposals that were not supported were put into table format, with a brief description of the proposal and a short rationale as to why staff did not support the proposal. Some public proposals were modified and added to the list of supported proposals; this was also noted in the table. Three additional proposals were added in late September and early October. The proposed list of areas where the Columbia River Endorsement would be required was adjusted in late October.

Policy issue(s) you are bringing to the Commission for consideration:

Establish rules and regulations for the upcoming 2010-12 sportfishing season(s) to ensure conservation of the fish and shellfish resource and provide sustainable recreational fishing opportunities. The rule proposal package (attached) does contain a number of policy issues related to sportfishing changes.

Public involvement process used and what you learned:

WDFW has made a concerted effort to involve the sportfishing public in the regulation development process in three major ways.

1. Inviting the public to submit proposals for rule changes. An information packet with a timeline for the rules process, a proposal form and instructions, and information about other rule change processes was posted on our website and notices were sent to our sportfishing rule development mailing and e-mailing lists. These lists have been developed over several years and include members of the public who have participated in the process before, other regulatory agencies and Tribes, WDFW advisory groups, and anyone who sent in a rule change proposal or requested to be part of this year’s process. The same information was also featured in a news release.
 2. The public was invited to comment on the proposals in the public mailout. This document was featured in a news release, and placed on the Department’s website. Our mailing and e-mail lists were notified as well as our Advisory Groups. Instructions were provided regarding where to send written testimony and where and when the December Commission meeting (where oral testimony will be taken) will occur.
 3. We have also involved our sportfishing advisory groups in the process by inviting them to submit proposals and asking for their comments or concerns. Several of the individual advisory groups have also included sportfishing rule changes as an item on their individual meeting agendas, either to express their views to staff, or to be briefed by staff on the progress of the process at that particular time. We will continue to involve them in this process.
 4. The December 2009 Commission meeting was the public hearing for these proposals .
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Action requested:

Consideration for adoption of the 2010-2012 Sportfish Rule Proposals, as modified by staff.

Draft motion language:

Move to adopt permanent amendments to:

WAC 220-12-020 Shellfish—Classification. WAC 220-12-090 Classification—Nonnative aquatic animal species. WAC 220-55-220 Two pole endorsement. WAC 220-55-230 Columbia River endorsement. WAC 220-56-100 Definitions—Personal-use fishing.. WAC 220-56-115 Angling gear—Lawful and unlawful acts. WAC 220-56-116 Statewide saltwater hook rules. WAC 220-56-122 Statewide bait rules. WAC 220-56-123 Statewide freshwater hook rules. WAC 220-56-124 Unlawful provisions—Hoodsport Hatchery. WAC 220-56-128 Food fish fishing—Closed areas. WAC 220-56-129 Unclassified freshwater invertebrates and fish. WAC 220-56-130 Unclassified marine invertebrates and fish. WAC 220-56-185 Marine area codes. WAC 220-56-230 Bottomfish and halibut – Closed areas. WAC 220-56-235 Possession limits—Bottomfish. WAC 220-56-240 Daily limits forage fish and other food fish not otherwise provided for. WAC 220-56-250 Lingcod—Areas and seasons WAC 220-56-265 Forage fish—Lawful gear. WAC 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts. WAC 220-56-310 Shellfish—Daily limits. WAC 220-56-330 Crab—Areas and seasons. WAC 220-56-350 Clams other than razor clams, mussels – Areas and seasons. WAC 220-56-380 Oysters – Areas and seasons. WAC 220-56-385 Oysters—Unlawful acts. WAC 220-56-500 Game fish seasons. WAC 232-12-064 Live wildlife. WAC 232-28-619 Washington food fish and game fish – Freshwater exceptions to statewide rules.

Justification for Commission action:

This action is justified under RCW 77.12.047.

Communications Plan:

The public and our advisory groups were notified that the package of proposed changes was available both by e-mail and by postcard referring them to our website or directing them on how to request a paper copy of the package. We issued a news release highlighting a few high-profile changes and directing people on how to find out more. We held 7 public meetings throughout the state to talk to the public and take their comments about the proposed changes. We extended the time for public testimony from early November to December 1, and issued a news release noting this change. All of this information is on the department web site. The public hearing for these proposals took place at the December 2009 Commission meeting.

Form revised 10/16/2008 – sdy

2010-2012
Sportfishing Rule Change Proposals,
Testimony, Comments from Public Meetings,
and Staff Recommendations



Washington
Department of
FISH and
WILDLIFE

FEBRUARY 2010

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Statewide Rules

#1. Anti-Snagging Gear Rule

Proposal: "Anti-snagging rule" means:

Except when fishing with a buoyant lure (with no weights added to the line or lure), or trolling from a vessel or floating device, terminal fishing gear is restricted to a lure or bait with one single point hook. Only single point hooks measuring not more than 3/4 inch from point to shank may be used, and all hooks must be attached to or below the lure or bait. Weights may not be attached below or less than 12 inches above the lure or bait.

Explanation: Anglers have expressed concerns that the current anti-snagging rule does not allow the use of floating gear with treble hooks in areas where the rule is applied. They argue that floating gear is not used to snag fish, and it should be exempted from the rule. The proposal allows anglers who are trolling or who are using a floating lure without weight attached to the line to use treble hooks, while still restricting the use of gear that can be used to snag fish.

Testimony:

I am totally perplexed and I mean totally. Yesterday you told me I could have two single pointed hooks from a floating device. I fish from an anchored boat in the Green River three miles south of the 1st Ave So bridge. Now this e-mail indicates that I can only use two hooks from a floating device if trolling. I am anchored.

Here is your text from 9-9-2009: "If you are fishing from a floating device then you are allowed up to two single point hooks. Hope this helps."

So one more time can I use two single hooks fishing from an anchored boat fishing for pink salmon as noted below. If so, today's e-mail does not seem to allow two hooks. I do now want to be sighted for illegal fishing. Your response will be appreciated and kept on my person while fishing.

This rule as written is FOUL ! 3/8 ounce 1/4 ounce and 1/8 ounce Rooster Tails, Mepps Spinners, Aglia, Blue Fox spinners and the like are hardly snagging equipment ! Especially true if no weight other than the spinners themselves is used.

Millions of these small up until now legal spinners exist in tackle boxes of Washington fishers. These lures sink at a slow 1 foot per second rate and when pulled through the water tend to rise in the water column because of the spinner blades and the hair skirts making them unlikely snagging tackle. If you must criminalize these small lures, buy them from fishermen and retailers existing stock until some manufacturers can redesign their products.

Use the 3/4 inch hook gap measurement as suggested in your proposed rule as the definition for potential snagging equipment. Criminalize use of added weights to spinning equipment with treble hooks.

I have no problem with the proposal. But, if salmon are trouble, if you want to minimize snagging, and if you want to improve survival of released salmon, then limit all gear in all salmon waters to a single hook. Don't tap dance around the issue. Under the proposed rule if plug-cut herring can only be fished with a single hook (that's what the verbiage says) then a Flat Fish or Kwik Fish lure should be equipped with no more than one single hook. (I guess we'll have to figure out how to rig herring or sardines with one hook.)

I can see some problems for rivers. I don't snag but occasionally it occurs accidentally. I can feel my lure slide over backs of the fish sometimes but if they move immediately, they might get snagged. However, I fully want snaggers to be removed.

This year the anti snagging rule was changed in an area that I have fished for years--The mouth of the White Salmon River. If the intent is for wild steelhead survival the anti-snagging rule will have no effect. I have not witnessed in all of my years fishing this area anyone snagging fish. With floating lures this would be very difficult. Almost all steelhead hooked on artificial lures are caught on flatfish- a floating lure made for a very slow retrieve. Artificial lures cause little mortality to steelhead because they are usually hooked outside of the throat and away from the gills. A few years ago artificial lures were the only method used to catch steelhead there and you saw very few fish dead in the water. Since then bait has taken over and regardless of barbed or barbless you see dead fish every day. In my estimation mortality would be reduced by eliminating bait and most artificial lures even with treble hooks are too large to hook fish deep enough to cause mortality. All streams are required to be fished artificial to reduce mortality on trout, so salmon and steelhead should be similar.

A buoyant or metal lure lowered with a "dropper" weight from a boat moored in flowing water exhibits identical action to the same lure trolled in still water. If fact, the anchored angler in moving water is more restricted in presenting the lure and can only effectively "back troll". He/she also saves fuel and causes less pollution than the trolling angler who has more directions of freedom relative to the flowing water. It thus makes no sense to further limit the angler by requiring only single-point hooks.

I oppose the current language in the "Anti-Snagging Gear Rule."

Unless I misread the proposal, it would eliminate the use of the most common methods of fishing for spring and fall Chinook in Columbia River — namely "Flatfish," and "wobblers."

Bait-wrapped "Flatfish" with one or two treble hooks are fished from an anchored boat (ie: not "trolling").

The "Flatfish" is on a leader of more than three feet in length (five feet is typical,) from a three-way swivel, above a "lead dropper" of 18" - 30."

With five or more feet of line between the lead, and a wobbling plug, which is below the lead, I do not believe that snagging is a realistic possibility. The same would be true if a lightweight metal "wobbler" replaced the "Flatfish."

My personal experience is that the large gap treble hooks on K-13 to K-17 "Kwikfish" cause minimal damage on fish to be released. They're too big to be swallowed, so the fish is shallowly hooked inside the front of the mouth, or on the snout. On the other hand, large gap single point hooks, especially when placed on bead chains or chains of split rings from the tail of the lure (as is common,) often are taken deeply, (injuring the gills,) or penetrate the roof of the mouth from the inside, and emerge in or just ahead of the eyes. These injuries are much more likely to be fatal to released fish than the relatively shallow penetrations of the large trebles.

While outlawing snagging, and reducing mortality of released fish are laudable goals, the "Anti-Snagging Gear Rule" as written is a bad idea.

I oppose the current language.

I am writing this letter because I am concerned about the way people are using JIGS to fish in the rivers here in Washington State.

I have lived here in this state for several years and am a avid fishermen. I use Jigs myself to fish. But...I use them under a float, fish will bite them fishing this way, and I have caught fish using Jigs in this way of fishing.

But the reality is...A Jig is a weighted hook that gets cast out, and let it sink to the bottom, then the person fishing starts jerking it back. You know the results of this way of fishing. More fish are snagged in the belly, or in the side, and when this happens to a hen the eggs are no good because water gets into the egg cavity and ruins the eggs, it's the same with male salmon. So thousands of off springs are lots. Don't take my word for this, please contact the fish hatcheries, Marblemount Fish Hatchery for one, and the Fish and Game officers, they will verify this fact.

See what they tell you about the condition of the fish when they come into the hatcheries that have been snagged in the belly, or the sides. IF...the fish lives to make it into the hatchery.

I have talked to them myself, and seen the evidence from jig fishing in this manner. Eight out of ten fishermen are fishing Jigs this way. "Cast, Let Sink, then Start Jerking", and it's called "Legal Snagging."

I have ask some why they fish Jigs like this, and they say: "It's not against the law, it's a legal way to snag a fish." Every year it seems to get worse. One of my friends fishes this way with Jigs and he says, "If you can't beat them, join them."

What a sad outlook on sports fishing with Jigs. This type of fishing does more harm than good.

Washington State says it's concerned about the Salmon return, and the Salmon get less and less each year. Should we examine the causes: This type of fishing is a definite "ONE CAUSE!" It defeats what you say your striving for in the return of the Salmon run in our rivers.

Harm is being done daily, and the cost is to the fish. I myself love fishing Salmon, and I hate to see them destroyed in this manner of fishing, just because they type of snagging is called "Legal."

Ask anyone how you fish a Jig..this is the answer you'll get. "CAST....SINK...AND JERK!"

The rules and laws on fishing with a jig needs to be changed to: "UNDER A FLOAT ONLY"...giving the fish a chance. Fish Should Be Protected From...The "CAST..SINK..AND JERK.." method, when using a jig as a lure when fishing.

This rule PREVENTS plunking with a Quickfish, Flatfish, or other brands of similar floating plugs from an anchored boat, as these are equipped with two hooks and are typically fished by wrapping them with a sardine filet and fishing them on a 5 foot leader attached to a swivel which is also connected to a 3 foot dropper, allowing the floating Quickfish to dive down to about a foot off the bottom and wiggle in the current. This is the most popular fishing method on the Columbia, and you can't possibly snag anything with this setup. Quickfish do not run properly with only 1 hook, however, they work just fine with two single siwash hooks run on swivels. Re-write this rule to allow two hooks on floating plugs either plunked from shore or plunked from an anchored boat, you can restrict them to single hooks rather than trebles if you want.

Let some fisherman read the rule before yo post it , Like the anti snagging rule or non bouyant lure , It seems people are confused by the way you write this stuff , Like anti snagging , I understood the non bouyant lure one although I had to read it a few times ,

I am a bank fisherman. The separation of bank and boat sport fishing regulations into two different entities is a mistake. They are both still sport fishing and should be governed by the same gear rules. The rules that effect the fishing that I do on the Columbia and its tributaries for salmon, steelhead and sturgeon are okay but we have to change to reduce hook mortality, at least you have that part right.

You already have an Anti-snagging rule in statewide general rules, pg. 25, 2009-2010 pamphlet. You may not snag or attempt to snag fish. The definition of the Anti-snagging rule is where the problems lies, pg. 22, 2009-2010 pamphlet. The definition of the Anti-snagging rule is defining a gear restriction rule not snagging which is already defined on pg. 24, 2009-2010 pamphlet. The only useful part of this Anti-snagging rule is the distance of weight attachment and not below the lure or bait. Simply add weight attachment distance and not below the lure or bait and all hooks shall be barbless and all hooks shall measure no more than $\frac{3}{4}$ " point to shank to the Statewide Freshwater Rules under gear restrictions. Any problem areas can be addressed in additional rules listed after each water body such as night fishing and bouyant or non-bouyant lure restrictions. Forget the Anti-snagging rule and use gear restrictions.

I support this rule change Very few fish are snagged with floating gear, open the use of treble hooks on floating gear (7 e-mails)

I am writing in response to the proposals for the 2010-2012 sport fishing rules. I work at Work Sports and Outdoors in Enumclaw, WA so I sell hunting and fishing licenses and hear feedback from license customers. After reading these proposals I have noticed from the comments left on my WDFW license computer that some proposals have already been passed such as the new endorsement that a fisherman must purchase if they are fishing on the Columbia River or any tributaries of that river. Some of these proposals are good ones but I cannot stress enough about the affects these are having on the sportsmen. With all of these new rules it is just making it more difficult for a person to fish without doing something wrong accidentally. I have also noticed a large amount of talk from people coming in to buy licenses who are saying that they are going to stop hunting and fishing in Washington.

I have been selling licenses for quite some time now and over the past couple of years the talk about not hunting and fishing in Washington has gotten progressively worse. I am just concerned that know one will want to participate in any hunting and fishing in Washington if these rules and fees keep going the way they are going. License fees went up twice last year alone and the second one was even after the regulations were printed. Along with my concern I do have some proposals myself that would help clarify definitions in the regulations. My first one is the snagging definition, which is written as follows: "Attempting to take fish with a hook and line in such a way that the fish does not voluntarily take the hook(s) in its mouth. In freshwater it is illegal to possess any fish hooked anywhere other than the inside the mouth or on the head." The definition should also include what a minimum leader length should be if any while drift fishing on the rivers. My opinion is there shouldn't be a minimum leader length because a longer leader is necessary to get your corky off the bottom (if fishing the river). This would be very helpful to better clarify what snagging is so we as sportsmen can avoid getting a ticket for something that is defiantly not properly defined.

The proposal, as presented, does not appear to differentiate between fresh and saltwater fishing and can create some issues in both places. In saltwater, the proposal would have a negative effect on halibut fishing as many drift fishers for halibut run their weight at the bottom of their line and run one or two lures above the weight. Additionally, the hook size ($\frac{3}{4}$ " point to shank) would preclude using hook sizes above about 5/0. In freshwater, fishers looking for crappie and other schooling fish often use dropper lines to hold the bait and place a weight at the end of the line so they can detect the bite.

It is my opinion that too much emphasis is being placed on gear restrictions to try to stop snagging. It would be much simpler for the fishing community and the enforcement of the fishing rules if the regulations just read:

It is unlawful to possess any fish taken in fresh water that has been hooked anywhere behind the head/gill plate area.

I would like to see the anti-snagging rule simplified. It also eliminates an effective presentation of using a "deadfish" weights which are used under a float usually used to submerge a bait. The 12" rule only penalizes the honest fisherman. The people that are snagging fish will always find ways to bend/break the rules no matter what the rules say.

Regarding proposed rule change #1 (anti-snagging gear rule): The proposed and current rule currently contains the language "Weights may not be attached below or less than 12 inches above the lure or bait." I propose deleting this language from the rule, for at least the following reasons:

- this language makes conventional/common "plunking" rigs illegal. With plunking rigs, the weight is at the end/bottom of the line, and the lures or bait are tied off dropper hooks above the weight. Thus, conventional plunking rigs violate the "Weights may not be attached below ... the lure or bait" language. Plunking rigs are not intended to snag and are amongst the least likely of rigs to be used for snagging, since the bait/lure is held stationary in the water.
- there is a great deal of confusion as to whether leadheaded jigs are legal under the above-quoted language of the rule. Leadheaded jigs are common standard lures for salmon and steelhead. The language of the rule is ambiguous as to whether the lead molded onto the hook is a "part of the lure" and therefore legal, or whether the lead is a "weight ... attached less than 12 inches above the lure" and therefore illegal.
- there are many fishing rigs where a weight is attached less than 12 inches above the lure/bait that are not intended to snag. For example, float fishermen often place split shot a few inches above their lure/bait in order to have better depth control of the lure/bait suspended beneath a float. Float fishing rigs are the least likely to be used for snagging, yet use of the split shot as described is a violation of the anti snagging rule.

One of the fishing regulations that is proposed for change is requiring single barbless hooks on floating lures. It seems you are determined to do this whether it is the anti snagging rule or under some other heading.

It costs about \$150.00 to change a regular inventory of lures over to the single hook system & I really don't see that much improvement when releasing fish properly.

If you're determined to make floating lures single point barbless, & it looks like you certainly are, why not make it from the mouth of the Columbia to the Hood River Bridge as 75% of Salmon & Steelhead are caught between these points.

It appears to me that the change proposals are being done by non-fishermen. You need fishermen included in this process as that is where your income is coming from!

This email is from a very CONCERNED & ACTIVE FISHERMAN.

Please clarify the anti-snagging rule change proposal to cover fresh water fishing.

#1 The first one is in regards to the use of treble hooks on floating lures (plugs), or using treble hooks while trolling from a vessel or floating device. "The proposal allows anglers who are trolling or who are using a floating lure without weight attached to the line to use treblehooks, while still restricting the use of gear that can be used to snag fish." Treble hooks should be banned from anadromous zones statewide. They result in higher mortality rates due to the amount of time needed to remove the hook from the fishes mouth. Furthermore the anti snagging rule should be adopted in all waters statewide.

I have received and reviewed the draft regulation proposals for the 2010-2012 fishing regulations. I have some concerns that need to be considered in the final action on the proposals that are listed below: Proposal:#1, 2, 3 Anti-snagging Gear Rule- Opposed strongly for saltwater fishing. The proposal, as presented, does not appear to differentiate between fresh and saltwater fishing and can create some issues in both places. In saltwater, the proposal would have a negative effect on halibut and Lingcod fishing as many drift fishers for halibut/lingcod run their weight at the bottom of their line and run one or two lures above the weight. Additionally, the hook size (3/4" point to shank) would preclude using hook sizes above about 5/0. In freshwater, fishers looking for crappie and other schooling fish often use dropper lines to hold the bait and place a weight at the end of the line so they can detect the bite. This rule needs to omit saltwater fishing. It appears to be designed for river fishing snagging. This is where it should stay. It definitely would outlaw halibut, lingcod fishing, Cabazon and all bottom fishing along with salmon mooching. This is done from a floating vessel that is 95% of the time not under power but drift fishing.

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The proposal, as presented, does not appear to differentiate between fresh and saltwater fishing and can create some issues in both places. In saltwater, the proposal would have a negative effect on halibut and Lingcod fishing as many drift

fishers for halibut/lingcod run their weight at the bottom of their line and run one or two lures above the weight. Additionally, the hook size (3/4" point to shank) would preclude using hook sizes above about 5/0. In freshwater, fishers looking for crappie and other schooling fish often use dropper lines to hold the bait and place a weight at the end of the line so they can detect the bite.

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A. A 6/0-10/0 octopus hook is 3/4" and larger from hook to shank which is used for salmon/halibut/ lingcod fishing from blue to black label size. You would not be able to effectively use the bigger bait while mooching.

B. Ocean Bottomfishing normally use an 8/0 to 14/0 hook to catch halibut, lingcod or any decent sized bottom fish. The hook is sized to the bait size or lure. Lead head jigs for rubber tails, pipe jigs, octopus/squid bait, etc, all use 10/0 or bigger hooks. Good luck with that big chunk of octopus or squid on a 5/0 hook. Even if it could get in its mouth the fish would wad it up

C. Many ocean bottomfishing lures have the weight at the bottom for deep water effectiveness. Many halibut/lingcod rigs have a teaser rig up the line a ways. The only way to make this work is to have the weight at the bottom. Spreader bars can fall under this category for halibut fishing and so do the jigs that have the weight on the bottom with tow lures above them. Packaged and sold locally.

D. Outlaws drift fishing. Most bottomfishing including seabass are caught driftfishing. Defined as the vessel has to be underway and under power.

E. It outlaws using treble hooks while ocean bottomfishing. Can you imagine a pipe jig with a little 5/0 or smaller hook? This hook could not land a 25 pound halibut without bending-even if you could get it to stick in their huge mouth.

I believe this rule is for river fishing and the buoyant rule is for fishing with river kwickfish or hot shots lures. All of my points above together removes our ocean and inner bottomfishing.

Too much emphasis is being placed on gear restrictions to try to stop snagging. It would be much simpler for the fishing community and the enforcement of the fishing rules if the regulations just read: *It is unlawful to possess any fish taken in fresh water that has been hooked anywhere behind the head/gill plate area.* (50 e-mails)

Support for anti-snagging intent, but single hook doesn't make sense.

Comments from Public Meetings:

People at the Yakima meeting asked: Which version of this rule is the right one? Can you use a 3-way swivel with a weight if you are trolling? (Yes). It was noted that someone will always push the rule, whatever it is. It was also noted that there are two issues here – 1) the rule itself and 2) whether you enforce the rule.

Several people at the Mill Creek meeting were still confused by this rule. They wanted to know if a lure that floats off the bottom (in mid-water) is a buoyant lure. We talked about the buoyant lure definition which specifies that the lure must float on the surface, but that did not seem to help answer their questions. One person suggested just banning treble hooks to make it simple. Others wanted pictures or graphics in the pamphlet to illustrate the rule.

As discussed at the Mill creek meeting, lures suspended under a float are bouyed up by the float on the surface, but the lure such as a jig or a lead corkie is not bouyant. The lead corkie keeps the bait from swirling up in the current and at the level of the fish. Because it is painted, it acts also as an attractor but slides down the line and rests just above the hook and would not be allowed under the proposed rule.

I can't believe that a snagger would have any motivation to use a float. My suggstion is to add at the end of the last sentence in the anti-snagging rule: except when suspended under a float. This would allow the lead cokie, sold commercially, or other weights to be used to present the bait at the level of the fish and also act as an attractor. No snagger would ever use this setup.

This idea of promoting alternative fishing gear to maximize the catch of hatchery fish makes no sense at all. I have been fishing all my life and have never snagged a fish with a plug with two trebles. The commercial guys with there NETS take everything Wild or Not. The anti snagging rule makes no sense either. Fisherman who JIG for Salmon or Steelhead should be checked to make sure they have a Single Hook !!!!

They are the only ones who are snagging. You guys should team up with the CCA. Coastal Conservation Association.

Port Angeles

One person asked: is a lead-head jig a lure? This person wants to add a weight on top of the jig (less than 12" above). One person would like to see us drop the proposal completely. It is already illegal to snag and we have snagging defined in the pamphlet. We are already required to release all fish not hooked in the mouth or on the head. Just leave it at that. One person stated that he fishes with a jig and lead less than 12" from it. 97% of the fish he hooks are hooked in the mouth. He watches many people flossing fish – only 10-15% of these fish are hooked in the mouth. Why are we putting forth this rule? What is the purpose of the rule? Floating treble hooks are only used for snagging. One person stated that we should stop trying to regulate gear and only regulate the actions. You should not just assume that people using one type of gear are trying to snag fish. You should assume that people will act lawfully. He proposes doing away with the anti-snagging rule. Would make it easier for enforcement. They can still cite for the action of snagging.

Staff Recommendation: Adopt as proposed.

#2. Buoyant Lure Definition

Proposal: A buoyant lure is defined as a lure that floats on the surface of fresh water when no additional weight is applied to the line or lure, and when not being retrieved by a line.

Explanation: This clarifies what is meant by a buoyant lure in the anti-snagging gear rule definition.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#3. Trolling Definition

Proposal: Trolling is defined as a method of fishing from a vessel or floating device that is underway and under power.

Explanation: This clarifies what is meant by trolling in the anti-snagging gear rule definition.

Testimony:

With respect to the following Statewide rule proposal I believe it should be amended as detailed below.

#3. Trolling Definition

Proposal: Trolling is defined as a method of fishing from a vessel or floating device that is underway and under power; **to include boats powered by oars.**

Explanation: This rule should include river trolling from drift boats. Drift boats are not defined as power boats but still commonly troll.

Add clarification that 'under power' includes under human power ie. float tube, etc.

Staff Recommendation: Adopt as proposed.

Legislative Requirements

#4. Definition of Opening Day of Lowland Lake Season

Proposal: Define the opening day of fishing on lowland lakes as the last Saturday in April

Explanation: Substitute House Bill 1778, passed in the 2009 legislative session, states that "d) Except for active duty military personnel serving in any branch of the United States armed forces, the temporary combination fishing license is not valid on game fish species for an eight-consecutive-day period beginning on the opening day of the lowland lake fishing season as defined by rule of the commission." This proposal provides that definition.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#5. Areas Where Columbia River Endorsement is Required

Proposal: Beginning January 1, 2010, in addition to a recreational fishing license, a Columbia River salmon and steelhead endorsement is required for a person fifteen years or older to fish for salmon or steelhead in the following areas:

Mainstem Columbia River from the Rocky
Point/Tongue Point line to Chief Joseph Dam

Deep River and tributaries
Grays River and tributaries

Skamokawa River and tributaries
 Elochoman River and tributaries
 Mill Creek and tributaries
 Abernathy Creek and tributaries
 Germany Creek and tributaries
 Coal Creek and tributaries
 Cowlitz River and tributaries
 Coweeman River and tributaries
 Toutle River and tributaries, including North and South Forks
 Green River and tributaries
 Cispus River and tributaries
 Kalama River and tributaries
 Lewis River and tributaries, including North and East Forks
 Salmon Creek and tributaries
 Washougal River and tributaries
 Hamilton Creek and tributaries
 Rock Creek and tributaries
 Wind River and tributaries
 White Salmon River and tributaries
 Klickitat River and tributaries
 Walla Walla River and the following tributaries:
 Mill Creek
 Gardena Creek
 Pine Creek
 Mud Creek
 Dry Creek
 Touchet River and the following tributaries:
 Coppei Creek
 Whisky Creek
 North Fork Touchet
 Wolf Fork Touchet
 South Fork Touchet
 Grande Ronde River and the following tributaries:
 Rattlesnake Creek
 Cottonwood Creek
 Cougar Creek
 Menachee Creek

Grouse Creek
 Wenaha River
 Snake River mainstem – and the following tributaries
 Palouse River (below the falls)
 Alkali Flat Creek
 Alpowa Creek
 Almota Creek
 Tenmile Creek
 Penawawa Creek
 Wawawai Canyon Creek
 Couse Creek
 Asotin Creek
 North Fork Asotin Creek
 Tucannon River
 Pataha Creek Tucannon River trib)
 Yakima River
 Crab Creek
 Sand Hollow Creek
 Whiskey Dick
 Skookumchuck
 Quilomene Creek
 Brushy Creek
 Tekison Creek
 Trinidad Creek
 Tarpiscan Creek
 Colockum Creek
 Rock Island Creek
 Stemilt Creek
 Squilchuck Creek
 Wenatchee River and tributaries
 Swakane Creek
 Entiat River and tributaries
 Chelan River
 Antoine Creek
 Methow River and tributaries
 Okanogan River and tributaries
 Foster Creek

Explanation: Engrossed Substitute Senate Bill 5421 mandates this endorsement as a pilot program with the goal of increasing recreational selective fishing opportunities on the Columbia River and its tributaries. The endorsement is required in the Columbia River and its tributaries from the Rocky Point-Tongue Point line to Chief Joseph Dam. The Department is charged with creating a list of the tributaries where this stamp is required.

The following list is the revised list of areas recommended by the Columbia River Salmon and Steelhead Recreational Anglers Board.

Mainstem Columbia River from the Rocky Point/Tongue Point line to Chief Joseph Dam	Deep River (Wahkiakum County) Grays River (Wahkiakum County)
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Grays River, West Fork
Grays River, East Fork
Skamokawa Creek (Wahkiakum County)
Elochoman River (Wahkiakum County)
Mill Creek (Lewis County)
Abernathy Creek (Cowlitz County)
Germany Creek (Cowlitz County)
Coal Creek (Cowlitz County)
Cowlitz River (Cowlitz County)
Blue Creek
Lacamas Creek
Mill Creek
Olequa Creek
Tilton River
Mayfield Lake
Riffe Lake
Lake Scanewa
Cispus River (Lewis County)

Coweeman River (Cowlitz County)
Toutle River (Cowlitz County)
Toutle River, North Fork
Toutle River, South Fork
Green River (Cowlitz County)
Kalama River (Cowlitz County)
Gobar Creek
Lewis River (Clark/Cowlitz Counties)
Lewis River, North Fork
Swift Reservoir
Lewis River, East Fork
Cedar Creek

Salmon Creek (Clark County)
Washougal River (Clark County)
Washougal River West (North) Fork
Little Washougal
Camas Slough (Clark County)
Drano Lake (Skamania County)
Hamilton Creek (Skamania County)
Rock Creek (Skamania County)
Wind River (Skamania County)
White Salmon River (Klickitat/Skamania Counties)
Klickitat River (Klickitat County)
Walla Walla River (Walla Walla County)
Mill Creek (Walla Walla County)
Touchet River (Columbia/Walla Walla Counties)
Grande Ronde River (Asotin County)
Snake River mainstem
Palouse River (Whitman County) (below the falls)

Tucannon River (Columbia/Garfield County)
Yakima River (Benton, Yakima, Kittitas Counties)
Wenatchee River (Chelan County)
Icicle River (Chelan County)
Lake Wenatchee (Chelan County)
Entiat River (Chelan County)
Methow River (Okanogan County)
Okanogan River (Okanogan County)
Lake Osoyoos (Okanogan County)
Similkameen River (Okanogan County)

Testimony:

The Columbia River endorsement is a tax. If it becomes law I will not buy a license.

The Conservation Committee of the Washington Fly Fishing Club supports -- While it's yet another user tax, the fish bios working the Columbia need every dollar that they can find and use toward conservation activities.

I support this proposal.

Please add my comment to those seeking to abolish the Columbia River Enhancement fee. Fishermen and hunters are continually being asked to pay more with additional enhancement fees here and there, with the promise of better opportunity. If the handling of Puget Sound crab license endorsement funds, or should I say mismanagement of said funds, then I cannot support this proposal.

The WDFW has not been able to provide us with a completed audit of the use of those Puget Sound crab funds, so there has to be an issue somewhere and someone is trying to cover their assets. Based on this debacle, how are we supposed to trust you with yet another special enhancement or license endorsement?

I want to let you know that I think that the proposal for an additional endorsement to fish the Columbia river and its tributaries is not necessary and frustrating. The last thing that a sportsman wants to do is carry an additional piece

of paper to keep track of. I understand that times are tough and additional funds are needed to keep agencies and project afloat. Where as I might understand the reasoning , I do not agree that hitting sports fishermen with an additional charge is warranted. Please address the issue of additional funds to commercial fishermen. These small group of people pay almost nothing compared to sport fishermen and harvest almost as many fish as sportsmen for PROFIT. Also their contribution to the community is very small compared to the millions and millions of dollars that sports fishermen contribute.

Should you still see fit that there is a need to increase revenue please distribute the cost accordingly. Do not add one more step in the fishing process, its already almost too complicated now. No on Endorsements! I don't agree with raising fees and believe adding another hoop to jump through would only be a waste of everyone's time.

Columbia river endorsement: You are going to make yakima flyfisher pay an endorsement on a catch and release river? What benefit do sportsmen get from this endorsement. Is it more hatchery fish, a bigger quota, what are we getting in return for paying this. Also, do commercial fisherman have to pay the same endorsement or more? Are they going to get a smaller percentage of the available fish quota because they are not paying for this endorsement?

COLUMBIA RIVER ENDORSMENT?!?!?!?Are you guys serious? You would make way more money on having the 2nd pole endorsement for salmon and steelhead. That's what fisherman really want!!!! But I see your guy's way... Just another way to create jobs. More officers to look for really bad people that might have not bought their " Columbia river endorsement" !!!! Write more tickets = more money for WDFW! That's America for you! Thanks for nothing!

If a person does not possess a Columbia River salmon steelhead endorsement they should be able to use the two pole license in these waters. They would not be able to fish for salmon or steelhead without the endorsement. Because of this we should be allowed to fish with two poles for other fish that are not endangered.

Will all hatchery raised fish be allowed to be harvested under this new endorsement, or still only adipose clipped fish?

Many Hatchery raised Steelhead are not clipped (adipose present) and no hatchery raised Coho salmon are clipped (adipose present). These fish are raised by the WDFW hatchery system and should be available for harvest by the people paying the bills (John Q. Sportsman)!

According to current regulations, these fish cannot be legally harvested. With the introduction of ANOTHER fee, will these fish be then available for harvest?

anyhow, read up on the surcharge of the license fees for fishing the Columbia River and tributaries. it may cause some loss of license sales, but should be good for the program. is there a check list on how the funds are to be spent? are there dedicated dollars for habitat or hatcheries? will some of these funds be passed thru to the DFW Advisory Board for funding towards habitat?

NEW SECTION. Sec. 2. A new section is added to chapter 77.12 RCW to read as follows:

The department shall create and administer a Columbia river recreational salmon and steelhead pilot stamp program. The program must facilitate continued and, to the maximum extent possible, improved recreational salmon and steelhead selective fishing opportunities on the Columbia river and its tributaries by supplementing the resources available to the department to carry out the scientific monitoring and evaluation, data collection, permitting, reporting, enforcement, and other activities necessary to provide such opportunities.

NEW SECTION. Sec. 10. Section 2 of this act takes effect January 1, 2010.

The statute says the fee is to be collected starting January 1, 2010. I don't think the Department has the authority to delay the implementation of the fee collection until April 1. Someone didn't tell the legislature that the WDFW license year starts April 1. As written, anyone fishing the listed Columbia River waters needs to purchase the endorsement for the balance of the 2009/2010 fishing season. If the agency elects not to enforce the statute and issue warnings, that would an appropriate public relations gesture of good will. License agents should be encouraged to ask people of they are planning on fishing the Columbia River and its tributaries starting April 1, 2010 when they are selling the 2010/2011 fishing licenses. (51 e-mails)

I am against this as written insofar as it fails to include those fishermen targeting Columbia River fish in the area between the mouth of the Columbia (Buoy 10 line) and Tongue Point. I am sure that this exclusion was related to the number of one day only fishermen going out on charter boats primarily from Ilwaco. I can appreciate those operators' concern that this additional charge might adversely impact the number of persons using their services. On the other hand it is unfair to not impose this charge on charter boat passengers fishing the Columbia yet require it to be paid by fishermen using the services of a river guide above Tongue point. For equity this needs to be required for all fishermen fishing on a Washington license above the Buoy 10 line until such time as the legislature recognizes the need for a daily use fee available for all Washington anglers at a reduced rate. For full disclosure purposes I am not a charter operator nor a river guide nor do I have any financial interest in any such enterprise.

I have been a license holder in this state my entire life and I never expressed concerns before, but now I have to pay this extra 8.75 charge to fish the Columbia river and tributaries is absolutely absurd, just how much blood can you squeeze out of the general public, ready to just quit see what you do without my cash!! fix the problem quit taking from the poor, do something about the Indians with their fishing and hunting practices, you can say what YOU WANT BUT IVE SEEN THEM FIRST HAND. A unhappy resident that is tired of getting the short end of the stick. I would also wish to state my "Displeasure" with paying an additional \$10.00 in order to fish for Salmon on the Columbia River System which I fish on occasion. While I don't mind paying to support the Fish and Game System, I currently pay for a Combo fishing and hunting license to the tune of \$122.41 plus a Dealer fee of \$5.00 for a total of \$147.21, which I feel is more than My Fair Share of support for WDFW their Staff and Studies.....

The Columbia river endorsement is just another tax. Enough is enough. It is having the opposite effect for most guys I know. We used to buy all the licenses and tags and rarely use them and considered it "giving to the state fund". From now on I will only buy on an as-needed basis for my kids and myself.....you need to cut expenses, not find more tax money.

Reading in my local paper and now the fish and game web site I see that there is a new fee for salmon and steelhead fishing in 2010. Was there any increase in the rates for commercial fishermen? Do commercial fishermen pay for a license each year or is it a one time fee?

Add Bonaparte Creek to the list. (see Proposal #37)

The name of this endorsement should be changed to clarify that it applies to the Columbia and its Tributaries. ie: "*The Columbia River System Endorsement*", "*The Columbia River and Tribs Endorsement*" otherwise there will be wide-spread confusion and violations.

Comments from Public Meetings:

One person in Yakima asked about the Klickitat River and tributaries-WDFW has no hatchery there – it is tribal – why the fee? John Easterbrooks explained the partnership between WDFW and the Tribe. There were also questions about whether or not you could fish for trout during a salmon fishery (yes, and you would not need the endorsement if you were clearly fishing for trout other than steelhead).

One person at the Mill Creek meeting noted that the Skookumchuck River should not be on the list – also asked which Green River do you mean?

Vancouver anglers wanted to know if the Columbia River endorsement is an extra fee? It's described as increasing my opportunity. How does it increase my opportunity?

Staff Recommendation: Adopt the revised list.

#6. Two Pole Endorsement

Proposal: Substitute House Bill 1778 allows the Department to sell a two-pole endorsement, and to adopt rules that state where the endorsement is valid. Anglers who purchase the two-pole endorsement may use up to 2 lines while fishing.

Explanation: The Department proposes to allow anglers to use the two-pole endorsement in all lakes statewide, with exclusions based on the criteria listed below:

- a. Lakes with ESA-listed species present excluded on a case-by-case basis
- b. Lakes connected to anadromous waters during fisheries for anadromous fish
- c. Lakes managed for natural trout production
- d. Juvenile-only lakes
- e. Fly fishing only waters
- f. Lakes with selective gear rules and a reduced daily limit for trout

NOTE: The two pole endorsement is not valid on the Columbia or Snake rivers mainstem, except Lake Roosevelt and Rufus Woods Reservoir.

All other rules such as daily limits, and seasons, remain unchanged. Gear rules apply to the tackle on each line (for instance, 3 hooks are allowed in most areas – this would translate to three hooks on each line).

This rule was put in place by emergency rule, beginning August 15, 2009, to allow sale of the two-pole endorsement this summer. The permanent rule would take effect May 1, 2010, along with other proposed rules in this package.

The following lakes are proposed as exceptions – anglers would NOT be allowed to fish with two poles in the lakes listed below. The reason for the exception is listed for each lake.

AMBER LAKE (Spokane Co.)	Selective gear rules
BAYLEY LAKE (Stevens Co.)	Fly Fishing Only
BEAR LAKE (Spokane Co.)	Juvenile anglers
BIG FOUR LAKE (Columbia Co.)	Fly Fishing Only
BROWNS LAKE (Pend Oreille Co.)	Fly Fishing Only
COFFEETOP LAKE (Lincoln Co.)	Selective gear rules
DAYTON POND (Columbia Co.)	Juvenile anglers
GARFIELD JUVENILE POND (Whitman Co.)	Juvenile anglers
HEADGATE POND (Asotin Co.)	Juvenile anglers
JEFFERSON PARK POND (Walla Walla Co.)	Juvenile anglers
LIONS PARK POND (Walla Walla Co.) (College Place)	Juvenile anglers
LONG LAKE (Ferry Co.)	Fly Fishing Only
LUCKY DUCK POND (Stevens Co.)	Juvenile anglers
MCDOWELL LAKE (Stevens Co.)	Fly Fishing Only
MEDICAL LAKE (Spokane Co.)	Selective gear rules
MUSKEGON LAKE (Pend Oreille Co.)	Selective gear rules
NORTH SILVER LAKE (Spokane Co.)	Selective gear rules
RIGLEY LAKE (Stevens Co.)	Selective gear rules
AENEAS Lake (Okanogan Co.)	Fly Fishing Only
BEDA LAKE (Grant Co.)	Selective gear rules
BIG TWIN LAKE (Okanogan Co.)	Selective gear rules
BLACK LAKE (Okanogan Co.)	ESA fish species present.
BLACKBIRD ISLAND PD (Chelan Co.)	Juvenile anglers
BLUE LAKE (Okanogan Co.) (near Wannacut Lake)	Selective gear rules
BLUE LAKE (Okanogan Co.)(Sinlahekin Creek)	Selective gear rules
BROOKIES LAKES (Grant Co.)	Selective gear rules
CAMPBELL LAKE (Okanogan Co.)	Selective gear rules
CHOPAKA LAKE (Okanogan Co.)	Fly Fishing Only
COUGAR LAKE (Okanogan Co.) (Lost River)	ESA fish species present.
DAVIS LAKE (Okanogan Co.)	Selective gear rules
DRY FALLS LAKE (Grant Co.)	Selective gear rules
DUSTY LAKE (Grant Co.)	Selective gear rules
ELL LAKE (Okanogan Co.)	Selective gear rules
GREEN LAKE (Okanogan Co.)	Selective gear rules
GREEN LAKE, LOWER (Okanogan Co.)	Selective gear rules

GRIMES LAKE (Douglas Co.)	Selective gear rules
Hidden LAKE (Okanogan Co.) (Lost River)	ESA fish species present.
HOMESTEAD LAKE (Grant Co.)	Selective gear rules
LENICE LAKE (Grant Co.)	Selective gear rules
LENORE LAKE (Grant Co.)	Selective gear rules
MERRY LAKE (Grant Co.)	Selective gear rules
NUNNALLY LAKE (Grant Co.)	Selective gear rules
PARA-JUVENILE LAKE (Grant/Adams Co.)	Juvenile anglers
PING POND (Grant Co.)	Juvenile anglers
PIT LAKE (Douglas Co.)	Juvenile anglers
QUAIL LAKE (Adams Co.)	Fly Fishing Only
RAT LAKE (Okanogan Co.)	Selective gear rules
SILVERNAIL LAKE (Okanogan Co.)	Juvenile anglers
WENATCHEE, LAKE (Chelan Co.)	ESA fish species present.
BUMPING LAKE (RESERVOIR) (Yakima Co.)	ESA fish species present.
CLEAR LAKE (Yakima Co.)	ESA fish species present.
COLUMBIA PARK POND (Benton Co.)	Juvenile anglers
EASTON LAKE (Kittitas Co.)	ESA fish species present.
KACHESS LAKE (RESERVOIR) (Kittitas Co.)	ESA fish species present.
KEECHELUS LAKE (RESERVOIR) (Kittitas Co.)	ESA fish species present.
KIWANIS POND (Kittitas Co.)	Juvenile anglers
LEECH LAKE (Yakima Co.) (White Pass area)	Fly Fishing Only
MUD LAKE (Yakima Co.)	Selective gear rules
MYRON LAKE (Yakima Co.)	Selective gear rules
NANEUM POND (Kittitas Co.)	Juvenile anglers
RIMROCK LAKE (RESERVOIR) (Yakima Co.)	ESA fish species present.
SARGE HUBBARD PARK POND (Yakima Co.)	Juvenile anglers
YAKIMA SPORTSMEN'S PARK PONDS (Yakima Co.)	Juvenile anglers
BAKER LAKE (Whatcom Co.)	ESA fish species present.
DIABLO LAKE (Whatcom Co.)	ESA fish species present.
EBEY LAKE (Snohomish Co.) (Little Lake)	Fly Fishing Only
FORTSON MILL POND #2 (Snohomish Co.)	Juvenile anglers
GISSBURG POND, NORTH (Snohomish Co.)	Juvenile anglers
GORGE LAKE (Whatcom Co.)	ESA fish species present.
GRANITE LAKES (Skagit Co.) (near Marblemount)	Native fish concerns
JENNINGS PARK POND (Snohomish Co.)	Juvenile anglers
MILL POND (King Co.) (Auburn)	Juvenile anglers
MONTE CRISTO LAKE (Snohomish Co.)	ESA fish species present.
NORTHERN STATE HOSPITAL POND (Skagit Co.)	Juvenile anglers
OLD FISHING HOLE POND (King Co.) (Kent)	Juvenile anglers
PASS LAKE (Skagit Co.)	Fly Fishing Only
PORTAGE BAY (King Co.)	ESA fish species present.
RATTLESNAKE LAKE (King Co.)	Selective gear rules
RAVENSDALE LAKE (King Co.)	Selective gear rules
ROSS LAKE (RESERVOIR) (Whatcom Co.)	ESA fish species present.
SALMON BAY	ESA fish species present.
SAMMAMISH, LAKE (King Co.)	Potential ESA fish species present.
SPADA LAKE (RESERVOIR) (Snohomish Co.)	Selective gear rules
SQUALICUM LAKE (Whatcom Co.)	Fly Fishing Only

SWANS MILL POND (King Co.)	Same regulation at the creek
UNION, LAKE (King Co.)	ESA fish species present.
VOGLER LAKE (Skagit Co.)	Fly Fishing Only
WASHINGTON SHIP CANAL, LAKE (King Co.) (including Lake Union, Portage Bay, and Salmon Bay) waters east of a north-south line 400' west of the Chittenden Locks to the MontLake Bridge	ESA fish species present.
WASHINGTON, LAKE (King Co.) including that portion of Sammamish River from 68th Ave. NE Bridge downstream	ESA fish species present.
WHATCOM, LAKE (Whatcom Co.) (See DOH Fish Consumption Advisories, page 32)	Native fish concerns
BLUE LAKE (Cowlitz Co.)	Selective gear rules
CASTLE LAKE (Cowlitz Co.)	Selective gear rules
COLDWATER LAKE (Cowlitz Co.)	Selective gear rules
COWLITZ FALLS RESERVOIR	ESA fish species present.
DRANO LAKE (Skamania Co.) (Little White Salmon River) downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of Hwy. 14 Bridge	ESA fish species present.
FORT BORST PARK POND (Lewis Co.)	Juvenile anglers
LEWIS RIVER POWER CANAL (Cowlitz Co.) and old Lewis River streambed between Swift No.1 Powerhouse and Swift No. 2 Powerhouse	ESA fish species present.
MAYFIELD LAKE (RESERVOIR) (Lewis Co.) from Mayfield Dam to Mossyrock Dam	ESA fish species present.
MERRILL LAKE (Cowlitz Co.)	Fly Fishing Only
PACKWOOD LAKE ^L (Lewis Co.)	Selective gear rules
SCANEWA LAKE (Lewis Co.) (Cowlitz Falls Reservoir)	ESA fish species present.
SILVER LAKE (Cowlitz Co.)	ESA fish species present.
SWIFT RESERVOIR (Skamania Co.) from dam to markers approximately mile below Eagle Cliff Bridge	ESA fish species present.
VANCOUVER LAKE (Clark Co.) and all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River	ESA fish species present.
WALUPT LAKE ^L (Lewis Co.)	Selective gear rules
WILLAME LAKE (Lewis Co.)	Selective gear rules
ALDWELL LAKE (Clallam Co.)	Lake will be gone when dams are removed - 2010
ANDERSON LAKE ^L (Jefferson Co.)	Selective gear rules
BEAVER LAKE (Clallam Co.)	Selective gear rules
BRADLEY LAKE (Pierce Co.)	Juvenile anglers
CADY LAKE (Mason Co.)	Fly Fishing Only
CARRIE BLAKE POND (Clallam Co.)	Juvenile anglers
CASES POND (Pacific Co.)	Juvenile anglers
CUSHMAN RESERVOIR (Mason Co.)	ESA fish species present.
DAMON LAKE (Grays Harbor Co.)	Anadromous fish present

DE COURSEY POND (Pierce Co.)	Juvenile anglers
DICKEY LAKE (Clallam Co.)	Anadromous fish present
GIBBS LAKE (Jefferson Co.)	Selective gear rules
HORSESHOE LAKE (Jefferson Co.)	Selective gear rules
KENNEDY CREEK POND (Thurston Co.)	Native fish concerns
KOENEMAN LAKE (Kitsap Co.) (formerly Fern Lake)	Selective gear rules
LINCOLN POND (Clallam Co.)	Juvenile anglers
LONG'S POND (Thurston Co.)	Juvenile anglers
MCLANE CREEK PONDS (Thurston Co.)	Native fish concerns
MIDDLE NEMAH POND (Pacific Co.)	Anadromous fish present
MILL CREEK POND (Grays Harbor Co.)	Juvenile anglers
MOOSES POND (Pacific Co.)	Anadromous fish present
MUNN LAKE (Thurston Co.)	Selective gear rules
OHOP LAKE (Pierce Co.)	Anadromous fish present
OWENS POND (Pacific Co.)	Anadromous fish present
PLEASANT, LAKE (Clallam Co.)	Anadromous fish present
PRICES LAKE (Mason Co.)	Selective gear rules
PROMISED LAND POND (Grays Harbor Co.)	Anadromous fish present
QUIGG LAKE - local name (Grays Harbor Co.) Located at Friends Landing near Montesano.	Anadromous fish present
SHYE LAKE (Grays Harbor Co.)	Anadromous fish present
SOUTH BEND MILL POND (Pacific Co.)	Juvenile anglers
STUMP LAKE (Mason Co.)	Anadromous fish present
SUTHERLAND LAKE (Clallam Co.)	Future anadromy when Elwha dams are removed (2010)
TANWAX LAKE (Pierce Co.)	Anadromous fish present
TEAL LAKE (Jefferson Co.)	Selective gear rules
VANCE CREEK POND #1 (Grays Harbor Co.)	Juvenile anglers
VANCE CREEK POND #2 (Grays Harbor Co.)	Consistency with Pond #1 because of close proximity
WAPATO LAKE (Pierce Co.)	Juvenile anglers
WYNOOCHEE RESERVOIR (Grays Harbor Co.)	Anadromous fish present

Testimony: This is really exciting for most anglers I know. Most would really enjoy seeing us be able to fish for salmon and steelhead with 2 poles per angler!

There are so many "pros"verses "cons" in allowing us to do so.

The current 2 pole proposal... Will hardly benefit anyone involved!

Most WA anglers will not purchase this endorsement. Due to the current "lakes" that they can use it.. they don't need 2 poles! And the majority of anglers don't fish these lakes that currently allow a 2 pole licensee. WDFW will miss out on a lot of revenue due to the current proposal. Money is almost no object when it comes to the avid steelhead and salmon angler. Most would pay a pretty penny to do so. And basically WDFW could almost double, or if not more their current revenue in licenses sales by allowing anglers to fish with multiple poles while angling for salmon and steelhead.

The "Pros"

-Anglers will catch more fish.

-Anglers will enjoy fishing a lot more. (if they are catching more fish)

-Anglers will go fishing more often. (if they are catching more fish) and in directly putting more money back into the economy and local communities.

-Anglers might get more involved in their current hatchery programs.

In short... Anglers will be happier! WDFW and are local communities will make more money.

It's a win for all involved! I see no reason for this not to be allowed.

The "CONS"

Other than WA anglers will not purchase NO where near as many of your 2 pole licenses.

WDFW misses out on a lot of money.

Small struggling fishing communities will not bounce back as quick from are current recession!

1. I believe it would be more advantageous to limit the type of fishing someone is engaged in rather than the restricting the waters available to use two poles. People fishing for Salmon or Steelhead are not going to be using the same gear as someone fishing for other types of fish. The same goes for those fishing for Sturgeon. I would suggest that those fishing for Salmon, Steelhead, or be limited to one pole while those fishing for other species be allowed the use of two poles on the entire Columbia River.
2. I believe the restriction in all other rivers and streams be left intact.
3. I feel those fishing with a licensed guide be limited to one pole. Right now a guide will have four or five people with poles in the water. This is an unfair advantage to those not paying to use a guide service. Using two poles would help level the playing field with those using a guide services.
4. I would suggest you make it illegal for anyone fishing with two poles to have in their possession any of the type of fish in the salmon or trout family where fishing for these species is restricted to one pole fishing.
The use of two poles allows for more fishing time. Using one pole that gets hung up with weeds or tangled eliminates the ability of that person to catch any fish. At least with two poles the odds are both won't be in this condition at the same time. It also allows the use of different colors or a different presentation. As long as the daily catch limits remain the same I fail to see the need for the restriction of only using a single fishing pole. Thank you!!

I think the two pole endorsement is a good idea and will generate additional revenue. It particularly benefits lone anglers when trolling. But you've taken a simple idea and made it incredibly complex and restrictive. As I recall some 145 bodies of water were exempted including the Columbia River system (which probably holds more water than all the other lakes and rivers in Washington combined).

This is typical bureaucratic fence sitting. You want to take credit for doing something without doing something. The provision could be for adult licenses holders only, not juveniles. And I don't think you're going to find many anglers on fly fishing only waters casting or trolling with two fly rods. It's all most of us can do to be proficient with a single rod. The endorsement should apply to all of the Columbia River System.

I was one of the people that proposed the 2 pole permit. I suggested it be sold for \$15, in the departments great wisdom not only was the price increased to \$20 but on top of that taxes and fees were added to bring the price up to \$24.75. Can't it just be a flat \$20 and taxes and fees be taken out of that? I am doubtful that I, and many other sportsmen, will pay the current price. Also, what is the need for any lakes to be excluded?

If a lake or species is allowed to be fished or caught and retained using one pole why not two? The limits aren't being changed. If anything I would propose decreasing the limit on salmon to be lowered to 3 or 4 per day, who really needs to keep 6 salmon per day? And if the limit were to be decreased maybe the length of the season could be increased. And while on the subject of season length, why is the west side starting so much sooner and ending so much later than the mid Columbia? If the west starts sooner shouldn't it end sooner so more of the late run can make it to the mid areas? Anyway, like I said I may or may not participate in the program as it is currently setup, I still haven't decided. When the government gets a hold of a good idea it usually gets screwed up or perverted in some way or other.

I like the two pole endorsement. If done next year, please start it at the beginning of the season.

My father was a very honorable man, abides with our country's laws, and is honest to a fault. I do my best to follow his example. But.....in today's world, we, and those like us, are becoming an endangered species. I see it every day, people who cheat at everything with impunity. The trend seems to be, "How much can I get away with?" (because the odds of getting caught is miniscule). The point is.....why make rules without the sufficient means to enforce them and/or the penalties enough to be a deterrent? (*I am becoming more of a fan of the Middle East countries where you lose fingers and hands for theivery rather than fines or jail time.*)

That being said, after a phone conversation with your department about how they do not have any plans to increase enforcement (we were talking about the new two pole regulation), that the regulation was only to bring in more revenue.....HOW RIDICULOUS CAN YOU BE? (Sorry, but I say it like it is).

Secondly, the cost of using an additional pole is way out of line for the privilege. Somewhere between \$5-\$8 would be reasonable. I could support this.

Thirdly, the present cost (\$24) is so close to the amount of another freshwater license that one should be entitled to a second limit. I could also support this.

What is next.....endorcements for hooks?

I support the idea of the WDFG only to the point that they can enforce the rules they make. I know it is a novel idea but why not be a leader in our country rather than another laughing stock?

For the upcoming 2010-2011 changes would it be possible to have the 2 pole endorsement available and prorated on the 1 through 5 day license's? Thank you.

I have requested several times to allow fishing people to use two poles in Washington Waters, both fresh and salt. You have started this in a few selected waters, I am requesting this be open to all waters. The extra fee is acceptable to me, in fact I encourage this. This is a small way to increase the state coffers. Limits should remain, depending on species and their harvest numbers.

Vance Creek Pond #2 in Grays Harbor County, Two pole rule. "consistency with pond #1 because of close proximity." This is unfair to anglers in East Grays Harbor who fish pond # 2 who would like to fish with two poles. This should not be based upon its location to pond #1. Enforcement should be able to see who is fishing what pond and how many poles are used. Anglers deserve that opportunity based on WDFW own criteria.

The Conservation Committee of the Washington Fly Fishing Club supports.

The proposed rule change allowing the use of two lines/poles in many lakes is strongly endorsed by myself, a 77 year old who has been avidly fishing state waters for 73 of those years.

It will not diminish the quality or quantity of fish population, but will preclude situations when a person, such as myself, openly displays more than one pole in the boat. I've been challenged wrongly twice for this, once when my partner had laid down out of sight and the other unpleasant encounter described below.

About 1990, while vacationing at Conconolly lake with my family I was falsely charged with using 2 lines. I went to court in Okanogan the next day. In court I was quite angry and unloaded on the wildlife officer. A fair minded judge reduced the fine from \$90 to \$45. Every other aspect of that trip was super, but we never returned to that otherwise delightful place due to the well intentioned actions of one boneheaded wildlife officer. He wasted his time, my family's time and the court's for what? The \$45 simply did not cover the expense to all concerned, especially the resort owner and other businesses in town. It still sours me.

I can recall about 6 other lifetime encounters with wildlife enforcement officers which were without exception professional and cordial.

Again, the proposed change will be advantageous to all concerned.

If a person does not possess a Columbia River salmon steelhead endorsement they should be able to use the two pole license in these waters. They would not be able to fish for salmon or steelhead without the endorsement. Because of this we should be allowed to fish with two poles for other fish that are not endangered.

Each year people have requested that a second pole be allowed and were turned down. I never saw an explanation. I don't understand what the issue is with a second pole. I doubt that most fisherman trolling in a boat will opt to use two poles, especially if there are multiple anglers on board.

It is obvious that since an emergency rule was enacted in August, that the reason for this change is to generate more revenue. I am a disable veteran and get my license at a reduced rate, so I shouldn't object to this fee, but I do.

A second pole would provide the advantage to a lone fisherman having the ability to try two separate offerings at the same time. If the fishing is good, the limit would be caught faster. If the action is slow, what difference would it make? A concern could be tangling lines and injuring that second fish before retrieving that line. Give us fisherman that have been fishing for several decades (52 years in my case) credit for having the sense to return to one line at a time and that we care about the resource.

Most of the lakes that have had restrictions placed on them are already restricted enough. If the Department or Commission is concerned about catching ESA-list species, why are the lakes still open? We have had ESA-listed species in the lakes for decades. That argument doesn't hold water. What significant impact would a second pole have?

I urge you to re-think the restrictions imposed by this rule change and if it is adopted, allow the second pole and drop the extra fee. This kind of legislation further leads to distrust between the public, the Department, and Commission when we need to be working together to arrive at REAL SOLUTIONS.

I believe the Two Pole Endorsement should include all marine areas.

I would like to propose that the two pole rule be modified to included fishing for northern pike minnow in the main stream Columbia river and Snake river.

This rule change would increase the odds of catching more northern pike minnow which would be beneficial to the current salmon conservation program.

I would like to add that in all the days I fished for northern pike minnow in the 2009 season the majority of incidental fish caught by me were channel catfish, and smallmouth bass.

I did not catch any salmon or steelhead while fishing for northern pike minnow.

I believe if you were to check the incidental fish catch record for those anglers participating in the northern pike minnow program you will find similar data.

This data should prove that fishing with multiple rods for northern pike minnow in the main stream Columbia and snake rivers would have only a positive effect

on the salmon and steelhead runs by reducing more of these predators.
The current minimum 9 inch size limit for payable fish would still ensure a healthy population of northern pike minnow.
Please pass this Email on to any other decision makers that would affect this rule change.

Consider adding a distance criteria for bank anglers so that the second pole is within a reasonable distance so that accidental mortality is minimized. Right now, a person could have 2 poles a mile apart.

Proposal doesn't make sense. What about invasives?

I have some experience with this as I visit British Columbia where the two-pole rule is in use but only when a lone person is fishing from a boat. This is ok in large waters where it might be difficult to locate fish otherwise. In smaller lakes using two poles is difficult and I use only one pole in those smaller lakes. When I was young, I am 64 now, we were able to use two poles to fish in Puget Sound and we found it very difficult with tangled lines, etc... The ability to use two poles certainly doesn't have a great affect on the number of fish caught but is helpful in some circumstances. It seems like this idea for Washington is to increase revenue. That's ok with me but I was put off by the cost. I checked a few locations where licenses are sold and very few people were willing to pay this. It might be better, as far as revenue, to lower the cost to something around \$5.00. You would sell far more and not really hurt the fishing. I noticed some larger waters were not included in the program. Those waters are the ones where using two poles would help locate fish. Another suggestion would be to make this regulation for artificial lures only. Casting out two lines with bait while still-fishing could have an adverse effect since fish usually swallow the bait and the risk of losing fishing outfits is real. Including still-fishing would allow someone to cast out bait and fish artificial lures at the same time which means no one really watching the pole used for bait fishing. To sum it up: 1-Lower the cost, 2-include large waters,3-artificial bait only. Thank you for your attention.

Comments from Public Meetings:

At the Ephrata meeting one person stated that he loved the 2-pole license he had recently purchased. No one had any issues with the list or the criteria used to create it.

At the Spokane meeting, we discussed the 2-pole rule and clarified that it only applies in Lake Roosevelt and Rufus Woods Lake on the Columbia.

At the Yakima meeting one angler asked - if the limit is the same, what does it matter? Why does it cost money?

One person at the Mill Creek meeting asked "Why not expand to salt water?"

Modification: Allow the use of two poles in Baker Lake.

Staff Recommendation: Adopt as modified.

Marine Rules

Salmon and other Marine Fish Rules

#7. Unclassified Marine Fish and Invertebrates

Proposal: This proposal would close all harvest of unclassified marine fish and invertebrates.

Explanation: Unclassified marine invertebrates consist of animals such as starfish, sand dollars, shore crabs and unclassified marine fish are animals such as blennies, tubesnouts and tide pool sculpins. Existing regulations prohibit these animals from being taken in a commercial fishery and limit recreational harvest to two unclassified fish (per species)

per day and 10 unclassified invertebrates (lower limits exist for moon snails and nudibranchs) The intent of this regulation is to provide additional conservation benefit to these species. The current harvest is not actively managed or monitored. Eliminating harvest would provide a precautionary approach to management of these species. A second benefit would be improved populations of these animals at public beaches to increase non-consumptive use of these resources through viewing, photography and education.

This proposal would not change regulations regarding the collection of shells. For example if this proposal is enacted, no collection of live moon snails would be allowed but a person could still collect the shells of dead moon snails.

Testimony:

I feel it is excessive and unnecessary to have such a sweeping and absolute ban on collecting any unclassified species. If there is concern that certain parks/public beaches are being excessively impacted-then why don't you just ban collection in these areas(this would be no different then banning certain beaches from clam harvests). A decrease in the limit from 2 per species/10 per day would also be acceptable. But please don't make it illegal for a child to keep one starfish.

The department has stated in explanation that "The current harvest is not actively managed or monitored." I don't care for the way the department is willing to close public opportunity for a problem that it doesn't even know exists. I have seen very few people remove anything for keeps from tide pools and those who would be already limited by the current rules. This rule is not needed. (2 identical e-mails)

I support this proposal.

the suggestion to "Prohibit the harvest of all species of "unclassified" marine fish and invertebrates" sounds like good intentions but is this to suggestion children playing with sand dollars could be fined? wasn't aware this was a problem area and sounds difficult to enforce.

The SeaDoc Society states: In his 1997 report entitled "Protection and Restoration of Marine Life in the Inland Waters of Washington State" (Puget Sound / Georgia Basin Environmental Report Series: Number 6), West stated that the harvest of unclassified marine invertebrates has risen dramatically in recent years. While in many cases, little is known about their abundance, distribution, life history or ecology, many of these species are thought to be sensitive to overharvest and other anthropogenic stressors. From a precautionary principle, closing harvest of all unclassified marine fish and invertebrates makes good scientific sense and is warranted, especially in light of the fact that current harvest is not actively managed or monitored. We strongly support this proposal.

I strongly support WDFW's conservation efforts as evidenced by Proposed Rule 7. As the Department is reminded on a daily basis, it is extremely difficult to conserve and protect species once they fall into threatened status. When 40% of freshwater fish in continental North America are at risk of extinction ([A.E. Magurran, Science 2009](#)), it only makes sense to adopt a safe rather than sorry position towards marine species as well.

I do not support this change if stocks are too low for any harvest then only the low stocks should be closed not all stocks. (7 e-mails)

I oppose this proposed Change for the following reasons.

First, the stated intent is to provide additional conservation benefit beyond the current regulation which allows recreational harvest of up to two unclassified fish per species per day and ten unclassified invertebrates. Yet the explanation also states that the harvest is not actively managed or monitored and that eliminating any harvest would provide a precautionary approach to management.

In short, WDFW staff is saying that if they can't monitor then ANY consumption should be halted. Given the ongoing budget crisis accepting this rationale could lead to closure of more active fisheries. It sets a bad precedent!

Furthermore, if adopted this would mean that I can be digging clams on my own beach but not be able to retain worms or other unclassified invertebrates often utilized for bait. Following this logic WDFW should be establishing a closure on digging earthworms on private property because WDFW does not monitor them.

Also, when my grandchildren are on the beach with a bucket and collect a beach crab to watch (and later release) will they be subject to being ticketed? If there is a concern about depletion of these beach critters on public beaches I strongly recommend that the regulations be made specific to those properties.

As presented, it appears that the agency want to prohibit the take of all unclassified marine fish and invertebrates, including nudibranchs and moon snails which are currently allowed to be taken. It appears that there is a presumption that current populations are being over-harvested, yet the proposal says "The current harvest is not actively managed or monitored." If you don't know the harvest, you can shut down the take, but at what cost from a public relations standpoint? There are people of all ages who currently take one or more invertebrates home from the beach. There are

also people who collect marine worms, etc for fishing bait. I'd suggest that the daily take/possession limit be set at 5 of each species of invertebrates and left as currently written for 5 moon snails and 2 nudibranchs. If and when over-harvest can be documented, then the possession limit might be considered for reduction. As for the unclassified marine fishes, unless there is documentation of over-harvest, the current daily limit of 2 per person seems appropriate. (51 e-mails)

I support this proposal, but I would like to see the rule clearly written as "UNCLASSIFIED marine fish: closed to harvest", rather than "All other fish: closed to harvest." In the current written regulations for the individual marine areas, the unclassified marine fish limit is currently 2 fish--however, such a limit is stated in terms of "all other fish -- daily limit 2". The "all other fish" language is confusing such that most readers/anglers of the regulations pamphlet incorrectly interpret this language as "all other BOTTOMFISH -- daily limit 2." The new rule should be phrased more clearly so that the rule is not misinterpreted as applying to bottomfish.

I am writing to urge the adoption of the proposed sportfishing regulations, particularly with regard to closure of harvest for unclassified marine fish and invertebrates as well as the proposed rockfish and bottomfish rules. I have seen moon snails being harvested for consumption would be glad to see that brought to an end.

I feel that this proposal lacks justification. In my opinion the WDFW is obligated to allow recreational harvest of available resources as long as those resources will sustain. While I understand the desire to take precautionary measures, those measures should be based on baseline measurement of the resource and existing harvest levels. I can support some reasonable limits on harvest where this data is not yet available, but to completely close all harvest of unclassified marine fish and invertebrates would unfairly restrict recreation and education opportunities. An example might be a small group who celebrate a special occasion once each year by sharing a meal of Scalyhead Sculpins. Such limited harvest with surely very minor impact might be extremely important to that group, yet this would become an illegal activity under the proposed rule. What about a child whose all-consuming interest is marine invertebrates? If that child would like to capture one Blood Star for observation in a home aquarium – an activity that might lead to further study of marine biology and a career with the WDFW, do we really want to disallow this or require a for-fee scientific collection permit? I think that would be a little ridiculous – and it'd be almost impossible to enforce. I would much rather see money spent on scientific research than having someone drive around all the beaches trying to catch 8yr olds and reprimand them for their interest in marine life. I think the positive benefits to this proposed rule are questionable – there may be no positive impact at all, yet the negative impact to some small groups (with a small voice in this discussion) might be significant. These marine resources belong to the public – if the public wants to ensure that they are adequately managed, they will pay for the studies and data collection required to formulate a proper strategy. There is already a rule against harvest of unclassified marine invertebrates in State Parks – this provides protected areas. If there is an existing concern for particular species, please make more specific proposals, and consider lowering limits and restricted seasons before complete closure.

OPPOSE: Proposal #7 Unclassified Marine Fish and Invertebrates

This prohibits the harvest of invasive non native species. This is also an attack on bait fishermen, people don't waste these unclassified invertebrates, they use them for bait. This rule effectively eliminates the use of bait. I use pile worms, other marine worms, limpets and shore crabs for bait for things like Surf Perch. There is no evidence of over harvest of these animals. If people want to see these creatures in tide pools, they can do so at any state park where harvest is already prohibited. Some of these unclassified invertebrates are actually a problem to marinas when they are in large numbers and you are doing a favor by taking them down. Also, by using bait that is native to the water body in question, you are not spreading disease or invasive species. If the current limit on these species is too high for conservation reasons, it should be lowered but it should be above zero. There should also be some evidence of a conservation necessity to make this change, lack of evidence is not evidence to shut down these fisheries completely.

Opposed: There are already restrictions in place for these animals. No where in this proposal is there an indication that the current restrictions are inadequate. While I do not have personal knowledge, I believe that some citizens do maintain private aquariums that are populated with small numbers of native marine species. This restriction would make this impossible. Please consider an alternate path of using additional specific species restrictions if needed rather than a blanket closure.

I strongly support the department's paradigm shift to provide protection unless data indicates that increased harvest is possible. However, believe that this should only apply to native species and would like to see no limits or restrictions on non-native species.

Proposal doesn't make sense.

Comments from Public Meetings:

People at the Yakima meeting were unhappy with this rule proposal and wanted to know why they could not harvest a few shore crabs or pile worms for bait. Also would not allow steelhead fishers to dig up ghost shrimp for bait.

Olympia

One person stated that he liked to dig sand shrimp for bait. He knows people that use lots of other things for bait that would not be allowed by this rule. Have we thought about that? Maybe you could exempt things people like to use for bait from the prohibition (worms, sand shrimp, etc.)

Maybe you should be allowed to harvest unclassified invertebrates but not fish.

Is the situation like – there is not really a problem but we're changing anyhow?

Should specify certain species that cannot be taken – need more research. Don't close all harvest. Many species are abundant. It is ridiculous to get a ticket or for a child to get a ticket for retaining one of these animals. There are lots of unintended consequences to this proposal.

Would prefer a different philosophy – don't have rules just to have rules. You want to have rules for a good reason. This is a solution in search of a problem. More rules make more members of the public criminals. The pamphlet is pretty well done for the size of it, but there are still way too many rules. You can inadvertently break the rules. Unless there is really a specific species or ecosystem in need, try to minimize the rules.

One angler stated that the intent of the rule was to avoid past pitfalls, where we find out about a problem too late. Different ethnic groups have different diets and target different species. We should discourage open harvest unless we know that it is OK.

Sand shrimp harvest should be allowed. There has been a sustained harvest for bait for years and the stocks are OK. If you must have a rule, what about a specific open season?

We have rules on these animals now, not a totally open season. Every year fees are higher and opportunities are less. If there is a conservation problem, OK, otherwise not.

This proposal will effectively eliminate fishing for some species of fish, especially striped sea perch and pile perch. The primary bait used for these fish is small shore crabs and marine worms. The current limits are sufficient to protect these unclassified species from over harvest and still provide fishing opportunities.

Staff Recommendation: Adopt as proposed.

#8. Daily Limit for Other Food Fish

Proposal: For species of food fish for which no daily bag limit has been established, the daily limit would be 2 fish of any species.

Explanation: Under current rules if no daily limit has been established for a species of food fish, there is no limit on the daily take. The proposal would establish a daily limit of two such fish per day with the intent of providing limited harvest opportunity while also providing conservation. Most of the fish affected by this rule change are uncommon in Washington waters and include species such as bonito, white seabass and barracuda. If large numbers of any of these species were to occur in Washington waters in future years, and the resource would support higher rates of harvest, the department could quickly modify the rules through the emergency rule process to increase harvest rates.

Testimony:

As written, this proposal would apply to albacore, which is a food fish without a bag limit. This was obviously not our intention. If we were to come up with a bag limit for albacore, it would be a much more involved process and it would certainly be larger than 2 fish...

Can you please reword the proposal to read: "For species of food fish *other than albacore tuna* for which no daily bag limit has been established, "

Mark said he and some other industry members would be coming to the public meeting just to testify on this matter. I told him that I didn't think that would be necessary. I'd like to call him back today and let him know that it was taken care of so he can get the word out.

In 2009, Bluefin Tuna, Yellowtail, Mackerel, and Pacific Pomfret were caught in waters offshore of Washington State. Some of these are more common occurring every summer and some are not common occurrences but arrive here in great numbers during the El Nino years (this year was a mild El Nino). Many of these species are highly prized by

fisherman for table fare. Many of these species are at the very far end of their Northern Range and are here due to an unusual warm current. They are not in danger of overfishing. By instituting this 2 fish limit, the department limits opportunity that does not need to be limited. Since salmon opportunities have been low in recent years, many fisherman have taken to fishing offshore waters in greater hopes of more fishing opportunities. Don't take that away with un-needed rules. I am highly dubious that the department would actually raise the limit of any of these species after imposing the limit. I am strongly opposed to this proposal! (2 identical e-mails).

I suggest that Rule #8 be clarified as follows: Proposal: For species of food fish for which no daily bag limit has been established, the daily limit would be two fish of any species. This rule does not apply to albacore tuna.

Current Rule States BOTTOMFISH-" Daily Limit is a total of 15 Bottom fish regardless of species subject to individual limits" ALL OTHER FISH -"Daily Limit 2"

FLOUNDERS: I want to be sure that the state realizes the value of Sand Dabs and small Flounder species as important sport fishing opportunity for recreational fishers and charter operators especially during times of Salmon closure. I would like to see the limit remain at least 10 flounder per person in Puget Sound. I think we can agree the resource is plentiful.

KELP GREENLING AND BLACK SEA BASS: I have seen signs of diversity returning to Puget Sound in the form of Sea Bass and Kelp Greenling starting to show up again. I believe a maximum of 2 fish per person limit is appropriate for these fish in marine areas 7 through 13. I would like to see the numbers continue to increase.

PACIFIC COD AND TOM COD: We have been seeing and incredible rise in the number of small Cod in marine areas 9 and 10 the last three years and especially in 2009. I believe current harvest closures to be beneficial to the Cod. However in the event that Cod become plentiful enough for harvest in the future, it would be best to consider limited Sport fishing harvest as a priority over Commercial harvest.

Pelagic fish such as albacore, tuna, mackerel etc. should be exempt from this rule. No biological reason for a 2 fish daily bag limit.

I would like to propose that a limit be set for Albacore tuna, before they get depleted like a lot of other fish.

WDFW has no legal grounds for setting a sport fishing limit on a H.M.S. like albacore. Sport fishers catch a whopping 3% of the albacore and spend many more \$ per fish than commercial fishers

Make an exception for tuna – otherwise the rule is good.

Hello, I am writing to comment on the proposed change on foodfish limits.

If the limit on foodfish is changed to 2 per day, the recreational participation in albacore fishing in this state will be severely affected. Because it is often necessary to travel 20-60 miles offshore to find schools of albacore, a limit of 2 fish per day will make it (in my opinion) not worth the travel and expense to fish for albacore. Please consider leaving albacore out of the proposed change, or take albacore out of the foodfish category, so that the limit will not be lowered to two per day.

The SeaDoc Society states: Similar to the harvest of unclassified marine invertebrates discussed above, there are species of food fish harvested that are not actively managed or monitored. Limiting the daily harvest of species of food fish for which no daily bag limit currently exists is a prudent conservation measure. The clause to modify the rules through the emergency rule process to increase harvest if large numbers of any of these species were to occur in Washington waters in future years is a good one and we support this proposed rule change, especially if harvest changes are accompanied by monitoring.

I do not support this change. If there are low stocks limit those stocks to harvest not all stocks. (7 e-mails)

I would like to suggest a limit on Albacore Tuna. I am in Iraq, so I can not make any of the meetings that are scheduled. I think a limit on Albacore, both sport and commercial fisheries, would help prevent another species from becoming endangered or extinct.

I believe this proposal should not be included in it's entirety. Limits can be added to other Food Fish when there is reasonable cause can be justified to the public.

To the extent that the fishes one might reasonably anticipate finding and being covered by this regulation change would be seasonal and found far off-shore the two fish limit is too low. The species listed as examples are not threatened in their home ranges and given the probability that any occurrences in our waters would be very limited and probably of such a short duration as to make any possibility for even "quick" modification of the regulations too late. While the concept has

some rationale suggest that a more liberal bag limit (5-10) be adopted and if a large influx of such fish were to occur WDFW could take action to adjust the daily limit.

I am against this proposal as currently written for at least the following reasons:

- The proposal states "For species of food fish for which no daily bag limit has been established, the daily limit would be 2 fish of any species." Most anglers will misinterpret this language as to applying to flounder, greenling, or other bottomfish for which no specific individual daily limit is stated. While there is in fact a daily aggregate limit of 15 of flounder, greenling, etc., most anglers are not sufficiently sophisticated in rules to know that they may legally retain 15 flounder (for example, if no other bottomfish species are retained) and instead misinterpret this rule as requiring them to retain no more than 2 flounder
- The explanation of the proposal states that this rule is intended to apply to other food fish such as "bonito and barracuda". I submit that this specific change to the rules is not needed in order to address such limited or unlikely instances when bonito or barracuda become available for harvest in WA waters. Instead, the standard emergency rule changes can be implemented as needed if and when harvest opportunities for such uncommon species become available.

I agree that it makes good sense to set some reasonable limit in place for food fish which presently have no such limit defined. This precautionary measure is similar to what is already in place for unclassified marine fish and invertebrates (see #7 above). Some reasonable limit is desirable and fair, but I think it is worth noting that proposals #7 and #8 are somewhat contradictory – where the resource is not well understood and the harvest is one of unknown potential, the WDFW should present a consistent approach and set a limit which will prevent rapid depletion yet allow for recreational opportunity.

My name is Tom Burlingame and I would like to comment on the proposed rule changes in Puget Sound and the Neah Bay area. I am the owner and operator of Excel Fishing Charters, fishing from both the Ports of Everett and Neah Bay. Having fished these waters for over 25 years, the last 2 years running Excel Fishing Charters, I feel I have a very good grasp of these fisheries and the effects that these rule changes would have.

I support this rule as long as it does not include Sand Dabs or Flounder in Puget Sound. There needs to be a larger limit on Sand Dabs or Flounder because the population is healthy and gives a great recreational opportunity for inexperienced anglers.

OPPOSE: Proposal #8. Daily Limit for Other Food Fish.No evidence of a bona-fide conservation need at this time.

Opposed: This proposal is a good example of creating a restriction with no defined benefit. The harvest of various food fishes is already managed. There exists a general restriction preventing the wasting of any animal. By enforcing the wasting rule, regardless of compliance to a species limit, better stewardship for all resources would be achieved. If a currently unlisted food fish begins to be harvested in significant numbers, WDFW should be able to act using an emergency rule. The status Quo should remain with WDFW having the responsibility to address known harvest concerns as they actually develop. For example, dolphin (dorado, mahi mahi) are sometimes found in groups with the right weather conditions. It is certainly possible for an angler to catch more than the proposed limit of two fish. However, given that this is an abundant fish, just on the extreme northern edge of its range, there is no biological reason for the restriction other than the rule of waste. There is no practical process in which WDFW could react to allow a higher catch for a unique situation.

I urge the commission to say no to any proposals to have a recreational limit on albacore or any other species of tuna. As for Albacore, there is minimal pressure from the recreational community. The US harvest is only 15% of the entire North Pacific Catch. The Washington recreational albacore fisherman is less than 1% of that total. When looking at those numbers I don't see how you can manage a fishery with such a minor user group. There is no proposal to limit the commercial catch. The albacore stocks are healthy and I am not comfortable with limiting people's access without significant scientific studies to back it up.

As for the remaining species of Tuna which are found off the coast of Washington State, there are regulations for "bag limits" within other states where these fish are predominately found. The bag limits are a minimum of 10, and up to 25 of the differing species. Why would Washington State limit the catch to two of the fish when other states find that the resource is healthy enough to sustain a larger bag limit?

At the October 16 hearing, several people made comments about the different species of Tuna and bag limits, however when the commission was provided the summary of comments at the November 6 meeting, the only comment relayed to the commission was about the Albacore. The other species were omitted from the summary. I do find this to be concerning. I understand the desire to keep different species around and to protect them, however without scientific research to back up the rules, I cannot support their implementation.

Finally, I urge the commission to oppose any proposals for a recreational limit on albacore. There is minimal fishing pressure from the recreational community. The US harvest is only 15% of the entire North Pacific Catch. The Washington recreational albacore fisherman is less than 1% of that total. When looking at those numbers I don't see a need for WDFW to manage the fishery. There is no proposal to limit the commercial catch. The albacore stocks are healthy and there is no science to support the proposal.

Proposal #8. Daily Limit for Other Food Fish-Exempt for Tuna

There is no current biological need.

No limit-Let PFMC manage Tuna as they are the professionals

PFMC currently manages albacore in the EEZ (west coast of USA out 200 miles)

PFMC receives recommendations from international management entities of which the US government is a player.

PFMC has the science, the management team, and the appropriate advisory panels to effectively manage albacore

The Washington recreational catch is only around 3% of the total Washington catch and less than 1/2% of the entire North Pacific catch

There are no constraints on commercial catch

Boats from S. Cal to Canada fish off our coast

Recreational catch is limited by

- o Self-limits
- o Vessel size / capacity
- o Cost of trip, cost of processing catch-Very expensive. (50 e-mails)

I strongly support the department's paradigm shift to provide protection unless data indicates that increased harvest is possible. However, believe that this should only apply to native species and would like see no limits or restrictions on non-native species.

Anadromous and Marine Advisors – PS Recreational Fisheries Oversight Committee and NW Marine Trade Association agree that tuna should not have a 2-fish daily limit.

Comments from Public Meetings:

One person at the Mill Creek meeting asked if this would apply to albacore tuna. They did not think that it should.

Olympia

Anglers at this meeting all agreed that albacore tuna should be exempted from this rule

One person asked about other pelagic species – when you find them they are usually in small schools – it is uncommon, but you can catch a lot. (bluefin tuna, yellowtail, dorado, bonita, etc.)

One person stated that if they are here in Washington, the whole schools are here – we won't catch all of them.

One person noted that in California the limit for these species is 10 fish. He really feels that there should be no limit here in Washington, but could support the California limit.

Eight people agreed that their first choice would be no limit for these species (status quo), but their second choice would be 10 like in California, and the species should be listed specifically.

Others had never heard of a sea bass or barracuda being caught in Washington.

One person stated that the proposals had been out for a while before someone pointed this one out to him. He thought that the limit on albacore was a bad idea and probably was not intended. But after thinking some more, why limit any of these species? Pacific mackerel is another one. We should look at the individual species or at least species groups. The PFMC governs highly migratory species and has lots of information on these stocks. Maybe more research should have been done before putting this proposal out.

What was the genesis of the rule? Is there an "exterior force" working on it?

Uncommon fish are not necessarily unhealthy. These fish are here today – gone tomorrow – there is not time to file an emergency rule to allow a larger daily limit.

You are trying to develop regulations for fish that are only here once in a blue moon. There might only be 50-60 taken in Washington all year. There are thousands harvested in California. These rules belong in that state, not here.

The intent of the rule is good, but maybe this rule should be withdrawn and re-written. It is too vague – needs more research.

What about a rule like in Oregon where they have a catch-all rule that says there is a combined limit of 25 per day on anything that swims?

Modification: Do not include albacore, yellowfin, skipjack and northern bluefin tuna and all species of mackerel tuna in this rule change— rules for these species will be addressed through the PFMC process next year.

Staff Recommendation: Adopt as modified.

#9. Lingcod Rules

Proposal: This proposal would align the lingcod seasons and slot limits for spearfishers with those of anglers in Marine areas 5-11 and 13.

Explanation: The Department received several to alter regulations for lingcod fishing in Puget Sound. These suggestions included changing the daily limit; changing size the limit and adjusting the length of the season. Current regulations differ by gear type: anglers have a 1.5 month season with minimum and maximum size limits while spearfishers have no size limit but only a three week season. The Department is proposing that current regulations for angling remain unchanged. The spearfishing season would be increased to match the angling season and minimum (26 inch) and maximum (40 inch) size limits would be in effect for this gear type. The end result would be identical regulations for angling and spearfishing for lingcod

Under the current rules, approximately 25% of the lingcod harvested are less than 26 inches in length. By eliminating this harvest of small fish, the abundance of larger fish should increase over the next few years which will translate into increased numbers of spawning adult lingcod and increased numbers of lingcod available for harvest in the 26 to 40 inch window of opportunity. The harvest of large (over 40 inch) lingcod will be minimally affected as only 1% of the speared lingcod are over this length.

Testimony:

With regards to the proposed changes to rules for lingcod spearfishing, it isn't practical to impose a size limit on fish caught with spearfishing gear. Anglers can catch and release, spearfishers can't.

There isn't really any way to accurately judge the size of a fish while underwater; the effects of darkness, poor visibility, magnification of objects underwater, moving and/or partially obscured fish, and the fact that lingcod are notoriously poor at obeying commands such as "Hold still, I need to measure you before I kill you." make it impossible.

Joking aside, a size limit on spearfishing will encourage bad behavior on the part of some spearfishers and have a negative effect on the fishery. Faced with a size limit enforced with fines, some spearfishers are likely to do a post mortem measurement of their catch while underwater, discard any fish that's too big or too small, and shoot more fish to reach their legal bag limit. If it doesn't come back to the beach with you, it never happened. This will result in more fish killed outside the limits, not fewer. I respectfully propose a hard limit on the number of fish caught by spearfishing, with no size limit, backed up with size guidelines and education on the need to preserve the species, and how only taking fish within the size guidelines will help do that.

The vast majority of spearfishermen are responsible, and will respond positively to such and approach and try to follow the guidelines as best they can given the challenges of the underwater environment.

Lingcod harvesting; If the proposal is to have spear fishing start the same time as sport fishing for lingcod, I'm opposed to that change. The reason being, if a diver is down in a popular lingcod area, that area is off limits to sport fishermen due to the safety concern.

I'm writing to provide comment on a newly proposed rule change that would impose a size restriction on spearfishing. Although I understand the rationale behind a size restriction, there is no practical way to measure fish length under water prior to spearing. Please reject this proposal.

I was reading the proposals and saw that spearfishing for lingcod is proposed to have the same season and limits as hook and line fishing. My fear is that one consequence will be that spearfishermen will shoot a fish then discover it is too small and leave it dead, then go on to shoot another fish. This increases the mortality rate, but is not discernable by the fisheries dept. because we only see the ones brought back.

If your percentages cited are correct, it could be as much as a 20% increase in spearfishing mortality but look like the same catch rate. I prefer that spearfishermen have to stop fishing after one fish.

BTW, I am a spearfisherman and a former fish biologist.

I have been spearfishing Lincod since 1970.

I think size limits for spearing Ling is a good idea but at least for the first year or two it should be done without penalties. i.e voluntary. It is very difficult to estimate fish size underwater. Divers experience 25% magnification through the diving

mask making the fish look larger than actual. Most of the time Ling turn out to be much smaller on the surface than the diver thought before he speared it. I believe most divers would make an honest attempt to stay within the limits. If the speared fish are measured we would have statistics to show how well divers are able to judge size before penalties are imposed.

I'm writing in response to info I've heard that the lingcod rules may be changing. I'm all for the rule change that the seasons be the same as anglers. I've always felt that there was some feeling overall with the regulators that divers get more fish. I might be inclined to think that a divers chances of getting a lingcod may be pretty good, but I would think that there are a lot more anglers than divers out there. Having had my fish checked several time at the dock with dorsal bones taken my impression from the F&G officer was that more fish were caught with rods and reels than divers. The Department is proposing that current regulations for angling remain unchanged. The spearfishing season would be increased to match the angling season and minimum (26 inch) and maximum (40 inch) size limits would be in effect for this gear type. The end result would be identical regulations for angling and spearfishing for lingcod

I understand your intent and it's a laudable one but like so many good intensions, there's a major bad side.

1) Spear fishing doesn't use a cute little hook that can be safely removed from the tender little mouth of the undersized fish. We blow a quarter inch hole in one side and out the other. By the time we have the fish under control, it's dead.

2) There is no way to measure a fish until it's under control. You can't swim up to a fish and measure it to make sure it's big enough. Everything looks bigger underwater (physics). That's exactly why so many smaller fish are taken. I can't tell you how many times I heard: "but is was huge in the water."

3) At the risk of a huge fine and lose of his/her fishing gear (including the boat), no spearfisher is going to surface with an undersized/oversized fish. They're going to dump that fish and go after "a legal one" ... and they may shot more than one undersized/oversized fish while looking for "a legal one."

I'm afraid that the result of the new rule would be ... you're going to think the new regulation is working wonderfully because all the fish recorded are going to be between 26 and 40 inches, but what you're not going to see is the number of undersized/oversized fish that were measured underwater, taken off the line, and left on the bottom to rot.

Again, I applaud your good intensions but this is a bad idea. "The end result" would be lots of undersized fish and a few oversized fish being left on the bottom to rot, while the spearfisher goes off the find "a legal one."

I am suggesting and encouraging you to stay with the existing rule: "You shot it, you keep it. One fish, one day."

Totally Agree, I've wondered if they should be able to kill lingcod at all. But you must take out tribes and commercial fishing for these.

Slot limit for divers is not reasonable.

I know those individuals proposing this change are well intentioned. However, I believe they are bit ignorant of the realities and difficulties of spearfishing, and of the unintended consequences that would occur should this change take place. The realities and difficulties include-but are not limited too; #1) the significant difficulty judging the size of fish while underwater. All divers know that everything appears magnified underwater. I have become much better at estimating size after spending several hundred hours underwater in Puget Sound. However it is still difficult, and I expect most spearfishers have less experience, and would therefore be more likely to make mistakes. #2) The visibility in the water during the season(spring), is typically 15 feet or less, making estimates even more difficult. #3) In areas where spearfishing occurs, the fish are not tame like the ones in places like Edmonds Underwater Park, where I suspect the divers crafting this proposal got the idea that it would be easy to measure a fish before shooting it. "Wild" fish frequently move-obviously making size estimation even more difficult.. #4) When they are not moving-they are frequently partially or mostly obscured by rocks or vegetation. These are probably the most significant, but not the only difficulties in judging size. The unintended consequence will be waste. If this passes, then spear fishers will take a tape measure underwater with them. They will measure the dead or dying fish, and if it does not meet the slot limit, will "turn it loose" too the underwater scavengers(as opposed to bringing it up and risking a citation). None of us want to waste any part of this resource. The second part of the propose rule change includes expanding the diving season to match the angling season. I feel from a biology/fish stock point a view this would probably be of minimal impact, as there are probable over a hundred anglers for every spear-fisher. However I believe the current rules were a "political" compromise, involving a shorter season for divers in return for no slot limit. The current rules have been a success. Lingcod populations are up since these rules were put in place. Please just leave them the way they are.

With regards to the slot limit applying to Divers I support this part of the proposal. I have thought that should have been done long ago. **HOWEVER HAVING THE SEASON THE SAME FOR DIVERS AND ANGLERS WILL INCREASE GEAR CONFLICT!** If Divers must have a longer season then why not extend it at the end of the season, after the hook and line

season ends? I would like to propose that any extension of the Lingcod season for divers/ spear fishers be added AFTER the hook and line season ends.

Intro: Who am I? I am a senior citizen, learned to dive when at a late age of 56, in 1995. Today I now have logged 850 + dives. I dive once a week somewhere in Northwest, from Neah Bay to Titlow either with the Boeing Dive Club or Underwater Sports of Federal Way. I am an avid spear fisherman whether I use a spear gun or Hawaiian sling. Probably 70% of my spear fishing is done in south sound. I do endorse your new proposal. If it is approved but there are difficulties in overseeing or managing the divers catch. It is the size, length, which is difficult for us divers. Under water as you know, we divers, see all objects to be larger because of water magnification than they really are. 20 to 25 percent larger and therefore longer. We often spear fish in an environment of poor visibility, always carrying a flash light and spear gun in the other hand. I do not like or shoot larger breeder females. I have shot 30 inch ling but that is not the norm. My ling that I generally bring home are of the 4 to 6 pounds. It is difficult to balance my spear gun and holding flashlight in same hand and take the safety off with the other hand in prep of shooting. And pray the fish does not move and or I get a better look if it is large enough. We have no measuring device like Crabs. Our measuring device is experience only! Does it look bigger or the same as the last one I got two days ago?

My dive partner and I are very excited to see, witness the population growth and more species appear in the Rock fish family. It is amazing. Really cool! They are really coming back nicely.

Thank you for giving me the opportunity to give you my thoughts.

It is unclear how 25% of the lingcod harvested are illegal and there is no enforcement response. The homogenization of the spear fishing and rod/reel bag limit, season, and slot sizes is a worthwhile endeavor and I support it.

Serious consideration should be given to increasing the maximum retained size to 48 inches. The increase in abundance of large lingcod is negatively impacting rockfish recovery. Lingcod are the major predators of rockfish and bottom fish, and a major limiting factor. I recommend a max size increase to 48 inches, for all areas.

It will be difficult of diving spear-fishers to measure a ling prior to attempting to spear. Given the severity of the wound to the fish, there is not really a catch-n-release option for a properly speared fish. I'd like to see harvest numbers of spearfishing vs. anglers. I'd assume anglers take more fish. If that is the case, I'd support shorten the angling season.

As proposed, this change appears to "set-up" divers for breaking the law; anglers can catch, measure and release (if needed) any fish, but once a spear impales a fish measure and release are no longer an option. Diving and spear fishing are more like hunting than fishing. The regulation should be left as it is, if additional restrictions are in order consider an annual limit, a tag, or something like that.

Spear fishing for ling cod should read that you can only retain the first ling cod that you spear. You cannot measure the fish before you shoot them! I dive so I have seen what happens to a mistake of shooting an undersize fish. It is a waste of our resources.

Do not change the current rule. Limit spear fishing to the current 3 week season. The explanation that this rule change should increase the abundance of larger fish over the next few years is flawed. I fish for ling cod frequently in Marine Area 13 and my observation of the spear fishing take is contrary to yours. The spear fishers are keeping the larger fish, not the smaller ones. What this rule change will do is increase the abundance of spear fishing over the next few years, and further pressure the ling cod population. Last year was very poor for ling cod in Marine Area 13 and there were more spear fishers than ever. We can ill afford more spear fishing pressure on this resource. Leave the current rule in place, or ban spear fishing entirely, I can see no reason for the proposed rule change other than pressure and lobbying buy the sport diving industry. Spear fishing for ling cod is literally shooting fish in a barrel, let the diver look, but don't touch. Hook and line fishing at least gives the fish a chance. If you want to make any rule change, limit ling cod fishing to hook and line only, and make the use of circle hooks mandatory.

I support this proposal.

I don't think it is practical to apply size limitations to lingcod taken by spearfishers. The fish is not going to allow itself to be measured prior to being shot, and the technique of spear and release has not yet been perfected. What are the consequences for the diver who shoots a fish and then discovers it is 25 inches or 37 inches long? This is not the same as catching crabs and releasing the small ones. A speared fish is a dead fish.

The SeaDoc Society states: Regarding the aligning of the seasons and slot limits for spearfishers, this is fair for both classes of recreational harvesters.

The current rule for season and slot limit in size has been adequate but there seems to be some twisted logic that the divers take smaller fish. I have found that the contrary as the divers are after that "trophy fish" which is, unfortunately, a female. The bigger they are the more eggs they carry. Last year I heard a diver as he came to the boat boasting that he had shot that "big one" that they had seen a couple of days before but "it got away". Sad as that big female likely died from it's encounter. Do not allow the divers to utilize the whole 45 days and if anything remove spear fishing from taking any the resource. More diver days will result in more heavily fecund fish taken. I have never understood how such a small Lobby could have so much clout within WDFW. If they want to look at the Lings,,,fine,,,but if they want to harvest one let them come up and get a hook and line. I used to be a certified diver and know the size enlargement through a face mask. Just remove the whole issue and ban the taking of Ling cod save for hook and line.

9A Agree, Some areas should be closed entirely.

See Salmon University and guide fishing off La Push. He continually brings in 35# Lings and fails to understand taking a picture and releasing them. I would curtail his and commercial fishing for them.

Why don't you just close all fishing and hunting. I can't believe that you're even suggesting such rules and regulations. I'm a diver and would like to know who thought up of such a thing as any size restriction for spear fishing. What would I do if I shot too large of a ling cod, simply let the dead fish go! I've already changed my fishing from Neah Bay for halibut and salmon. I started going to Canada where sportsman are really welcome and not just gouged from our pocketbooks.

Concur with same seasons and sizes among groups.

This is a joke, right? Every one of these proposals should be rejected, particularly those about no rockfish retention (there are plenty in area 7), more restrictive ling cod rules, and reduced dungeness crab limits. And what's this nonsense about "unclassified" fish and invertebrates?

I expect better than this from our public servants. My suggestion is that all these proposals be rejected and that you focus instead on increasing access to our fish resource, both wild and hatchery. You might start by putting some limits and/or better enforcement on the Indians, who seem to rape the resource at will.

I do not support this change. I am not a diver but I would think it would be very hard for a diver to tell the length of a lingcod under water. I think it is fair to leave the rules the way they are the divers are able to keep bigger ling cod but get a shorter season. (3 e-mails)

This e-mail is being written to respond to the Fish and Wildlife Commission to take comment on proposed 2010-12 sportfishing rules related to Lingcod caught by spear fisherman, specifically: .

The Department is proposing that current regulations for angling remain unchanged. The spearfishing season would be increased to match the angling season and minimum (26 inch) and maximum (36 inch) size limits would be in effect for this gear type. The end result would be identical regulations for angling and spearfishing for lingcod

I understand your intent and it's a laudable one but like so many good intentions, there's a major flaw.

1) Spearfishing doesn't use a cute little hook that can be safely removed from the tender little mouth of the undersized/oversized fish. We blow a quarter inch hole in one side and out the other. As soon as we pull the trigger, that fish is dead.

2) There is no way to measure a fish until it's under control. You can't swim up to a fish and measure it to make sure it's big enough. Everything looks bigger underwater (physics). That's exactly why so many smaller fish are taken. I can't tell you how many times I heard: "but it was huge in the water."

3) At the risk of a huge fine and lose of his/her fishing gear (including the boat), no spearfisherman is going to surface with an undersized/oversized fish. They're going to dump that fish and go after "a legal one" ... and they may shot more than one undersized/oversized fish while looking for "a legal one."

I'm afraid that the result of the new rule would be ... you're going to think the new regulation is working wonderfully because all the fish recorded are going to be between 26 and 36 inches, but what you're not going to see is the number of undersized/oversized fish that were measured underwater, taken off the line, and left on the bottom to rot.

Again, I applaud your good intentions but this is a bad idea. "The end result" would be lots of undersized fish and a few oversized fish being left on the bottom to rot, while the spearfisherman goes off the find "a legal one."

I am suggesting and encouraging you to stay with the existing rule: "You shot it, you keep it. One fish, one day." And then start an educational campaign to explain to the spearfishermen that any Lingcod over 36 inches is going to be a female and he/she shouldn't shoot it because it reduces the number of Lingcod next year and the year after.

George Barron

Training & Safety, Membership, Dive Instructor and Northend Compressor Committee Member Boeing Seahorses Scuba Diving Club

In this rule it is proposed that spear-fishers season and slot limits will be aligned with that of anglers. I see a couple of problems with this. First of all, the spear-fishers and the anglers fish the same waters. If the seasons are aligned there will not only be a gear conflict, but there is a safety issue. There is a possibility of anglers hook and line becoming entangled in the divers gear.

Additionally, while diving, the mask of the diver often magnifies what they see. Honestly, it seems impractical for a diver to determine the correct length of a Lingcod prior to taking the fish with a spear-gun. It would be disappointing to see some fish wasted by the diver because they find out after taking the fish it is undersize. Of course they would most likely leave the fish, as this rule would be unenforceable while they are diving.

I would suggest the spear-fishers season be before or after the angler season. Additionally, I would not make the spear-fishers slot limit the same as anglers.

I believe there should be an expiration date of Calendar Year 2050, so this rule will be reviewed at a later date.

Support but have to question how a spear fisherman obtains a good measurement before the shot. It might be better to only have an upper limit for spear fishermen to discourage dumping of a fish found underwater to be short of the 26 inch limit.

Please consider the impact of rules whose adoption would not include, due to budgetary/operational limitation, the realistic capacity to enforce those rules and thereby achieve their intended benefit. If the scope and scale of WDFW programs continues to grow, including demand for access to resources as well as the careful conservation of those resources, the differentiation between the law abider and the law breaker also grows in importance. Rule changes which are designed exclusively to limit law breaking opportunities, but which also necessarily limit the law abider's access, are an inadvertent punitive punishment of your best customer. "Yanking the benches out of the city park is a good way to limit vandalism, but a lousy way to serve your constituents."

Proposed changes to the Rockfish rules (#10) including retention, species and bag limit (including Lingcod size) are a good example of changes that deserve a sober assessment from enforcement managers. Moving in and out of twenty fathoms or riding the east-west line in Area 4 is a predictable strategy among the law breakers. WDFW owes their law abiding constituency the benefit of rules and their enforcement that demonstrably protect the interests of the law abider.

Proposal 9 aligns the spear fish lingcod season with the hook and line season. You may know that anglers' boats are required to keep clear of dive boats by a distance of 200'. This in effect is a 400' diameter circle, which is a distance greater than the distance from the shore to the east bridge pier of the Tacoma Narrows Bridge. On the other side of the pier the water is more than 120' deep, making that area unavailable to anglers if rule proposal 10 is passed. I often fish the Tacoma Narrows Bridge, and Toliva shoal area. Both of these spots are structure fisheries, and the majority of fish are taken from areas that are smaller than 400' in diameter, if you omit the areas that are deeper than 120' as proposal 10 does.

If both proposals 9 and 10 were to pass in many areas, it will be in effect a fishery for divers or anglers depending on who shows up first.

If proposal 10 passes, proposal 9 should not. If 10 passes, the dive and angling seasons should be split in some form.

I'm also in support in requiring the spear fishers to follow the same bag and size limits as the hook and line fisheries. In is common in other areas of the USA with significant spear fishing opportunities (California and Florida) to require both user groups to follow the same size limits.

If the spear fishers are required to follow the same size and bag limits as the hook and line fishers I would support a similar season length for those spear fishers. However it doesn't make sense that the two fisheries would share a common "opening day". Currently, especially in South Sound (MAs 8 through 13) there are limited areas to target ling cod with heavy early season fishing pressure on the more popular locations (break waters, artificial reefs, and know "hot spots"). Given the space that should be given a anchored dive boat to protect the diver's safety if both user groups share a common "opening -day" there is a certainty there will be increased conflicts between the two. As an alternative I suggest that spear fishing season continue with current opening day and add the additional season length to the back end of the season to given both user groups a six week season with a timing separation between the two user groups during the heaviest recreational use.

Thank for your consideration and dedication to this State's natural resources and us users.

Dear WDFW Commission; It was my understanding that lingcod numbers have increased since the current regulations were adopted. If this is true,(as I believe it to be from my own anecdotal observations), then why further restrict the catch? Also applying the slot limit to divers is not very well thought out. It is not realistic or possible for a diver to judge prior to shooting, whether a fish is 35.5 or 36.5 inches long. If this proposed rule were to become law, divers would began "releasing" fish outside the slot limit, just as anglers do, with the obvious difference being these fish would be already

dead or dying. This will happen underwater-unseen, unreported, and without any ability of enforcement to prevent. I expect some divers will keep shooting until they get their legal fish. Game laws should promote conservation, not waste. Please reject this proposal.

I would like to support identical bag and slot limits for angling and spear fishing. Further, I would like to recommend separate seasons for each to reduce conflict. I would also like to oppose the slot limit decrease that appears on page 145 of the rules proposals and was added September 29th well past the deadline. The lingcod population has recovered nicely from where it was a few years ago with the slot limit as it currently is. Lingcod are also a much faster growing bottom fish species. Lastly, the lingcod season is very short as it is, I see no reason for this proposal.

I am both an angler and a spearfisher of Lingcod. Before I became a diver, I believed (as most anglers do) that spearfishers are "cheating" in some sense, and that hunting Lingcod with a spear is easy and a "sure thing". This is not the case. Divers are limited by physics (maximum depths and dive times) and by conditions (heavy current, cold water, rough surface, poor visibility). Anglers are not so limited. I have on many occasions finished my dive with no fish to show for myself, while the anglers aboard reeled in keepers. Sometimes the results are reversed. Most days, everybody gets a fish because this is a stock which I feel has been well managed of late.

Why do I choose to spear Lingcod when I can? I enjoy diving, and I find the balance of physical exercise and exertion against the calories I get from the fish to be a healthy one. In addition, anglers often take rockfish as bycatch (or release them with high rates of mortality), while spearfishers can be selective about their targeted species. Spearfishers are also brought directly into contact with the marine environment, where they observe and learn much about habitat, fish populations etc – I believe that has value. A diver sees objects underwater with a magnification of 125% to 133% depending on mask placement and distance from the subject. Distance and object dimensions are extremely difficult to estimate with any accuracy. I have been spearfishing for four years, and I log around 125 dives in this region annually – many of which are logged as REEF surveys where I report Lingcod observed. I think that I have as good an ability for underwater Lingcod size estimation as any other experienced spearfisher. This past season I speared a Lingcod around 33" in length and weighing roughly 12lbs – a few days later I took a fish which I thought was perhaps very slightly bigger – back on the boat it was measured as 39" and 23lbs. When you combine the magnification effect with turbid water, darkness, fish which are moving or obscured by structure, you must conclude that abiding by a slot limit is very difficult for spearfishers.

My observations lead me to believe that the proportion of Lingcod recreationally harvested by spearfishers is small compared to those harvested by anglers. If only 1% of that small proportion are fish over 40" in length, how much difference will be made to the age distribution of the Lingcod by setting this upper limit? The relative scarcity of such large fish and the tendency for overestimating fish size (due to magnification) mean that this upper limit will rarely come into play. On the other end of the scale, the lower limit will often be an issue – newer divers are especially prone to overestimating size of fish – so are the many spearfishers who only dive the few days a year when they can take Lingcod. Since far more fish are encountered at or under 26" in length, many spearfishers will find themselves with an undersized fish dead on their speartip. What will they do? The options would seem to be to get rid of the evidence (discarding it and optionally shooting another fish), or if you have too much respect for the resource, you might decide not to waste it. The proposal names reduced spearfisher harvest of small fish as a goal – yet I feel a slot limit will encourage spearfishers dealing with underwater magnification to seek out fish in the smaller end of the range to avoid exceeding the upper limit. This rule cannot be adequately enforced, and it will breed resentment toward the regulations among people who presently have much respect for the resource. A slot limit on spearfishers promises to make very little positive impact on size/age distribution, and would almost certainly have many negative repercussions. The late addition of a reduced slot size of 26" to 36" would only exacerbate all the issues mentioned above – it would also result in much more catch and release by anglers, and more time with gear in the water – that means more Rockfish bycatch.

As to setting spearfishing seasons to match those for anglers, I am personally quite happy with the seasons as they stand. Both the scientific data and the anecdotal evidence from my diving observations suggest that the Lingcod population is not crashing (though perhaps on a downturn due to increased pressure and the lack of another bumper recruitment of a popular food source Puget Sound Rockfish) in Washington waters, that we have a population from which to manage a sustainable resource, and that the real concern is angler bycatch. I understand that increased pressure and changing conditions might warrant minor changes in the existing regulations – please consider minor variations in season length for anglers as the most effective means to make corrections as required.

My name is Richard Colman. I own a home and operate a small RV park located in Sekiu, WA. I have grave concerns about the proposals set forth for the management of rock and bottom fish, particularly as it pertains to area 5. I have represented the Clallambay, Sekiu Chamber of Commerce at the North of Falcon process for several years. I have been closely involved with at least some fishery management processes. Understandably, I would like to address the proposals in an order that is of most importance to area 5 and our community.

To even consider the same seasons and limits, especially size limits, is totally unreasonable and without merit. It is complete fantasy to believe that a diver can estimate the length of a Ling Cod within an inch. Then what happens when he or she makes an honest mistake of an inch, how many of those will occur? Many I am sure.

I support identical bag and slot limits for angling and spear fishing. Further, I would like to recommend separate seasons for each to reduce potential conflict. I know it will be difficult to identify the proper size of the fish by divers, however reducing the taking of fish less than 26" by divers will allow for a more mature population.

I support identical bag and slot limits for angling and spear fishing. I recommend separate seasons for divers and anglers to reduce conflict.

The Anadromous and Marine Resources Sportfishing Advisory Group (Group) reached a consensus position on Proposal #9 - Ling Cod Rules:

The Group OPPOSES overlapping the lingcod season for sport anglers and divers due to gear conflicts. Boaters are mandated by the Coast Guard to stay 200 <?> yards from a dive boat. Lingcod live in very specific and limited habitat. By overlapping hook and line season with spearfishing the commission effectively PRIORITIZES spearfishing over hook and line.

As president of the Charterboat Association of Puget Sound (CAPS), I am submitting these comments for our Association on the proposed rules.

Rule #9 Lingcod Rules : CAPS is suggesting no change in the lingcod rules from the current seasons and size limits.

My name is Chris Mohr. I have owned and operated Van Rippers resort in Sekiu for the past 27 years. Sekiu has had a fairly restrictive season on lingcod for many years. During this time I believe the stocks have made a fair recovery. I strongly believe our lingcod stocks can not make any further recovery unless you stop the bottom dragging that occurs in the western Straits of Juan de Fuca. It seems ridiculous for the commission to request more regulations on lingcod from the sport fishing community on one hand, while on the other hand you allow a nondiscriminating bottom dragging fishery to continue business as usual. The very fish we are releasing ie: the fish over 40" and under 26" are being landed by the dragers.

With the current concerns over rock fish populations, is a reduction in the maximum size of lingcod (predominately females) warranted when large lingcod can be considered a potential predator of rockfish populations? (50 e-mails)

Make fishing for lingcod season from April 15 through October 31. Length=26 in to 40 in. Limit daily =2. For Marine areas 5,6,7,8-1,8-2,9,10,11,12,13.

Comments from Public Meetings:

Mill Creek

One person at the Mill Creek meeting was concerned with the wording in the mailout that states that only 1% of speared lingcod are over 40" in length. His thinking was that, with no size limit, most people would spear the biggest fish they could. So if very few over 40" were brought in, then there are not many of these fish left. He stated that we are being reactive rather than proactive. He was in support of the proposal to drop the maximum size from 40" to 36, as the big fish have more eggs. He stated that a 40" fish is 12 years old, and most don't live past 17 or 18. Saving the big females would provide a huge benefit to the population.

One spearfisherman stated that the idea of a slot limit for divers is not wise. We should leave the rules as they are, with the shorter season for divers, but no slot limit. During the current 3 ½ week season, visibility is usually not more than 10-15 feet and often you cannot see the entire fish. The slot limit for divers encourages wastage, because divers will not keep fish outside the slot that they have mistakenly shot. Those fish die, of course. It is naive to think that this proposal is a good one.

One person noted that he sees lots more lings now than 10-12 years ago.

Another person noted that Florida and California, both states with large population of divers, have some sort of length restrictions on these fishermen.

One person stated that he doesn't know what the size distribution of the ling cod population looks like – most of the fish he sees harvested by divers are no larger than 26."

One person stated that 5 years ago there were lots of fish from 30-40" being harvested – now the catch is much smaller fish – it is human nature to take the biggest fish you can.

Port Angeles

One person asked why the different minimum size in the ocean and inside Puget Sound? They should be the same. Why is there a slot limit inside and not outside? What's good enough for one area is good enough for the rest.

One person noted that the concept of protecting all the large lingcod is flawed if you want to increase stocks of yelloweye and other rockfish. Lingcod grow quickly and are voracious predators. In Florida they found this out with the goliath grouper. These fish grew so fast and ate so much they turned some areas into a "desert." We should increase the upper end of the slot limit for lings and get the bigger fish out.

Olympia

Slot limit for divers – how do you measure a fish? This is a big problem.

Modification: Apply the slot limit to spearfishers, but to avoid creating more conflicts between gears, leave the seasons for anglers and spearfishers as they are.

Staff Recommendation: Adopt as modified.

NEW PROPOSAL 9A

Proposal: This proposal would change the upper size of the slot limit for lingcod from 40" to 36".

Explanation: Currently, in marine Areas 5—11 and 13 only lingcod between 26" and 40" may be retained by anglers, and there is no size limit for spearfishers. The Department has proposed to apply the same slot limit to both anglers and spearfishers. This additional proposal would change the slot limit to 26" to 36" for both groups. This additional change will afford extra protection to female ling cod, because these fish mature later and at a larger size than the males.

Testimony:

Why change the angler upper size limits downward using the rationale that there were no size limits for spearfishers?

How does a spear fisher measure a ling cod before it's speared? It's hard enough when fishing with hook and line. Leave the 40" limit in place for both types of fishing. In Area 5 the number of younger ling cod (under the min. size limit) is astounding. Your management seems to be working; why use some generalized biological statement to reduce potential catch? Question - I just noticed that in your response to comments you specifically said that the current size limit is working. Why the change or did I miss something?

If you go with the reduced maximum size - **allow the Ling cod season to run until June 30th** to cover the lull in sport fishing opportunity until salmon fishing starts. I can't believe the extra 2 weeks would have a negative effect on the population especially in Area 5.

1) My qualifications: Over 1630 logged SCUBA dives.

Recreational "professional" certification of Dive Master Completed Instructor training and taught no less than 3 "open water" (beginning) SCUBA classes. I estimate well over 50 (maybe 100) spearfishing dives.

2) It is VERY difficult for a SCUBA diver to accurately estimate the size of a fish before spearing (killing) it. Even with my extensive experience I can misjudge by 3 or 4 inches, especially on the first spearing of the season. According to the rules (it appears to me) the dead fish must be tossed out, and then another may be killed that "might" be legal length. Divers have been limited to 1/2 (approx?) the days of rod/reel fishing in the Puget Sound. It seems to me the size should be cancelled for divers.

I support this proposal.

The SeaDoc Society states: Regarding the aligning of the seasons and slot limits for spearfishers, this is fair for both classes of recreational harvesters. The proposed rule to decrease the upper slot limit from 40" to 36" is a good one and we fully support it, especially in light of it affording extra protection to female ling cod. Respecting ecosystem integrity is a well accepted ecological principle for designing healthy ecosystems (Gaydos et al., 2008. Top Ten Principles for Designing Healthy Ecosystems like the Salish Sea. *EcoHealth* 5:460-471). An intact ecosystem has a complete suite of species and a full range of size and age classes of each component species, which includes the need to protect healthy adult female lingcod.

9A Agree, Some areas should be closed entirely.

See Salmon University and guide fishing off La Push. He continually brings in 35# Lings and fails to understand taking a picture and releasing them. I would curtail his and commercial fishing for them.

Why don't you just close all fishing and hunting. I can't believe that you're even suggesting such rules and regulations. I'm a diver and would like to know who thought up of such a thing as any size restriction for spear fishing. What would I do if I shot too large of a ling cod, simply let the dead fish go! I've already changed my fishing from Neah Bay for halibut and salmon. I started going to Canada where sportsman are really welcome and not just gouged from our pocketbooks.

Do not agree with changing slot size. Where is the data to support the change is required and what are the corresponding commercial restrictions to harvest?

I would like to know why we are getting additional proposals after the proposal period has closed. This seems to me to be a violation of the process that is currently in place. I for one am against all of these additional proposals.

I have some serious concerns regarding the (three new) proposals and do not support any of them.

I am concerned that this proposed slot limit reduction will create such a narrow slot as to make catching a legal to keep ling more difficult and may not be necessary if the Commission passes the proposed rule preventing bottom fishing in depths beyond 120 feet.

In its own explanation for the 120 foot rule WDFW states that it is to protect rockfish from incidental catch by those fishing for ling and sole. I frankly do not know of anyone who fishes for sole at those depths but certainly ling. If the 120 foot depth limit is passed it would seem that such action would create the protection needed for large, breeding females throughout most of Puget Sound.

Alternately, pass this rule and forget about the 120 foot depth limit.

Imposing both rules at once would seem to be unnecessary and not supported in the explanations by any "science" and would, together, represent a serious loss of recreational opportunity.

And while it is not in these proposed rule changes it would be a positive action to include ling on the catch record card to provide actual data to WDFW and to reduce the incidents of multiple limits being caught on the same day.

As a scuba diver and a spearfisher my experience has been that size is hard to determine due to the distortion effect of the water. Also lingcod live in a rocky habitat and many times the only part of the fish that is visible is the head area. These two factors make size judgements next to impossible which I believe will lead to a choice to discard a fish which is outside the slot limit. In addition I believe that leaving the shorter season for spearfishing is a better choice since spearfishing tends to be a more efficient method of harvest and has a faster impact on the fishery than hook & line.

With the current concerns over rock fish populations, is a reduction in the maximum size of lingcod (predominately females) warranted when large lingcod can be considered a potential predator of rockfish populations?

I'm in support of the change in the slot limit size. Increasing pressure has resulted in an apparent decline in large females (witness that current in the spear fishing take only 1% of the fish were over 40 inches). This change will reduce the harvest exposure of the females (of the lingcod over 36 inches all are females) in the population by approximately 2 years. This in turn should result in once again seeing more larger females in the spawning populations.

I request that the Commissioners deny this request for Lingcod and refer the concern to the Puget Sound Rock Fish Conservation Plan as part of the comprehensive plan for the Puget Sound. This is a current developing plan and includes potential concerns about Lingcod as a predator of potential listed Rock fish.

While the proposed rule has its merit, preserving large females increases the potential quantity of predators attacking both juvenile and adult Rockfish. Save the predator kill the ESA fish! That really makes sense. This is one for the research projects and again I question the thought process behind the rule change.

Besides how many divers are going to ask the Lingcod to hold still while he measures the fish.

#9. Lingcod Rules Proposal: This proposal would change the upper size of the slot limit for lingcod from 40" to 36".

Explanation: Currently, in marine Areas 5—11 and 13 only lingcod between 26" and 40" may be retained by anglers, and there is no size limit for spearfishers. The Department has proposed to apply the same slot limit to both anglers and spearfishers. This additional proposal would change the slot limit to 26" to 36" for both groups. This additional change will afford extra protection to female lingcod, because these fish mature later and at a larger size than the males.

I'm sure there are similar other questions and concerns, but it is amazing again how fragmented the development process is within the WDFW.

Ken Kumasawa

Anadromous Fish And Marine Resources Sports Fishing Advisory Group Member

My name is Richard Colman. I own a home and operate a small RV park located in Sekiu, WA. I have grave concerns about the proposals set forth for the management of rock and bottom fish, particularly as it pertains to area 5. I have represented the Clallambay, Sekiu Chamber of Commerce at the North of Falcon process for several years. I have been closely involved with at least some fishery management processes.

Understandably, I would like to address the proposals in an order that is of most importance to area 5 and our community. Proposal 10 A....allowing spearfishing back into area 5.

I would like to first remind the commission of it's past values and policies addressing Fair Chase and Equal Opportunity. I attended a commission meeting when the use of Robo Duck decoys were addressed. It was decided then by the commission that the Robo Duck decoys exceeded fair chase guidelines as well as giving one user group unfair advantage over another to a wildlife resource. Spearfishing falls well within both categories.

It is undisputed that spearfishing has a very distinct advantage over other sport fishing methods. It has been challenged many times in the past as far as fair chase. To swim up to a fish that is not overly afraid of you and spear it, in my opinion, does not fall into the valued guidelines of fair chase. I strongly believe proposal 10 A has more than a taint of unfair chase and certainly deserves and award for unfair advantage.

From Neah Bay to far east of Sekiu the beaches are lined with heavy growths of kelp and other seaweed. These, shore to the outer line of kelp, are virtually inaccessible to both boat and beach hook and line fishing, but, is also considered home to most all shore dwelling fish at some point and time. These kelp lines create a "natural" safe haven and spawning area for many non migrating rockfish and bottom fish, a "natural sanctuary". If spearfishing is allowed back into area 5 these sanctuaries are gone. Divers access these kelp lines quite easily and over time reek havoc on local fish populations dwelling there.

In the mid 90's we had a spear fishery in area 5. I have had many of those divers stay in my park. I have also witnessed the many ice chests of rock and bottom fish that they have harvested. These fish came from as close as Sekiu Point and all came from outer kelp line to beach. I have personally watched many of them beached at Sekiu Point, more fish than I ever realized lived there. I envied them of course, but at the same time I recognized this harvest rate would be unsustainable for non migrating fish. It also made me realize that some creative management was necessary to prevent over harvest. In those years I did communicate with the WDFW about creating sanctuaries. Possibly there is some record of this?

Spearfishing for the most part is done in a narrow corridor that is from 25 to possibly 300 feet wide along a beach, not unlike a river containing fish that do not migrate. This is very similar to gill netting in a river, but in kelp, the gill nets (spears) move. Over time, they will eventually spear them all from east to west. Most of these fish are there day in and day out over years, their entire lives. They do not try to escape, nor do they have another place to escape to. Spearfishing is very efficient but is also very lethal, there is no catch and release option. Size limits for spearfishing is not within good logic and it is unreasonable to propose them. I am sure this good reasoning and logic was used to regulate area 4 spearfishing which is without size limits and which has served poorly.

Under this pretence, if this proposal is adopted, I feel there should be at least protected areas, "no kill zones", for spearfishing for some designated distance around all identifiable rocky points and outcroppings in both areas 4 and 5. Let these become the "Divers World Class Observing Sanctuaries of Tomorrow". If this is what the diving community desires, let them create them, but not at a cost to other fisheries.

I would also like to oppose the slot limit decrease that appears on page 145 of the rules proposals and was added September 29th well past the deadline. The lingcod population has recovered nicely from where it was a few years ago with the slot limit as it currently is. I do not see the scientific need for the reduction.

I oppose the lingcod slot limit decrease that appears on page 145 of the rules proposals and was added September 29th well past the deadline.

This is a letter of support to reduce the maximum size for lingcod retention from 40 to 36 inches. I believe these large females that are just entering their most productive spawning potential need more protection. Also, hook and line and dive or spearfishing seasons should be kept separate for the benefit of both user groups. Spear fishers should have the same size restrictions as line fishers for the benefit of the resource. I do not believe that the stated information in the proposal that "lingcod greater than 40 inches account for less than 1 percent of spearfisher harvest" is at all accurate. If it is, this user group would not be giving up much harvest opportunity in order to conform to size restriction rules important for conservation.

With the current concerns over rock fish populations, is a reduction in the maximum size of lingcod (predominately females) warranted when large lingcod can be considered a potential predator of rockfish populations? (50 e-mails)

Staff Recommendation: Adopt as proposed.

#10. Rockfish and Bottomfish Rules

Proposal: Due to conservation concerns for rockfish species throughout the state, the Department is proposing several changes to the recreational rules for rockfish.

- 1) Marine Area 4 (east of the Bonilla-Tatoosh line) to 13 – closed to the retention of bottomfish in waters deeper than 20 fathoms (120 ft);
- 2) Marine Areas 6- 13 – closed to the retention of rockfish;
- 3) Marine Area 4 (east of the Bonilla-Tatoosh line) – daily limit is 10 black and blue rockfish combined. No other species of rockfish may be retained. Marine Area 5 – daily limit is the first black or blue rockfish caught, except west of Slip Point the daily limit is the first three black or blue rockfish caught. No other species of rockfish may be retained. ~~Spearfishing for rockfish of any species is not allowed.~~ (see new proposal 10A below)

Explanation: The intent of these proposals is to provide increased protection from harvest for rockfish in Puget Sound. Populations of several species of rockfish have been in decline and the Federal Government has proposed that three species of rockfish be listed under the Endangered Species Act; two species (canary and yelloweye) as threatened and one species (bocaccio) as endangered. Additionally, the anatomy of rockfish causes high rates of mortality for fish which are brought to the surface from depth and released. These fish suffer internal damage and death due to expansion of their air bladder. To provide the needed protection, it is necessary to reduce the number of rockfish retained by anglers and to reduce the number of rockfish brought to the surface from depth and released.

The current daily limit for most species of rockfish during open seasons in Puget Sound is one fish (with a larger daily limit in the west end of Area 5 and no retention of canary or yelloweye rockfish allowed anywhere in Puget Sound).

However despite the low limit, approximately 13,000 rockfish are caught and retained annually by anglers in Puget Sound. The majority of these rockfish are caught by anglers fishing for bottomfish such as lingcod and sole.

The Department is also proposing the prohibition of retention of all bottomfish caught in waters deeper than 120 feet. As with the other proposals it is designed to minimize the capture of rockfish from deep water. Salmon fishing would continue to be allowed in deep water but any bottomfish caught during deep water fishing would have to be released. Fishing for bottomfish such as lingcod, soles, flounders and greenling would not be allowed in deep water. However opportunities to fish for these species in shallow water (less than 120 feet) would continue.

These proposals also represent a stepped approach to the management of rockfish in Puget Sound. This stepped approach allows higher rates of harvest of black and blue rockfish in the far western end of the Strait of Juan de Fuca, a lesser harvest in the area near Sekiu and no harvest in the remainder of the Sound. The stepped approach follows our knowledge of rockfish abundance and biology and allows harvest when appropriate.

Testimony:

Please do keep the pressure on to decrease the rockfish take. It seems to be starting to make a positive difference.

Way behind times. San Juans should be used as a hatchery but you must control commercials. Most of us go to BC.

Your ideas to allow fishing for bottom fish only to 20 fathoms is exactly what is wrong with the fishery. I fished for years off of San Juan Island and saw hundreds of charter boats all fishing in those depths. They took nearly every fish out of shallow water they could get and then the people wonder why there aren't any fish there. you don't have to be a fish biologist to figure that out!! Over fished for years allowed by the dept. of fish and game. We always fished deep water as not many anglers are set up to do that and don't bother with tide or current charts.

Taking fishing away from all because of careless others is not the way. We took daily limits that were allowed, but we fished 3,4,5,600 ft and NEVER had another boat around us. I'm sure i could go back there today and still catch the same number of fish.

Allowing everyone to fish at that depth will keep the populations of fish wiped out period. I saw first hand how that works and they got fished out.

In today's Peninsula Daily News fishing report, I was shocked to read about the Commission's proposal to change the present rockfish regulations.

In my 72 years, I have fished extensively across the North American continent with a major focus on the Strait of Juan de Fuca. My professional background includes marine biology, ecology, sportfishing consultant and fishing lure designer for several tackle manufacturers including Luhr Jensen and Rapala.

I am unaware as to the methods and locations related to the Commission's study on rockfish populations. However, I can take any Commission member out fishing and guarantee them over a hundred rockfish, up to 5-8 pounds, in water less than 60 feet. In many cases, the water is less than 20 feet in the Port Angeles # 6 area. Vertical jigging, and casting, metal jigs (Crippled Herring & Kandlefish) in kelp beds will result in non-stop fishing. The rockfish, many times, became a nuisance while salmon fishing along the kelp in August.

My experience has shown that the black rockfish populations have soared in the middle and western Strait in the last five years. Neah Bay continues to be a rockfish-producing factory and I'm catching rockfish in areas that were previously unproductive near Port Angeles. Beside rockfish, I'm seeing a dramatic resurgence of lingcod and Pacific cod in the past two years. I witnessed 6-8 inch lingcod by the thousands in the 15-foot shallows west of Freshwater Bay in August. Last year's schools of 4-6 inch Pacific cod have now reached 13-15 inches. Vast schools of herring and anchovies are providing abundant feed for our juvenile and mature fish populations which bode well for the reproduction processes of all species.

As a lure designer, a healthy fishery is critical for our financial survival in the corporate world. We spend an inordinate amount of time on the water, not only fishing and testing but also studying the surrounding fishery environment. Devoting the time and knowing where to look can reveal the state of our fisheries that are sometimes easy to miss.

Ironically, in very recent discussions with my peers, I stated that, "the rockfish populations are so strong that I can see an increased limit for black rockfish in the near future".

In closing, at least please keep a status quo on rockfish regs for the mid and western Strait of Juan de Fuca. On a bad day of salmon fishing, or when the wind comes up, a family can still find protective refuge and enjoy the fight of a rockfish or two. That way, the trip is not a total loss and your license revenues won't take a hit from frustrated anglers.

Many first time saltwater anglers and youth anglers get their first saltwater opportunity by catching rockfish or lingcod. I am against closing the rockfish season in areas 6-13 as provide a little bit of opportunity close to metro areas. The low rockfish numbers can be traced to many factors including bottom trawling in the 70's and habitat destruction that it caused, drastically increased seal and sea lion populations, pollution and fishing pressure. The current daily limit is one fish. This limit already means that very few anglers make a trip to target rockfish, but rather catch them incidentally while targeting lingcod. Don't take away this vital opportunity for fishing close to the metro area. The department really needs to focus on new habitat through a series of sunken reef projects that have worked wonderfully in other states. There are many private groups that are willing to help with these projects.

I am also against the 120' depth restriction for flounder, lingcod and greenling in Puget Sound. Many of the best lingcod spots are in deeper water or on shelf edges with depths over 120'. The open season is so short already that the pressure from anglers in water deeper than 120' is minimal. This rule is not needed. (3 identical e-mails)

I often fish for bottomfish out of Bellingham in the San Juans and was disappointed seeing that it has been proposed that rockfish will not have a season for the next year. In our outings we have found an abundance of copper rockfish as well as greenling and lingcod.

While fishing Point Lawrence(northeast corner of Orca's island), I have found the area that used to be teeming with bottomfish to be pretty fished out. Other places are very well populated and easily produce fish. This weekend there were seals everywhere, 30+ all around us, gobbling fish. I'd say that the seals are easily eating as much fish as fishermen catch.

I would prefer to see a shorter rockfish season with 20m depth limits, while maybe an information page in the new booklet about why and how to release them successfully (my wife is a biologist and has explained me all this).

I disagree that the rockfish are in a great decline, but what has happened is due to the fact that they are not migratory, area's get fished out and then everyone thinks they are gone. It may come down to having rotating closures of bottomfish hotspots which will need to be identified and assessed. Allowing depleted areas a couple years to rebound with a closure, while plentiful areas of fish would be open, provided they are fished less than 20m deep.

I'd be willing to provide more information and study results I have found if you care for them.

This is a very calculated regulation proposal driven by an interest to not impact fisheries, especially the charter boat industry. The proposed rockfish rules do absolutely nothing to preserve and protect rockfish in Neah Bay or along the outer coast down to Westport. The primary depths that all rockfish fishing occurs is inside of 120 feet of water. The REAL ISSUE that needs to be dealt with is harvest limits. We should not continued to side step of the real issues by placing limits on the periphery of the issue and making it look like we did something important. This regulation proposal will protect virtually no fish because very few are caught incidentally by salmon fisherman in waters deeper than 120 feet, and virtually no one fishes for rockfish specifically in water deeper than 120. The majority of rockfish fishing occurs in 50 to 100 feet of water. So this is a regulation that does nothing. Lastly, there are very few rockfish east of the Bonnilla Tatoosh Line to Neah Bay and Sekiu compared to historical levels. So why is the stepped approach allowing additional harvest in the Neah Bay area. This is ridiculous and an insult to the conservation ethic that the commissions for some reason thinks Phil has. You are being slighted. Harvest limits must be reduced significantly.

I support non-retention of rockfish in Areas 6-13

I believe the contiguous Areas 4 and 5 (Items 3 and 4) will create an environment of risk taking. Item 3 should be defined as East of the Bonilla Tatoosh line to Sail Rock, to provide a buffer zone between Area 4 and 5 as is done during salmon season.

A maximum depth restriction of 120 feet during the Area 4, Areas 5-13 lingcod season (6 weeks) should not be imposed and will actually be helpful in enhancing rockfish recovery. The small impact on rockfish, during the lingcod season, will be more than compensated for by removal of large lingcod, the major rockfish predator whose populations are doing well, from a greater area. (see Proposal #8 comments).

The proposed changes in recreational rules for rockfish angling for the 2010 – 2012 fishing seasons are well-intended.

The proposals do not, however, go far enough in protecting at risk rockfish species, and they may yield near the current mortality level of 13,000 fish. This is neither acceptable nor sustainable. Please consider the following difficulties.

1. **Incidental take without retention:** The Department correctly points out that there are high rates of mortality for rockfish brought to the surface from depth. This means that **while retention of rockfish in certain areas is not allowed, mortality of rockfish could be nearly as great** if fishing pressure continues at the current level. As long as anglers can fish for lingcod, sole, flounder, and greenling in Areas 6 – 13, the problem of rockfish take is not adequately addressed.

2. **Difficulty (impossibility?) of a targeted bottomfish fishery:** As the Department notes, currently **most of the estimated 13,000 rockfish taken are caught by anglers fishing for lingcod, sole or other bottomfish** that will continue to be harvested. How will the proposed changes in rockfish harvest change the actual numbers of rockfish mortality if the majority of anglers who currently catch and retain rockfish aren't targeting them? Nothing in the rule changes addresses this problem.

3. **Adequacy of the Department's rockfish mortality figures:** The Department estimates that approximately 13,000 rockfish are caught and retained annually. Even if this estimate is accurate, no figures are given for the mortality of rockfish taken from depth and released. While the 13,000 fish retained annually may be a reasonable estimate, the actual mortality of rockfish is almost certainly well above that figure. How will this situation change with the proposed rockfish retention closures in Areas 6 - 13?

4. **Age structure in rockfish populations:** The Department should focus attention on protecting large, older, female rockfish in the several endangered, threatened, and depleted stocks. Some rockfish species, including those recently listed, plus quillback and copper rockfish, can attain impressive life spans, with longevity varying from 50 to 100 years or more. Further, unlike many faunal forms, the older, larger female rockfish become more fecund as they age. They are critical to ensure greater numbers of offspring, and, ultimately, an increase and recovery of the species. **Nothing in the proposed rule changes protects these females from inadvertent take.**

5. **Enforcement of the new rules:** The Department is woefully understaffed in its enforcement capacity. This is **not** a reason to forego implementing new rules, which provide increased protection for rockfish. Still, it must be considered in assessing what benefits will accrue from rule changes. In that regard, please consider the following recommendation. While the Department's intention is to recover a variety of rockfish species, there is no mention in the proposed rule changes of the one management approach that is likely to initiate this process – the creation of multiple Marine Protected Areas closed to all rockfish and bottomfish angling.

We fish for rock fish off of the Northern San Juans and could catch five an hour per person. We feel that the current regulations are strict and sustainable. We do not feel like there is any reason to close this area to rock fish. We live in Bellingham and can barely fish for Ling cod (the season is so weather torn and short), have a slim chance of catching salmon, rock fish are some of the only fish we are able to fish for and catch for a reasonable portion of the an already short and heavily regulated season. Get rid of that...why buy a saltwater license up here?

I would like to comment on the proposed changes regarding item #10 rockfish & bottom fish for region 7. I completely agree with the need to protect this fishery and implement rules that will reduce the number of rockfish brought to the surface & retained. Living in Bellingham, I have been able to enjoy this fishery, while respecting the species, habitat, and DFW rules that are in place to protect it. Loosing this recreational opportunity would be very disheartening and would unfortunately punish those that have been tapping into this fantastic fishing opportunity responsibly. I hope that DFW decision makers will consider alternatives to the proposed complete restriction, and implement a rule that conserves the rockfish species, deters activities that stress the population, while allowing responsible anglers to fish for this amazing species.

Unfortunately I have experienced the "dark side" of irresponsible bottom fishing. Just off of Matia Island, I observed a fellow angler drag a rockfish in the water from his boat and ultimately release the dead fish after he decided which ones he and his son were going to keep. This was appalling. My two friends and I went to the floating dead rockfish (gorgeous of course), kept it as our third rockfish, and ended our day fishing. Sadly, I would not be surprised that there are many more examples of negligent bottom fishing occurring in Puget Sound.

I do support the prohibition of fishing in deeper waters (>120'). Bringing rockfish to the surface from deeper waters guarantees damage and death. I assume that this is a large contributor of the 13,000 rockfish caught and retained in Puget Sound. In addition to this prohibition I have listed other restrictions that could be implemented in region 7 to conserve this population-shallower fishing prohibitions (100', 75', 50', ...) -shortened season -season that matches the ling cod opening -restricted days of the week (like crab) -heightened penalties for breaking rules

Please reconsider the proposed rule change that would close rockfish in region 7. I truly enjoy this fishery more than any other in our state and would appreciate the opportunity to continue fishing for rockfish responsibly. Thank you for considering my comments.

I support this regulation. We are not seeing any increase in rockfish under the present fish regulation.

i have been fishing marine area 7 for 20 years...i am disappointed in the size and quality of rock fish lately...i would support a partial closure of rock fish in order to preserve the future fishery...especially if there was a slot limit similar to ling cod AND if the open season for rocks was not at the same time as open season for lings. that way there could be an open season/slot limit of open fishing that did not overlap on the calendar...i am an advocate of catch and release anyways and to have a slot limit of nice big fish and open seasons that did not overlap would give us more opportunities to go fishing for something worthwhile.

This would ELIMINATE halibut fishing in almost all of the Straits and Puget Sound, as almost all of the best water is deeper than 120 feet, unless it is re-written to specifically allow halibut fishing in water deeper than 120 feet. This would be a terrible blow to small boat owners who can't fish in the ocean, and the communities along the Straits who depend on early halibut seasons for tourist dollars. Re-write to allow halibut fishing at any depth.

Proposed Fishing Restrictions in Puget Sound These appear to be a good start. We need a management plan that will allow some harvest in the future, without depleting the populations to the level that requires closure. I fully support these changes.

I support small rockfish limits in Area 5.

Regarding the subject of bottom fish closures outside a certain depth, specific to certain species, is a joke. A classic example is the wasting of yellow eye and canary species during halibut season. We typically fish at depths of 300-600 ft. This year we hooked about 15-18 beautiful yellow eye and canary cod. I completely understand and agree with trying to protect them but during our extremely shortened halibut season wouldn't it just be better to let us keep the fish? As you know there is no effective way that I am aware of, to get them to be able to swim down after their bladder distends. It is horrible to leave them float. This is great dinner fare, they're going to die anyway, so to stay "legal" we just watch the birds peck at them while they are trapped on the surface. This is a ridiculous solution. I guess if you're going to continue to play hardball and not let us keep them during the few days of the year halibut is open the only option is to close halibut as well.

I am a resident of San Juan county and an avid salt water sport fisherman.

I want to oppose the following proposals for rule changes.

One proposal calls for "prohibiting retention of rockfish in marine areas

6 through 13". I have fished for rockfish in area 7 for over 20 years, and I have not seen a reduction in the rockfish population in areas that I fish - this is based on my ching of rockfish in the same places over these 20 years. I am concerned that a prohibition will simply mean that when I catch a rockfish, which often occurs for example when lingcod fishing - I would have to throw the fish back into the sea - rockfish have swim bladders and are usually dead or near dead when brought to the surface...so I view this proposal of prohibiting retention as a terrific waste of edible fish.

Are Halibut included in the categories of fish which could not be caught in waters 20 fathoms plus
Some of the comments seem to indicate they would be included.

I have fished lingcod and rockfish for 20 years in the puget sound. In the last 5 years i have cought more rockfish than greenling which i used to catch about 10 to 1. If you target lings you wont catch rockfish. I also only fish for lings in depths of 140-200 feet and never fish shallower than that. Therfor i do not support the rule changes. Thanks for taking the time to read my comments

These proposals will have a devastating effect on local economies, sport fisherman's confidence in the state, and will not accomplish the goals of your management plan.

I am strenuously opposed to a blanket closing of Rock Fishing. I live on Port Susan Sound & even though I don't fish often, I usually catch one when I try.

My name is Mark Imel and i'm a fishing hobbyist. I didn't grow up fishing, in fact i've only been fishing about the last 6 years or so. However, it is one of the the most spectacular things that me and my son get to do together (he's eight years old). While my wife and daughter like to fish as well, it is my son and i who have really 'caught the fever'.

I'm writing to express my deep concerns over the many proposed fishing restrictions that seem to be coming for 2010. If the bottom fishing restrictions are passed, my son and I will have virtually no opportunity to fish. I can't tell you how crushed we would both be. I understand the need for conservation, but I'm sure that recreational fishers like my son and I can't possibly be warranting the wholesale banning of fishing that I've been reading in the proposals. Please take into account the many simple, recreational fishers in Washington like my son and me when you commit the 2010 fishing plans.

I support this proposal.

The SeaDoc Society states: (1) Marine Area 4 (east of the Bonilla-Tatoosh line) to 13 – closed to the retention of bottomfish in waters deeper than 20 fathoms (120 ft); (2) Marine Areas 6- 13 – closed to the retention of rockfish; (3) Marine Area 4 (east of the Bonilla-Tatoosh line) – daily limit is 10 black and blue rockfish combined. No other species of rockfish may be retained; (4) Marine Area 5 –daily limit is the first black or blue rockfish caught, except west of Slip Point the daily limit is the first three black or blue rockfish caught. No other species of rockfish may be retained. spearfishing for rockfish of any species is not allowed.

Over the last decade, the SeaDoc Society has funded and conducted nearly \$700,000 in scientific research on the status, biology and recovery of rockfish in the inland waters of Washington and British Columbia. Since at least 2002, 13 species of rockfish have been candidates for listing by Washington State (Gaydos and Brown. 2009. Species of concern within the Salish Sea Marine Ecosystem: changes between 2002 and 2008. *In* Proceedings of the 2009 Puget Sound Georgia Basin Ecosystem Conference, Seattle, WA, February 2009). Increased harvest restrictions, including the one per day limit, have failed to recover rockfish populations. Therefore, more stringent measures are needed to restore rockfish, both for the ecosystem services they provide as well as for future recreational fishing opportunities. We strongly support proposals 1, 2, and 4. Regarding the daily limit of 10 black and blue rockfish in Marine Area 4 east of the Bonilla –Tatoosh line (Proposal 3), we would like to see data presented that support that this level of recreational fishing pressure is warranted and that WDFW will be actively monitoring harvest to ensure that it is sustainable.

Being a scuba diving spearfishing person, I can tell you that Proposal 9A, changing the size limits of lingcod to 26"-36", is not a welcomed change. First, items look bigger underwater. That is not a wives' tale. A scuba diver may think he or she is shooting a 26" ling, when in reality, after having shot it and brought it up, it's only 23" or 24", maybe even 20". And it's not like we can unspear it and set it free. It's been shot; it's more than likely dead. And the same holds true for the larger lingcod at the upper limit. I may think I'm shooting a 36" ling, but when I bring it up and measure it, it's 38".

Proposal 9A would mean there will be a lot of bigger/smaller fish shot under the pretense that they were of legal limit, only to surface with a fish that's doesn't meet the requirements. Then what? Take it off your spear, throw it back into the water where it will become fish food, only so the hunter can avoid a possible fine?

Obviously whoever proposed this change and wants it to include scuba divers is NOT a diver. "Spear and release" is not really an option for spearfishing scuba divers.

When will the decision be made? Is there a public forum planned? Scuba diving spearfishermen need to be heard on this issue. I am not a wasteful person and only shoot what I will eat. But this proposal is leaving it open for a lot of mistakes and a lot fines to be issued to scuba divers and has really not been thought out too well by the proposers.

It is my experience that rockfish populations are increasing around Whidbey Island and the SE areas of the San Juan Islands. They have become the predominant fish I catch in waters less than 50 feet and actually hamper my attempts to catch other bottomfish species. In the last three years I have moved from deeper waters to shallower waters to catch my one rockfish because my chances of catching a bigger fish are much higher. What are the corresponding commercial restrictions to harvest?

Do not concur with limiting depth for bottomfishing. It is also in conflict with the WDFW Puget Sound Rockfish Conservation Plan on decompression effects and depth on rockfish which says much shallower depths are lethal. If fishermen used larger baits at deeper depths then fewer rockfish would be incidentally caught.

This is a joke, right? Every one of these proposals should be rejected, particularly those about no rockfish retention (there are plenty in area 7), more restrictive ling cod rules, and reduced dungeness crab limits. And what's this nonsense about "unclassified" fish and invertebrates?

I expect better than this from our public servants. My suggestion is that all these proposals be rejected and that you focus instead on increasing access to our fish resource, both wild and hatchery. You might start by putting some limits and/or better enforcement on the Indians, who seem to rape the resource at will.

I do not support this change marine Area 4 has lots of rock fish of many different types. I have been fishing this area for almost 30 year and the fishing is still great!

There would be no reason to close down a fish like yellow tail that we have lots of. When I am fishing for yellow tail I do not get hardly any by catch.

I do not support the closing of the water deeper than 120 feet this would close down most of Washington's salt water fishing. Instead of closing all the stocks just close the fish species that may need help such as yellow eye canary and bocaccio. (3 e-mails)

Dear Commissioners- I strongly oppose the proposal to close area 4 to recreational fishers for bottomfish. As a fisherman that uses a small boat to fish the saltwater, the proposed closure area would eliminate one of the safe areas to fish for folks like myself. Areas to the east of Neah Bay do not offer similar opportunities. Going either past Tatoosh or south of the point is often too dangerous for fishermen in small boats.

If the reason to "close" the area is conservation of rockfish species, less drastic measures such as a reduction in the catch limits makes far more sense. I personally believe the limit of 10 rockfish is excessive, and should be reduced, especially if the biological data for that area indicates the need. Presumably, the data is there right?

There seems to be an inconsistency with the proposal in that the rockfish species that are mentioned in need of protection are deeper water species and largely out of the range of scuba divers. I'm unaware of WDFW's data that indicates the shallow water rockfish and other species in the proposed location of area 4 are in need of such draconian measures as a complete closure. If the data is there, I would support appropriate measures to let the area recover. So present the data if it's there.

I notice the rule proposal has no mention of Halibut. I presume that this 20 fathom restriction has no impact on the halibut fishery in area 4 when open. If this proposal is adopted, I believe it should contain verbiage that specifically exempts this restriction from halibut fishing, when open, just as stated in the ocean fishery, for clarification.

I believe there should be an expiration date of Calendar Year 2050, so this run will be reviewed at a later date.

I am against this proposed rule for several reasons.

As for the 120 foot depth limitation this will be difficult to enforce given rapidly varying depths in many areas. There is also a question as to how many rockfish are actually encountered beyond the 120 foot depth when targeting other bottom fish (ling).

Also, the explanation states that approximately 13,000 rockfish were caught and retained annually in Puget Sound. A further description of this is found in the draft PSRCP where the numbers were approximately 35,000 rockfish encounters annually (2004-2007) with approximately 13,000 retained. During the scheduled rockfish meeting in Olympia the Staff were asked for updated information for subsequent years (under the belief that reduced catch limits may have reduced those numbers) and also for a break-out by marine area of the numbers and species retained and released. This information would shed light on what might be gained in specific areas by the proposed regulation change as well as to the proposed rockfish conservation plan.

To date there has been no response to that request for updated and more detailed information.

Since Staff has not provided information to support this proposal I strongly recommend that it not be approved at this time. Alternately, it could be addressed in the forthcoming PSRCP.

Please consider the impact of rules whose adoption would not include, due to budgetary/operational limitation, the realistic capacity to enforce those rules and thereby achieve their intended benefit. If the scope and scale of WDFW programs continues to grow, including demand for access to resources as well as the careful conservation of those resources, the differentiation between the law abider and the law breaker also grows in importance. Rule changes which are designed exclusively to limit law breaking opportunities, but which also necessarily limit the law abider's access, are an inadvertent punitive punishment of your best customer. "Yanking the benches out of the city park is a good way to limit vandalism, but a lousy way to serve your constituents."

Proposed changes to the Rockfish rules (#10) including retention, species and bag limit (including Lingcod size) are a good example of changes that deserve a sober assessment from enforcement managers. Moving in and out of twenty fathoms or riding the east-west line in Area 4 is a predictable strategy among the law breakers. WDFW owes their law abiding constituency the benefit of rules and their enforcement that demonstrably protect the interests of the law abider.

Some rockfish populations may well be of concern and need additional levels of protection. The recreational fishing community has seen a reduction in take to 1 fish in waters east of Slip Point (MA 5) in an effort to help re-build a population that was decimated primarily by commercial fishing in the 1970s and 1980s. With the stoppage of commercial trawling and the reduction in recreational limits, there is still a concern over whether or not the rockfish population can rebound. It appears that there are more pressures on the rockfish population than the recreational community. Water quality, a growing lingcod population, an over-population of pinnipeds, ghost nets and lost crab pots, both commercial and recreational, are all "takers" of rockfish. The estimated 25,000 encounters and 13,000 fish taken by recreational fishers when spread out over Puget Sound is not a large number/fisher. Additionally, for MA 9-13 (not including MA 12 which is closed), rockfish is open 9 months of the year. In MA 5-7, rockfish is open for 5 months days. With a one fish limit, most folks aren't targeting rockfish and they are an incidental catch while pursuing other species, primarily lingcod. It may also

be possible that the fishing piers, which are open year round, might contribute heavily to the rockfish take. I'd suggest that the listed species be protected with release required and the one fish limit be retained in MA 6-13 (except MA 12) until it can be shown that recreational fishing is a major drain on the resource.

The prohibition on retention of all bottomfish in waters deeper than 120' is going to impact the incidental catch of species other than rockfish such as true cod, hake, and other species of food fish that are primarily taken incidental to salmon fishing. The closure will also close down waters where lingcod are targeted during the lingcod season. I cannot support the proposed closure.

The easiest regulation would be no retention of canary, yelloweye, and Bocaccio in Marine Areas 5 through 13 and a one rockfish limit.

Proposal 9 aligns the spear fish lingcod season with the hook and line season. You may know that anglers' boats are required to keep clear of dive boats by a distance of 200'. This in effect is a 400' diameter circle, which is a distance greater than the distance from the shore to the east bridge pier of the Tacoma Narrows Bridge. On the other side of the pier the water is more than 120' deep, making that area unavailable to anglers if rule proposal 10 is passed. I often fish the Tacoma Narrows Bridge, and Toliva shoal area. Both of these spots are structure fisheries, and the majority of fish are taken from areas that are smaller than 400' in diameter, if you omit the areas that are deeper than 120' as proposal 10 does.

If both proposals 9 and 10 were to pass in many areas, it will be in effect a fishery for divers or anglers depending on who shows up first.

If proposal 10 passes, proposal 9 should not. If 10 passes, the dive and angling seasons should be split in some form. I would like to see rockfish rebound to pre Boldt levels, however, I would like to see some science used to construct a reasonable effort towards recovery. From my understanding, pinnipeds eat vastly more rockfish than are taken by anglers. We know we have considerably more harbor seals than we need and that sea lions are not only a threat to salmon, steelhead and sturgeon, but they are becoming a threat to human beings as well. It is also documented that ghost nets take many rockfish. I have read that if rockfish angling is stopped that 80% of the current rockfish loss will continue, as anglers are estimated to contribute to 20% of the total impact. As noted in the preceding paragraph the 120' section of the rule will cause problems in many areas if the proposal 9 were to be passed.

Re: Black/Blue rockfish limit of 10 fish, Neah Bay area

While Neah Bay area populations of blue and black rockfish were considered robust enough to sustain the harvest pressure under the catch rules in effect in 2006, (personal communication with WDFW biologist), the proposed new regulations banning the harvest of all other near-shore rockfishes such as copper, quillback and china rockfish, could easily shift undue pressure to the black and blue rockfish stocks. Lost halibut fishing opportunity in the area due to the proposed changes also will put pressure on the black and blue rockfish stocks.

The general goal of Washington fisheries harvest guidelines is to provide and maintain sustainable fisheries, offer a quality recreational experience, educate the public and users of their responsibility in fisheries stewardship, and lastly, offer a quality dining experience to the recreational fishers.

The proposed daily limit of 10 black/blue rockfish in a daily limit is a glaring exception to that theme. Indeed, it shows a patent disregard for stewardship of the resource, encourages a "meat-fishery" mentality and effectively declares black and blue rockfish to be "trash" species. This is contrary to every educational message the Department is trying to present.

Coastal black and blue rockfish average around three pounds, and may go as large as seven or eight. Schooling, near-surface feeders, a family of four could easily catch a limit of 40 fish, representing upwards of 100 pounds of catch, which could easily lead to the waste if not gluttony, of the resource. Reducing the proposed limits to an aggregate of 5 black or blue rockfish in the daily catch would provide a generous food reward, no degradation of the recreational fishing experience, discourage the "meat-fishing" exploitation mentality, and remain consistent with the sustainable, conservation message the Department wishes to convey.

here is a sad, but perfect precedent example of the danger of over-generous limits in our very recent past. We should recall the complete collapse of the Pacific cod winter fishery of Puget Sound in the late 1970's, under the direct observation of the Department of Fisheries, with harvest limits of 15 Pacific cod in the daily catch. Fishing on the known cod spawning aggregations in Agate Pass, Rich Passage, and around Marrowstone Island was allowed to proceed for several years without restriction or regulation by the Department until the Pacific cod population suffered a catastrophic collapse in the late 1970's. To date, a viable spawning population has not rebuilt.

A more prudent approach to managing the adjustments in harvest of all species along the coast is to gently phase in elevated harvest of black and blue rockfish species only after the impacts of the closure of harvest of other species are assessed. With all other rockfish fishing closed, halibut closed locally, and ling fishing curtailed, the only non-salmonid available targets are black and blue rockfish and flatfishes. This puts the stocks of black and blue rockfish at unknown and perhaps unnecessary risk.

As one who unwittingly participated in the demise of the Puget Sound Pacific cod fishery and also a participant in the Neah Bay area fisheries, I urge the panel to **REDUCE** the proposed daily limits on black and blue rockfish until the impacts of other closures are assessed.

With the exception of the proposed ESA listed rockfish it seems to me that it is pre-mature to put changes in rockfish manage on the table until the EIS process for Puget Sound rockfish is completed.

Once the Puget Sound rockfish plan has been completed with significant public review the agency, commission and the concern citizens will have an updated document with the most current information upon which to make informed management decisions. Taking action prior to that point could well result in additional action would be needed in the near future. What is needed is a long range plan with consistent objectives and management which can only occur with a completed plan. In this case with the rockfish this is especially true given that the current recommendations are based on dated information.

It is clear from reading WDFW's "The biology and Assessment of Rockfishes in Puget Sound" that the current recommendations are based on the 1999 stock status determination. While there are a number of citations from more recent reports in every case when I reviewed those reports the source document for the status and trends of Puget Sound rockfish go back to WDFW's 1999 effort; in short there continues to be little new information since 1999 in rockfish status or trends. The authors of that report admit that those determinations were driven by creel information which since 1993 has been of limited quality and use. However recent changes in creel sampling protocols (beginning in 2004) has lead to improvements in the amount and quality of the rockfish information collected in the recreational fisheries of Puget Sound. Why would the managers and the commission want to forge ahead with decisions (at least decisions on non-ESA listed rockfish) without taking the time to use the latest information, particularly considering that 5 or 6 years of information collected beginning in 2004 is a substantial improve in the quality of information upon which to based stock status determinations and needed management changes? It is my opinion that not taking advantage of the latest and best information is not responsible management.

Now I understand that the listing of 3 deep water rockfish (canary, yelloweye and bocaccio) demand some immediate action. This is especially true if indeed the bocaccio is listed as "endangered". Such a status change will require immediately regulations to limit incidental impacts to acceptable levels and insure that other fisheries can continue. Clearly regulations that prohibits the retention of bocaccio is needed immediately (one has to ask the question why bocaccio was not included with prohibitions of yelloweye and canary rockfish in 2003?).

I support adding bocaccio to the list of Puget Sound rockfish whose retention is prohibited.

I would support a ban on fishing for bottom fish in depth greater than 120 feet if:

1) if it is clear that such a ban is needed as a stop gap measure to address the incidental take of bocaccio (if they are ESA listed as endangered) to insure that other fisheries can continue.

2) That such a ban in deep water fishing has a "sunset clause". That is with the completion of the PS rockfish conservation plans as well as the latest creel information (if not included in the PSRCP) that issue will be re-visited as part of the next regulation cycle to determine an array of potential ways of address the issue of incidental of the listed rockfish as well as the determination of appropriate allowable take of those fish.

Before long term decisions are made affecting the future of rockfish management it is critical that the discrepancy between the NOAA in there potential ESA listing and WDFW define Puget Sound. In the ESA listing the distinct population segment (DPS) considered for listing was the rockfish populations in those waters east of the Victoria sill (located along roughly a north/south line running from Victoria to a point east of Port Angeles. While the state (at least for it discussions on rockfish) consider Puget Sound waters to be those waters east of the Sekiu River; a significantly larger area then the ESA DPS. As a result when looking at catches etc we often end up with apple to orange rather than apple to apple comparisons. It is critical when talking about potential ESA impacts or benefits from any management actions that we are looking at the effected DPS. This is should be addressed by both the regulation proposals and the Puget Sound Rockfish Conservation Plan DEIS prior to evaluating actions in terms of ESA impacts/benefits.

Thank you for the opportunity to comment and your dedication to this State's wildlife resources and us users.

I am writing to provide public input for current discussions regarding sportfishing for rockfish and the preservation of the Neah Bay area fishery.

As an avid sportfisherman I am concerned that the current catch limit for rockfish (Black) is too high to be sustainable and I urge that a precautionary approach in favor of rockfish protection be taken in deliberations about regulation changes.

I do not support the depth restriction at this time. The department has not defined how it would enforce this proposal or shown that rockfish retention in waters deeper than 120 ft has caused the problem that we currently have with rockfish populations. Furthermore, the department refuses to either endorb se or study release techniques that would limit the mortality of these species. I do support the closure of rockfish retention in areas 8-13 except during lincod season. The lingcod fishery is the fishery where the most interaction with rockfish will take place and it would be ashamed to waste the resource due to post release mortality during this short 6 wk season.

I hope that in the future, all deepwater fishing would be prohibited in sensitive areas of Puget Sound, to enable the rockfish to recover. Since mortality is high for rockfish brought to the surface, releasing them isn't going to help other than

discouraging deepwater fishing in those areas. I do not understand why the black and blue rockfish limit is 10 per day-- that doesn't appear to be sustainable.

I think fishing should be limited to the fullest and that rockfish will only recover if we ban fishing in their habitats until the specie has recovered. There is no time to waste. Ban fishing in these areas all together.

The life cycle of Rockfish means that changes made probably will not show measurable affect for many years. The WDFW has made changes to the regulations in recent years which could either intentionally or unintentionally aid Rockfish conservation – there are also efforts being made to reduce ecological stress, and to remove derelict fishing gear. The above represent more changes – and very big changes. Do we know for sure that the existing efforts have not begun to turn around the earlier damage? I want our Rockfish protected, but I'm concerned that frequent sweeping changes make it difficult for us to really see how each change has affected the stocks. I'm starting to see juvenile Yelloweye Rockfish quite regularly when diving in the San Juans – and I'm seeing subadults up to 18" in length, too – I'm also seeing China Rockfish where I've never seen them before. My observations suggest there has been some improvement. I would not be opposed to subproposal 1) – however, I do wonder how difficult it would be to enforce, and how much difference it would make. I believe that most bottomfish anglers prefer to avoid depths greater than 20 fathoms because current makes it difficult to control lines without impractical weighting of their gear – it simply isn't worth the effort. The exception is trolling for Salmon or Halibut, or jigging for Halibut. The wording specifies a closure of bottomfish retention – which means that anglers could still catch and release (with major mortality to bycaught Rockfish), and it goes on to mention that Salmon anglers would of course still be allowed to fish in deeper waters (as would Halibut anglers I suppose, during that short season). If a big proportion of Rockfish hauled up from deeper than 20 fathoms are caught by Salmon and Halibut anglers, and the majority of those fish will die from barotrauma or hook damage, what difference will this proposal really make? As stated, this change would not negatively affect me, but I am concerned that we'd enact a change and then wait, satisfied – if Rockfish need protection, then they need real protection now, not change for the sake of change.

I am opposed to subproposals 2), 3), and 4) – they are selfcontradictory in many ways. The first problem I see is that areas 6 and 7 are very different in habitat, natural distribution of Rockfish, and present stock levels than areas 8 through 13, and the second is that this lumps all species of Rockfish in together when some have harvestable populations. Finally, I see that the much maligned spearfisher is once again wrongly held to blame for all the Salish Sea's woes.

This proposal looks like a kneejerk reaction to me. There is a tendency towards jumping from one extreme (depletion of some stocks) to the other (stopping all harvest). If we take away recreational opportunity for harvest of some species, it will only serve to skew pressure towards others – this is an affect worth consideration. What we really need is to find the balance point – and to find it, we need to document our starting point, make incremental adjustments, and patiently monitor the results. If we jump from one end of the spectrum to the other, we will learn nothing. We should start by identifying those species in each area which have a harvestable excess. The WDFW has this information, or a close approximation. These are the species which can remain open to limited harvest in those areas. Then we should look at the methods of harvest and attempt to minimize bycatch and incidental mortality. Some points I'd like to make (examples are specific to my area, but please, apply the same logic elsewhere):

a) Copper Rockfish are plentiful in the area where I angle and spearfish most often (area 7) – and the data I've seen suggests they have a harvestable excess. If this is the case, why wouldn't we allow a limited and directed effort towards harvesting them? It would keep some pressure off other stocks.

There are other species which might be managed similarly.

b) One of the reasons given for allowing anglers to keep one Rockfish per day in area 7 is that Rockfish are often incidentally caught by anglers targeting Lingcod. These bycaught Rockfish have very high rates of mortality – so it makes sense to let the angler keep one. Why then, was the 2009 Lingcod season May 1 through June 15, yet the Rockfish season extended May 1 through September 30? This makes no sense at all. This proposal suggests closing all Rockfish retention in area 7 – which seems quite preposterous and extreme after a season when anglers could take one a day for five full months. Please consider a compromise for anglers – making the Rockfish season match that of Lingcod would seem to be the obvious answer.

c) Spearfishers can be entirely selective about the Rockfish species they target. Anglers cannot. There is absolutely no reason not to allow use of equipment and methods which are selective towards species with harvestable surpluses. I see examples of bias against spearfishers time and again through the existing regulations and the proposals – this is counterproductive and unfair. Educating spearfishers so that they can properly identify our local Rockfish can turn them into valuable observers when it comes to the creel survey; "Hello, I see you harvested a nice Copper Rockfish today. How was the visibility? Did you see any Canary Rockfish at all? Never seen one and not sure you'd know how to identify one?"

Here's a color Rockfish identification card. Keep an eye out for juvenile Yelloweyes too – they're very depleted but we're hoping they'll make a comeback!"

d) Proposal #61 mentioned circle hooks. How much consideration has been given to them as a possible means towards reducing mortality of bycaught Rockfish?

e) All of these changes being discussed tend to shift the focus of recreational fishers. One popular bottomfish which is often taken for food is the Kelp Greenling. Right now, regulations for area 7 allow taking of up to 15 Kelp Greenling per day, year round. I think this is excessive, and since we're talking about precautionary approaches, reducing that to something like 6 per day would make a lot of sense.

My name is Tom Burlingame and I would like to comment on the proposed rule changes in Puget Sound and the Neah Bay area. I am the owner and operator of Excel Fishing Charters, fishing from both the Ports of Everett and Neah Bay. Having fished these waters for over 25 years, the last 2 years running Excel Fishing Charters, I feel I have a very good grasp of these fisheries and the effects that these rule changes would have.

Part 1: (Closed to the retention of bottomfish in waters deeper than 20 fathoms area 4-A to 13). I oppose this rule because this would adversely affect the existing Halibut and Ling Cod fisheries, especially in area 4-A. These fisheries are of great economic value because they can be accessed by small vessels.

Part 2: (Close marine area 6 through 13 to retention of rockfish). I support the closure of these fisheries as part of a Rockfish protection program. I do however, oppose any marine protection areas that may be proposed.

Part 3: (Marine area 4-A daily limit is 10 Black and Blue Rockfish). I oppose this rule change. There are several species of Rockfish in this area, including Yellowtail Rockfish that are very healthy. I believe that if a rule change is needed, it should be the first 10 Rockfish caught are to be retained with a minimum size established and of course no Canary or Yelloweye. I believe this would be a better rule to help reduce the effects of barotrauma on these fish. We also need to better educate our angling community that catch and release of these species is not a good idea.

I oppose the 120' limit for fishing as well. I have the release that I snap into my Downrigger with a ten pound ball. I hook the rock fish in the mouth and then release the downrigger at 80 to 100' you can feel the fish start to swim and then with a quick pull up of the downrigger the fish is released. Cost is \$4 should be mandatory for all boats if fishing in deep water to facilitate releasing of all unwanted fish.

My name is Richard Colman. I own a home and operate a small RV park located in Sekiu, WA. I have grave concerns about the proposals set forth for the management of rock and bottom fish, particularly as it pertains to area 5. I have represented the Clallambay, Sekiu Chamber of Commerce at the North of Falcon process for several years. I have been closely involved with at least some fishery management processes.

Understandably, I would like to address the proposals in an order that is of most importance to area 5 and our community. Area 4 has been totally and poorly managed for many years. The limits have been unrealistic for a sustained fishery. If the limits had been set more closely to what area 5 has had over the years, I cannot imagine how many more sea bass there would be there today.

This along with bottom and rock fish being open in between halibut days in area 4 is poorly thought out. Most people plan there halibut trip to fish halibut both days with one day in between closed. With their boats in the water they are not going to stay at the dock. Most of the entire halibut fleet goes bottom fishing. This is an artificial, high intensity, impact fishery, created by another fisheries regulation. This should be changed no matter the outcome of these proposals. The day in between halibut days should be closed to rock and bottom fishing in area 4.

Having said all of this.....to believe the closing of the western portion of area 4 and areas 6 through 13 to all bottom fishing....forcing all rock and bottom fishing into the eastern portion of area 4 and area 5..... introducing spear fishing into area 5, and then believing you can have a sustainable fishery for rock and bottom fish...with all due respect commissioners...it will not happen. In the long term this proposal is a disaster and strikes at the hearts of all user groups except site seeing divers...bless their hearts.

It appears one user group has in some way attempted to flex it's mussel. It is my hope that the commission will see through this and reject all of the current proposals as they now stand. Demand a real and inclusive rock, bottom fish management program with proposals that addresses and protects primarily resources and then all user groups.

I have 6 small grandson's. I deeply feel, from my heart, that if these proposals are accepted, and if real rock and bottom fish management is not addressed soon, they will never have the opportunity to take their sons rock and bottom fishing. What a shame on the WDFW.

1,2,3,&4) I am generally concerned with these rules as they do not appear to be part of a complete management plan. There already exist significant restrictions on sportfishing for rockfish in these areas. These rules will dramatically affect other fisheries and have limited value for rockfish. Much more benefit could be gained by focusing on habitat and other sources of rockfish harvest/impact.

I do not support the depth restriction at this time. The department has not defined how it would enforce this proposal or shown that rockfish retention in waters deeper than 120 ft has caused the problem that we currently have with rockfish populations. Furthermore, the department should study release techniques that would limit the mortality of these species. I do support the closure of rockfish retention in selected areas of MA 8-13 except during lingcod season. The lingcod fishery is the fishery where the most interaction with rockfish will take place and it would be ashamed to waste the fishery and identified predator of the rockfish.

I oppose depth restriction at this time. The Department has not defined how it would enforce this proposal or shown that fishing of any kind in waters deeper than 120 ft has caused the problem that we currently have with rockfish populations. Furthermore, the department refuses to either endorse or study release techniques that would limit the mortality of rockfish. I support the closure of rockfish retention in areas 8-13 except during lingcod season. The lingcod fishery is where rockfish encounters are most likely and wasting the resource does not make sense. I support a one (the first caught) rockfish limit during lingcod season.

The Anadromous and Marine Resources Sportfishing Advisory Group (Group) reached a consensus position on: Proposal #10 - Rockfish Rules

10-1: 20 Fathom Line - The Group SUPPORTS this proposal IF there is an exception during lingcod season (no depth limit when lingcod is open).

10-2 : Area 6-13 Retention - The Group SUPPORTS this proposal of zero retention in these areas.

10-3: Area 4 Species - The Group SUPPORTS limiting retention in this area to Black and Blue Rockfish.

10-4: Area 5 Species - The Group SUPPORTS limiting retention in this area to Black and Blue Rockfish.

As president of the Charterboat Association of Puget Sound (CAPS), I am submitting these comments for our Association on the proposed rules.

1) Marine Area 4 (east of the Bonilla-Tatoosh line) to 13 – closed to the retention of bottomfish in waters deeper than 20 fathoms (120 ft); CAPS supports this rule except during the lingcod season, from May 1 to June 15 each year.

2) Marine Areas 6- 13 – closed to the retention of rockfish; CAPS supports this rule change to protect rockfish.

With respect to the following Marine rule proposal I believe it should be amended as detailed below.

#10. Rockfish and Bottomfish Rules

Proposal: Due to conservation concerns for rockfish species throughout the state, the Department is proposing several changes to the recreational rules for rockfish.

1) Marine Area 4 (east of the Bonilla-Tatoosh line) to 13 – closed to the retention of bottomfish in waters deeper than 20 fathoms (120 ft); **With the exception of lingcod during established lingcod seasons and B) All lingcod fishing must be done with bait, either alive or dead. Such bait may only consist of whole sandab, flounder, sole or whole kelp greenling greater than 11 inches.**

2) Marine Areas 6- 13 – closed to the retention of rockfish;

3) Marine Area 4 (east of the Bonilla-Tatoosh line) – daily limit is 10 black and blue rockfish combined. No other species of rockfish may be retained;

4) Marine Area 5 –daily limit is the first black or blue rockfish caught, except west of Slip Point the daily limit is the first three black or blue rockfish caught. No other species of rockfish may be retained. Spearfishing for rockfish of any species is not allowed.

Explanation: These large live baits are very effective lingcod baits that are not preferred by rockfish. This will allow successful lingcod harvest and greatly reduce rockfish encounters when compared to lingcod gear currently allowed.

Proposal #10 Rockfish and Bottomfish Rules-Needs Revised to below

10-1 Opposed-Waters deeper than 120 feet closes halibut fishing where a very large majority are caught. Would ruin a very productive fishery that helps take the pressure off of MA 4 halibut/bottomfish fishery

10-2 Opposed-

10-3 Opposed-Lots of Rockfish still in this area in shallow and deeper water.

10-4 Opposed-Some rockfish populations may well be of concern and need additional levels of protection. The recreational fishing community has seen a reduction in take to 1 fish in waters east of Slip Point (MA 5) in an effort to help re-build a population that was decimated primarily by commercial fishing in the 1970s and 1980s. With the stoppage of commercial trawling and the reduction in recreational limits, there is still a concern over whether or not the rockfish population can rebound. It appears that there are more pressures on the rockfish population than the recreational community. Water quality, a growing lingcod population, an over-population of pinnipeds, ghost nets and lost crab pots, both commercial and recreational, are all "takers" of rockfish. The estimated 25,000 encounters and 13,000 fish taken by recreational fishers when spread out over Puget Sound is not a large number/fisher. Additionally, for MA 9-13 (not

including MA 12 which is closed), rockfish is open 9 months of the year. In MA 5-7, rockfish is open for 5 months days. With a one fish limit, most folks aren't targeting rockfish and they are an incidental catch while pursuing other species, primarily lingcod. It may also be possible that the fishing piers, which are open year round, might contribute heavily to the rockfish take. I'd suggest that the listed species be protected with release required and the one fish limit be retained in MA 6-13 (except MA 12) until it can be shown that recreational fishing is a major drain on the resource.

The prohibition on retention of all bottomfish in waters deeper than 120' is going to impact the incidental catch of species other than rockfish such as true cod, hake, and other species of food fish that are primarily taken incidental to salmon fishing. The closure will also close down waters where lingcod are targeted during the lingcod season. I cannot support the proposed closure.

The easiest regulation would be no retention of canary, yelloweye, and Bocaccio in Marine Areas 5 through 13 and a one rockfish limit. (50 e-mails)

In speaking with Greg Bargmann it appears that there is value in asking the Commission to NOT act on any of rule #10 and to assign responsibility to the Department through the rockfish conservation group, to develop that set of rules consistent with the goals of the conservation plan. That doesn't mean rule #10 becomes a part of the plan, it simply means the folks responsible for developing the plan have the responsibility to evaluate and recommend accepting or modifying rule #10.

Rational:

Many good ideas have come to the table during the public process and it makes sense to evaluate those as they pertain to the objectives of rule #10 and the rockfish conservation plan.

Examples:

1. Discuss and evaluate the effectiveness of weight restrictions and minimum hook sizes as opposed to depth restrictions
2. Discuss and evaluate the concept of relaxing the zero rockfish retention rule to "first rockfish caught" during halibut and lingcod season only.
3. Discuss and evaluate the mandatory use of large hooks during lingcod season to reduce rockfish encounters while still allowing lingcod fishing at depths below 20 fathoms.
4. Discuss and evaluate the need for depth, weight and/or hook size regulations in **all** waters over 20 fathoms. Some areas may not benefit from the depth restriction; fewer areas means less enforcement effort required.

There are other ideas that came to the table during the public comment period and deserve discussion but the Department has not had the time to process them.

To be clear, the request is for the conservation group to rework the rule and, through the Department, return it to the Commission for action.

Everyone wants to protect rockfish and bottomfish, but proposals don't make sense. To accomplish goals, we need everyone at the table – pushing people on to the beaches to fish doesn't make sense.

Anadromous and Marine Advisors – PS Recreational Fisheries Oversight Committee support recommendations. NW Marine Trade Association supports as well. But they also have concerns that we feel so strongly that we need to do something with pending listing for rockfish – some rules don't make sense. We need better data. The 120 foot rule won't protect any but deep water species. We need adaptive management – need to keep an eye on this and change rules with better data.

As a general comment should become familiar with WDFW existing policies and be loyal to those – some proposals contradict those – one example is 2009 Rockfish in Puget Sound states most rockfish from below 60 feet die of barotraumas, yet these proposals allow fishing out to 120 feet.

Rockfish has small home ranges, and very low abundance for 5 species: yelloweye, canary, bocaccio, tiger and china. Compensatory mortality kills more as population declines – will end up either extinct, or very low level. There is no harvestable surplus. Salmon sport fishery no net loss of fishing opportunity in order to protect rockfish – if restricted in one area, will go somewhere else.

Table the bottomfish ideas. There are lots of good ideas coming up. We will catch more small rockfish with new rules – they will die. People will continue to fish; releasing rockfish. Rockfish is the most aggressive bottomfish. 80% mortality at 90 feet. Consider closing certain areas to bottomfishing. 120 foot rule will be hard to enforce or adhere to – easy to drift on a windy day.

PS Marine Enhancement committee chair. At groundfish meetings other suggestions have come up to consider other than 20 fathom rule– defer this change to the groundfish group.

Comments from Public Meetings

Mill Creek

One person thought the proposal should state that it does not apply to halibut. Another noted that most bottomfish brought up from 120 feet won't survive being released. Why does it say you can't retain fish from depth rather than you can't fish at 120 feet? What sort of monitoring do we on rockfish? What do we know about their populations?

One person stated that we should allow spearfishing for rockfish in Marine Areas 6-13 because spearfishers can tell rockfish apart and can spear the species that are abundant, like black, yellowtail and coppers.

Resource conservation needs of rockfish populations in the Georgia basin will be addressed in two separate processes but correct decisions must be made in both processes in order for overall management of these resources to be successful. That is the reason for this combined response to two separate processes and this document should be included in both public hearing comment records. The Commission has no direct control over decisions made in the North of Falcon process but can give explicit guidance to WDFW and that will be essential in this case to insure overall success.

My comments to the NOAA Fisheries Service on their proposed Endangered Species Act (ESA) listings for three species of rockfish in the Georgia Basin provided the necessary technical details on the exact nature of the rockfish conservation problems that exist in the Georgia Basin. This information has previously been provided to both WDFW and the Commission. In summary, at least five species with very small home ranges have been reduced to abundance levels that are so low that many of the remaining fish will not be able to find mates for reproduction. This situation is obvious from SCUBA survey data that show many observations of single fish. Even the groups of two or three fish can only be reproductively effective if they contain both a mature male and a mature female. There is an inherent false sense of security since rockfish are capable of extreme longevity and can persist in very low numbers long after they have become functionally extinct. It might be postulated that individual fish can move far outside their very small home ranges for reproduction but there is no scientific evidence to support this. Even if this does occur, the fish would expose themselves to a greatly increased risk of predation and rockfish cannot achieve their extreme longevity by taking such risks. For rockfish in the Georgia Basin, it is clearly the very rare conservation problem where every single fish becomes important and every single fish must be protected from all sources of fishing mortality. The recreational fishing regulations for marine fish in the Georgia Basin that are proposed for 2010-2011 meet this need by the combination of a ban on retention of rockfish and limiting all fishing to inside the 20 fathom line (120 feet). No specific regulations have yet been proposed for recreational salmon fishing in the Georgia basin, but the only acceptable solution would be to confine any fishing that is allowed to inside the 20 fathom line or to deeper waters that do not have significant amounts of rocky reef habitat. Significant fishing in deeper waters (over 20 fathoms) with rocky reef habitat would simply kill the same rockfish protected by the first set of proposed marine fish regulations.

There are no usable quantitative data on bycatch of rockfish by salmon anglers in the Georgia basin, especially since *the daily bag limit is the first legal rockfish caught* (canary and yelloweye cannot be retained). No one is going to report more than one rockfish total (retained or released) since *that would clearly be illegal*. In addition, it is well known by professional resource managers that you cannot get this information from angler interviews when they know that any such information might be used to restrict their future fishing opportunities. Salmon anglers in the Georgia Basin have been well aware of the rockfish conservation problem for over 10 years. In this type of situation, you can only obtain valid information from onboard observations and/or test fishing – neither of which has been done. (Note: I once tried unsuccessfully to quantify “shaker” or sub-legal salmon catches in the commercial troll fishery with a logbook program.) What is known for certain is that salmon angling is a very large and popular fishery that is done primarily in deep water with down rigger gear and electronic fish finders. It is also known that the primary target of this fishery is “blackmouth” (immature Chinook salmon) that are comingled close to the bottom with rockfish – you simply cannot fish for one without catching the other.

Deep water fishing with downrigger gear for blackmouth produces a much higher hooking mortality rate than normal sport fishing since you need to tighten down the release mechanism in order to counter effects from strong currents and/or snagged vegetation. Many sub-legal fish are not detected until the gear is retrieved. At this point, they are either dead or will die within six hours due to excessive lactic acid in their bodies. Despite repeated warnings over several decades, State and Federal managers have not conducted studies on hooking mortality rates in this particular fishery. It is probably more comparable to hooking mortality rates observed in the commercial troll fishery and this makes it a marginal candidate at best for selective fishing or adipose marked hatchery fish. Salmon managers do not consider the commercial troll fishery to be a viable candidate for selective fisheries.

The primary target of recreational salmon anglers in the Georgia Basin is ESA-listed Puget Sound Chinook salmon, which have their own strict conservation and allocation constraints. All fishing for Chinook salmon in the Georgia Basin is planned with the use of a computer mode in order to stay within these specific numerical conservation and allocation values. The allocation constraint is catch sharing with Treaty Indian Tribes. The conservation constraint is fishing rate limitations on populations of EAS-listed Puget Sound Chinook salmon. There will be *no net reduction in salmon fishing opportunities if maximum protection is provided to rockfish*. In other words, every loss of salmon fishing opportunity to

protect rockfish will be counter balanced by increased fishing opportunities inside the 20 fathom line and in deeper water areas lacking significant amounts of rocky reef habitat.

The only viable solution is for the Commission to set specific priorities for providing recreational salmon fishing in the Georgia Basin. The highest priority would be to provide a year-around selective salmon fishery in all marine waters inside the 20 fathom line. If the computer model tells you that additional fishing opportunities can be provided, then the next priority would be to provide additional salmon fishing opportunities in deeper waters lacking significant amounts of rocky reef habitat. In the event that even more salmon fishing opportunities can be provided (says the computer model), then some limited amount of salmon fishing opportunity might be provided in deeper waters with significant amounts of rocky reef habitat.

There is conclusive evidence from the SCUBA survey data base that at least five species of rockfish are being subjected to depensatory mortality factors. This is the worst thing that can happen since *increasing percentages of the populations are being lost as their abundance declines*. The populations will either be driven to extinction or will eventually stabilize at a very low level of abundance from which they can never recover.

Port Angeles

One person thought there will be problems implementing #3 and #4 because they propose different daily limits in different adjacent areas. There are problems in these areas now because of the different limits. This person also questioned why Marine Areas 6-13 are closed to the retention of rockfish.

One person stated that he won't buy a license next year if he can't continue to fish for bottomfish. Another asked why we are allowing 10 fish at Sekiu? The limit of one lingcod per day is good, but the 120 foot rule is not – might as well close completely instead.

One person has been told by the Sherriff that in marine areas 4, 5, and 6 about 60% of the anglers are from out of town. Now you want to tell them they can't fish. What will this do to the economy?

One person stated that he knows that these proposals to shut down rockfish and lingcod fisheries have been “in the works” for two years. He has a \$50,000 boat –what is he supposed to do with it? WDFW has a huge credibility problem – lots of people think we work for the tribes. All the rockfish in ocean areas are at depths of more than 120 feet. He will go to Canada to fish – licenses are cheaper.

One person stated that the Puget Sound rockfish catch is only 13,000 fish – this is such a small impact. Biologists are trying to micro-manage, and just keep cutting away at fishing opportunity. The public and legislature don't understand. It would be easier if things were consistent. Keep fish over or under a certain size and restrict gear. Should require something like a Shelton Fish Descender to get the fish back down quickly to where they can survive after release.

One person suggested that the 120 foot rule should be removed during the 1.5 month lingcod fishery. Lings have different habitat preferences than other species of concern. They are well-recovered. We can live with a small amount of by-catch of canary and yelloweye rockfish.

One person noted that the swim bladder on a yelloweye will come out when brought up from depth. Florida did a testing program letting the air out with a needle. Have we done studies like this/ if not, why not? OSU has done work – the best thing is to sink the fish quickly at least to 60 feet – then about 80% will survive.

I oppose this proposed change:

- Develop a set of protective measures for rockfish, including prohibiting retention of rockfish in marine areas 6 through 13.

The current regulation, which is already very limiting, is adequate.

Olympia

Does the 20 fathom closure include halibut (no).

We're fishing on the bottom for halibut – does it close that totally? (no)

We will be releasing dead rockfish with this rule.

Understand your concerns, but would like to be able to take the kids out in 30-40 feet of water- hate to see that go away.

What happened to our rockfish stocks over time?

One person supported the proposal as written; we have to face the fact that recovery is not happening. A daily limit of even 1 fish is not wise.

Has anyone analyzed the trade-off effect that would occur by limiting all fisheries (including salmon – specifically blackmouth) to 120 feet or less? A lot of rockfish are killed during blackmouth fisheries – they are comingled. Downriggers used in Chinook fisheries cause a lot of hooking mortality when fish are not detected – they are often drug to exhaustion like in the troll fishery. We should look at what amount of increased fishing time we could provide as a trade-off for this rule.

One person stated that he routinely fishes 120-140 feet for blackmouth and has only caught 1 rockfish – ever.

Are there any studies on what depths most people fish for blackmouth?

One person was concerned that if you were fishing in shallow water but in an area of high current you could be pushed out into deeper water – how would this rule be enforceable?

In the ocean they have assigned lat/long points to the 30 fathom line.

There is general acceptance for the 20 fathom rule.

We live near marine area 8-2 and enjoy the recreational fishing opportunities in this area. We have looked over the proposed fishing regulation changes and are concerned that some of them are, at best, a blunt instrument for solving a problem, and more likely unnecessary or misdirected. Other regulations look quite sensible.

We fish for various varieties of flounder all year. The depth the fish are at varies throughout the year, with the shallowest generally being in the summer at around 60 feet. In the winter, the fish are much deeper, in the 160 to 180 foot range. Fishing deeper than 180 feet gets to be quite a technical challenge so we never fish deeper than that. Limiting the fishing depth to 120 feet would eliminate the flounder fishery for about 5 to 7 months of the year because they have moved into deeper water.

We have never caught a yellow eye, canary or bocaccio rockfish in area 8-2. If they exist, it is very deep. We do know of areas where copper rockfish can be found, and with the current limit of 1, will sometimes visit a known rockfish area to catch it. The copper rockfish areas tend to not have flounder and the flounder areas tend to not have rockfish. If it is necessary to eliminate the rockfish fishery, we simply would never bother to go to the rockfish areas. Thus, the 120 foot limit is unnecessary. Could it be increased to 180 feet to allow the winter flounder fishery? I couldn't help noticing that it is OK to fish for salmon in depths over 120 feet. Jigging for salmon with a herring in the rockfish areas would certainly net some rockfish. Is salmon fishing being allowed because the salmon fishing lobby is too strong, whereas the flounder fishing lobby is rather quiet by comparison?

To the casual fisherman, the copper rockfish, in their normal areas, appear have become more numerous in the years since a limit was imposed. Since the limit seems to be working, I'm not sure why the fishery needs to be eliminated. Are there areas where the yellow eye, canary and bocaccio rockfish co-exist with the copper rockfish? Is it even in area 8-2?

Staff Recommendation: Pending.

NEW PROPOSAL 10 A

Proposal: Allow spearfishing for rockfish in Marine Area 5.

Explanation: This will make the rules for spearfishers the same as those using hook and line.

Testimony:

I support this proposal.

10A Disagree - protect rockfish from spearfishing. Spearfishing is the same culprit to decimate ling stocks.

I would like to know why we are getting additional proposals after the proposal period has closed. This seems to me to be a violation of the process that is currently in place. I for one am against all of these additional proposals.

I have some serious concerns over the (three new) proposals and do not support any of them.

I am a spear fisherman and a certified diver. I know how lethal spear fishing can be. If divers come into area 5 particularly in the kelp, bottom fish will be gone in no time as they will be killed very fast. Moving divers into area 5 will result in a non sustainable. bottom fishery.

One way to address conservation would be to reduce limits to what we have in area 5 and close bottom fishing between halibut fishing days; that is when bottom fish are really targeted by sport fishermen

Last but not the least, you will never conserve the bottom fishery until you get rid of the bottom draggers that destroy the habitat on the bottom. I have seen them go through area 5 many times literally destroy the fishery. Why don't you propose a rule concerning bottom dragging????

I do not support the addition spearfishing for rockfish to the Area 5 , again I would point out the ability to impact the fishery.

I do not support allowing a spearfishing season in marine area 5.

If all of the other restrictions come to be, this would cause excessive pressure to a resource that will have effort concentrated. If a balanced management for all users can be maintained, there could be limited spearfishing in this area along with other uses.

I do not support allowing a spear fishing season in marine area 5 as this would cause possible safety concerns and interactions between boats and divers.

I oppose re-establishing a spearfishing season in marine area 5 that is counter to the conservation plan.

No spearfishery for rockfish in MA 5 – divers harvest very small kelp areas otherwise inaccessible – they are sanctuaries now. In the past, divers filled ice chests with fish. MA 5 is on the edge now of viable hook and line fishery. Day and night difference between spear fishers and hook and liners. Not a “fair chase with divers.

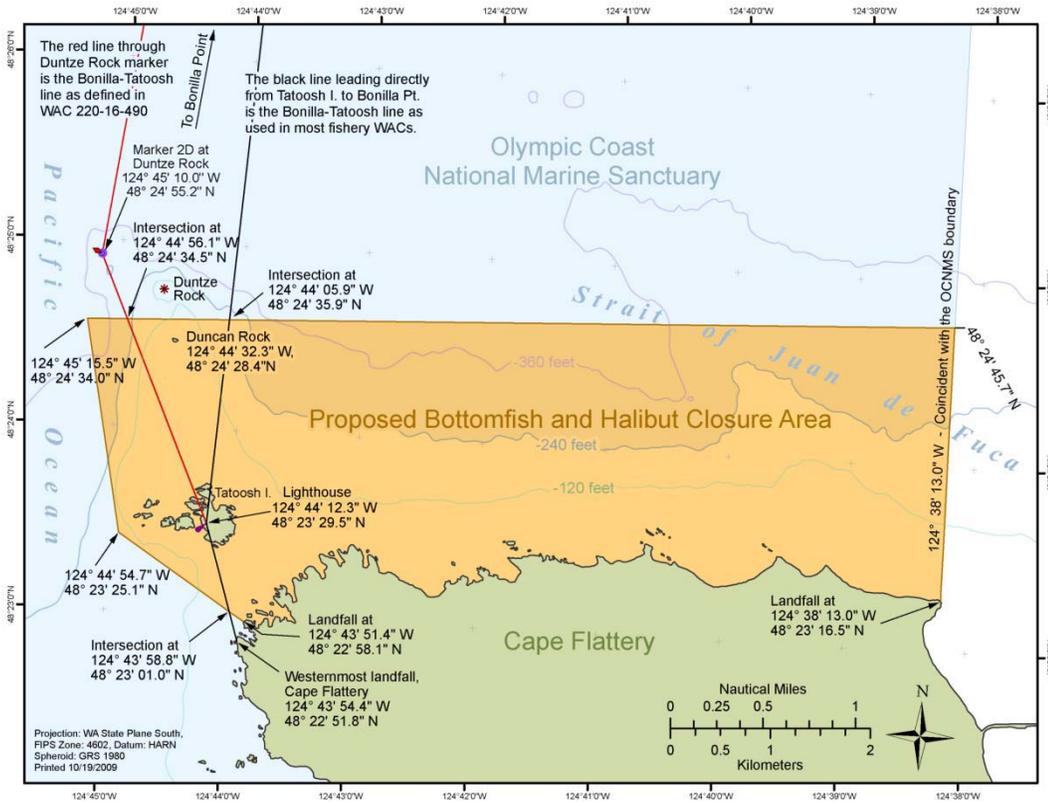
Modification: To avoid gear conflicts, allow spearfishing for rockfish only during the spearfishing season for lingcod (currently May 21- June 15).

Staff Recommendation: Adopt as modified.

NEW PROPOSAL 10 B

Proposal: In Marine Area 4 – closed to fishing for halibut and bottomfish in an area defined by straight lines connecting the following specific latitude and longitude coordinates in the order listed: Beginning at 124°38'13.0"W, 48°23'16.5"N, thence to 124°38'13.0"W, 48°24'45.7"N, thence to 124°45'15.5"W, 48°24'34.0"N, thence to 124°44'54.7"W, 48°23'25.1"N, thence to 124°43'54.4"W, 48°22'51.8"N.

Explanation: The proposed closed area for bottomfish and halibut will provide additional protection for rockfish in the area and provide a viewing opportunity for divers. See map below.



Testimony:

While it is important to protect fish stocks, reduce the catch limit rather than closing the area off. The current limit of 10 Rock Fish is way too high as it is. (Neah Bay bottomfish and halibut closure area)

The proposed closure of the area around Tatoosh does not seem supported by any research. How would it help the halibut situation. The catch limits are already determined the Pacific Fish Management process. Many of us learned to fish in the near shore waters around Neah Bay. Closure of this fishery would eliminate that opportunity to teach our children and grandchildren also. Many of us have smaller boats and do not want to be in the open ocean for safety reasons.

Since this would become a closed area, will it also be closed to salmon fishing?

This late proposal seems to be a "land" grab to benefit a very small number of divers and excludes recreational sports fishers.

Also the proposal specifically mentions recreational fishing. What is the effect on commercial fishing.

Lori, hi how's it going, just heard about the proposal for closing Neah bay for bottom fishing. How can something like that be decided by one person, who has a side interest in the closure, ie him being a diver. I have invest a lot of time and money fishing around Wa. It just makes me sick to think that could happen, what's next. If that pasts, I'm not buying my fishing license next year. I'm sorry you're the one who has to recieve these emails, but we need to do something to stop this. Neah Bay is a excellent fishery for being boaters to start fishing the ocean, that's where I started. Once that is gone, the next generation of boaters will suffer, thus the state of washington will suffer too.

Please let me know what else can be done to stop this.

Your late proposal for a Bottomfish and Halibut Closure in Area 4 creates a safety issue for large and small boats and thus the Coast Guard by pushing anglers into unprotected rough waters off Washington coast. Furthermore, the restriction only serves a very small community of recreational divers. The safety of boaters should be important to WDFW when setting regulation.

Additionally, the extreme tides that run through the area make it extremely dangerous for divers.

This proposal should not be passed.

Closing the area off the tip of NW Wa., will sure helps our friends just north of us.

I am highly opposed to the closure of bottom fish off of the shores of Neah Bay to Tatoosh for the following reasons:

- This is a local fishery for me and this community. Haven't we had to give up enough already?
- When specific areas especially one this large and productive are closed, sport fishermen are forced to concentrate in other areas. I do support small spawning ground closures so we have fish for generations to come but this one is one of the last prime fishing areas for bottom fish in our area and you're proposing to close it all. Why not reduce catch limits if protection required or close smaller, less accessible areas.
- The waters you are referring to, provide a "close-in" opportunity to fish when the weather is bad. For those who do live close it is difficult to turn back (use necessary caution) after all of the preparation and money it requires to get out to the Peninsula. I have seen many rescue efforts and can only predict that this revision will create more, especially if forced out further.

Neah Bay Underwater park - Great Idea!

Proposed Closure - Olympic Peninsula for divers

Please reconsider and so not implement this proposal. This would in my opinion provide preferred status upon an elite number of individuals (divers) while impacting thousands of fisherman. This particular area outside of Neah Bay is one of the few areas where anglers can access halibut and rockfish resources in smaller boats. Most of us recreational anglers without large boats cannot access the offshore areas without subjecting ourselves to sometimes dangerous conditions. The current handling of and restrictive fishing days forces anglers to sometimes venture forth when they shouldn't, especially offshore. This particular area is one of the few "havens" available inside the "straits" where they can still fish without subjecting themselves to some of the dangers of fishing offshore in the ocean. ABSOLUTELY SO NOT CONSIDER THIS PROPOSAL.

I have been hunting and fishing in this state since 1959, at the age of 10.

The proposed rule (added October 16, long after the June 1, cut-off date) to close Neah Bay to recreational fishermen is a very very bad idea.

Recreational fishermen frequent this area, especially when the ocean conditions do not permit safe fishing outside.

Divers have been using this area for a long time - why is it necessary to close this area to fishing ?

This closure will place recreational fishers in harms way, have serious impact to local economy of Neah Bay, and likely have negative impact to relations with the Makaw tribe.

Regarding Proposal: "There is a recently added proposal that would close fishing for bottom fish and halibut off the northwestern tip of the Olympic Peninsula. The proposed closure, which would extend 1.5 miles offshore and stretch about 4 miles from Cape Flattery east to Neah Bay, would provide additional protection for bottom fish and halibut in the area while establishing a world-class destination for divers. "

This is a "bad proposal". Sport fishing will bring a lot more revenue to the depress peninsula economy than sport diving. A good conversation alternative would be to close commercial fishing in the compromised areas (both tribal and non tribal). Sport fishing brings in more dollars per fish to the local economy than commercial fishing. There is a long tradition of sport fishing on the peninsula that we would like to hand down to our children. Reduce the length of the sport angling season but do not close it!

Why Marine Protected Areas (MPA)?

1. **Significantly reduces incidental take:** MPA's, clearly delineated and enforced through regulation, would significantly reduce incidental take of endangered, threatened, and depleted rockfish species.
2. **Protects old, large female fish:** MPA's will protect the large, old, female rockfish within their boundaries. These fish exhibit high site fidelity, an attribute that makes them especially good candidates for MPA protection. They also are the most critical for reproduction – individuals that move the species toward recovery.
3. **Ultimately creates increased fishing opportunities:** In theory, and increasingly in practice, established MPA's have a spill-over effect. As recovery proceeds in the zone, those "excess" fish requiring unoccupied breeding territories move from the MPA to adjacent waters, increasing fishing opportunities there.
4. **Aids enforcement staff:** Clearly delineated MPA's will aid Department enforcement staff in ensuring adherence to the rules. Fishing clubs, charter boats, and adjacent upland residents can educate anglers about the purpose of MPA's. While private citizens cannot, nor should they, operate as enforcement staff, they can inform appropriate authorities of violations when geographically protected areas are clear.
5. **Moves species recovery forward:** Finally, implementation of an MPA system in Puget Sound makes sense because it is likely to promote the Department's desired objective – the recovery of endangered, threatened, and depleted rockfish stocks.

There undoubtedly are other good reasons for creating Marine Protected Areas to achieve rockfish recovery objectives, but the above are among the most salient. MPA's are a tested concept. They have succeeded elsewhere. It is a management approach for Puget Sound rockfish that should be implemented now.

As an avid supporter of biodiversity, I would like to see an underwater park within the Olympic Coast Marine Sanctuary lying within the Straits of Juan de Fuca. It would help to preserve the rich diversity of species within the Straits and Puget Sound.

I support smaller limits on rockfish in area 5.

It has come to my attention that Commissioner Jennings has submitted a rule change proposal well after the June 1 deadline and that his proposal has been included in the major cycle. This proposal and all other proposals that were received after the deadline must be dropped from consideration, that is if you hope to have any public respect in the process.

It is beyond belief that the department can be so flippant with any part of the process and still expect even a modicum of respect from the populace.

I just found out about this proposed 'dive area' at our PSA board meeting last night. Was there not a June deadline for making proposals? The simple question of why this is even being considered given that the commissioner did not follow the stated guidelines for submission should be grounds enough to remove this MPA from consideration.

I am opposed to this MPA given the stated objective of providing a scuba dive site.

If there is evidence of harm being done to the rock fishes in that immediate area, I could not find it on the WDFW web site. Without specific evidence of harm being done to a population of fish, proposing an MPA to provide an exclusive dive site is not reasonable. Will we next set up an MPA for another sub group of area users? My understanding of the usefulness of the MPA concept is to close, to all users, an area to allow fish stocks to recover.

I think the states proposal to close the area west of Neah Bay for bottom fishing is ridiculous. Making it a destination for divers is not going to generate money for the state or for Neah Bay and Sekiu. I have fished the coast for the last 30 years and the only people going up there are going for the fishing. You start closing some of the prime bottom fishing area and most people will go else where.

In addition I think the 20 fathom rule inside of area 4 is even more ridiculous. All for the protection of Rockfish. I have never caught a rockfish fishing Halibut at Sekiu in 500ft of water. If you want to protect rockfish close the waters inside 20 fathoms, not outside.

If these fish stocks are being harmed, the WDFW might be able to impact the rock and bottom fish stocks in this immediate area by changing the bag limits, perhaps reduce them by 50%. since the area is already a favored dive site, this MPA makes zero sense.

I would propose cutting the bag limit for all rock and bottom fish in this area by 50% but keeping it open for all users.

I'm emailing you to voice my concerns for the proposed MPA near Neah Bay.

I'm a strict fly fisherman who travels to Neah Bay 10 times a year specifically to fly fish for rockfish and lingcod. It's rare to find such a unique location that holds such an abundance of fish at such a shallow depth to allow for fly fishing for these species. I would be so sad to see this area closed off. While I practice catch and release of my bottomfish I know there is a 10 fish limit currently in MA4.

Perhaps there are better solutions for preserving such a fantastic and fertile part of the ocean then restricting all fishing and turning this spot into an MPA. Ie... lowering the limit of fish you can harvest per angler? How about a seasonal closure during spawning periods?

The concept of a MPA has utility in protecting and recovering specific fish stocks. What is being proposed, however, is setting aside an area for a specific group of users. Perhaps the fly fishing community should insist that this area be set aside for the exclusive use of the fly fishing community?

To get to the point, I'd like it known that I oppose this proposal.

I am writing to strenuously object to the inclusion of this proposed rule change which is contrary to the timelines established by the Commission for submittal of proposed rule changes.

Failure to have submitted this proposed rule change in a timely manner has resulted in it not being considered during scheduled meetings held around the State for public discussion prior to final comments being submitted.

Furthermore, WDFW has failed to make the presence of this new proposal abundantly clear to the public. The Rule Change page on the website still only refers to the addition of two new proposals as of 24 September. The link to the change proposals does have a reference to a revision made 16 October but does not indicate that new proposals have been added. Finally, the actual rule change seems to be listed under Legislative Requirements rather than giving it a separate proposal number as was done with the 24 September additions.

This proposed rule change is of such magnitude and significance as to warrant its own separate action and EIS.

It is unclear why this is so late – why did it bypass the public process for rule proposals. Also, don't trust MPA's because of the way they were implemented. There is nothing in the Rockfish Plan about how you develop MPAs. You should identify a reason based on science, identify your goal and steps leading to the goal. Then have periodic reviews and possibly a sunset on an MPA. Where is the science for the closure in this proposal? Put it off to evaluate and have a public process like the other rules. There is a safety concern – 17-18 foot boats will have to go outside the area or concentrate at Seal Rock.

Please put me down against closing part of MA 4 to recreational fisherman.

Also Commercial fishing has devastated the rock fish population over the years because of by catch and habitat destruction. They need to be more stringently regulated along with seal populations looked at before MPA's are on the table. MPA's should be the last ditch effort to solve a problem. No matter how noble man's intentions are we inevitably throw off the balance of nature. Just look at the seal and sea lion populations around Puget Sound now with no end in sight until their food source disappears, which apparently has already started to happen. At least the ghost nets being taken out will give back some habitat and stop the perpetual killing year after year that these nets do.

Please put me down against MPA to save rock fish for now until all problems and solutions have been looked at and fixed. Recreational fishing being used as a scapegoat is only putting a band aid at best on a mortal wound that surgery can't fix. All user groups need to be held accountable and up to now there is a lot of waste going on with commercial fishing that needs to be addressed and fixed.

Hello, I am a diver and fisherman who depends on the ocean for recreation as well as putting meals on the table for my family. I recently stumbled upon a web forum thread which stated that there were plans to close Neah Bay for recreational fishing. There are very few safe places that are protected from the open ocean in Washington where one can fish and dive for food, Neah Bay being one of them. In a state whose waters are already over-regulated, I only ask that the closure of Neah Bay be reconsidered.

Lori, I believe that the proposed inside closure of marine area 4 to hook and line angling would be an extreme measure that would make the accessible portion of marine area 4 off limits to small boat owners to rock fishing, I have used this area to introduce young and inexperienced anglers to fishing because of its wealth of rockfish and comparatively calmer waters, to make it off limits I think would be a grave mistake for Washington state anglers and sports people, Thankyou for your considerations of this input.

Honorable Commissioners,

I oppose the recent addition, Proposed bottom fish and halibut Closure Area.

This is a late submission, should not be given consideration this cycle.

The SeaDoc Society strongly supports this proposal.

I am writing to encourage that the Department establish an ecological reserve within that portion of the Olympic Coast National Marine Sanctuary lying within the Strait of Juan de Fuca.

Specifically, I believe it to be in the public interest and certainly aligned with the Department's Mission Statement that Area 4b be assigned the same fishing limitations as those in Areas 5-7, the daily limit of black rockfish in 4b be reduced to three per person per day and further, that the taking of rock scallops be made unlawful.

Please read a recent interview on these issues by noted oceanographer Dr. Sylvia Earle at:

<http://www.e360.yale.edu/content/feature.msp?id=2194>

"Oceanographer Sylvia Earle has spent nearly half a century exploring the world's oceans and breaking numerous barriers in deep-sea exploration, including holding the record walking untethered on the sea floor at a lower depth — 1,250 feet — than anyone ever has. In her new book, *The World is Blue*, Earle describes the two-pronged assault on the seas — humanity's extraction of vast amounts of marine life, while at the same time pouring into the oceans huge quantities of pollutants and carbon dioxide — and also discusses ways to bring the oceans back from the brink.

Chief among these, Earle says in an interview with *Yale Environment 360*, are **the creation of a global network of marine reserves** and developing a more sustainable system of aquaculture. Earle believes that the world's oceans can still be redeemed, but only through swift and decisive action. "We either get to choose by conscious action or by default... thinking somebody else will look after this," she says. "But nobody else will take care of these issues."

"Those are the places, the hot spots, where we should pull out all the stops and give them a chance. Let's go to the richest areas in the sea and not exploit them but protect them, because they give back to all of the sea, give back to our life support systems." *emphasis added*

This area is very special and we owe it to the future citizens of this state and beyond that it receives these protections.

I am strongly opposed to this possible change. Divers use that area now with no interference from fishermen (no divers are going down 300 feet by the way) and this will force small boat owners into the open Pacific to fish for bottomfish which creates a dangerous situation.

I am writing to strongly oppose the proposed closure of parts of area 4 to all bottom fishing. The dive community currently uses that area now and as far as I can tell with no interference from the fishing public. By closing that section of area 4 you will force small boat owners to fish outside in far less safe waters. I see no reason for this change and , again, oppose it.

Proposal 10B: Divers are not allowed to use this area already? You are shifting the use of an area from a PAYING user group, to a NON-PAYING USER GROUP. How about charging divers a \$20 license for the priviledge of diving in washington waters. Fisherman should not have an area closed to there use and have that area opened up to another user group. Fisherman should NOT pay a license fee and have there use of area excluded for the benefit of another group.

I'd like to comment on the Proposal 10B below. I regularly fish in that area for bottom fish and am very much against closing it to sport fishing. For people like me without a large boat who feel unsafe going out west into the ocean past Tatoosh Island the proposal would close what are in my opinion the best bottom fishing waters inside the Strait. From my observations over the years there are many more people that fish those waters than dive in them. Please don't close this productive fishing area! It would be a travesty and further complicate fishing regulations!

10B Disagree, close for bottomfish but allow halibut fishing. Neah Bay would suffer too much economically and tribes would overnet everything else. Promote catch and release of rockfish from 45 feet inward with slow retrieve. Rockfish should be protected but not to close such a large area for such a small group. I'm afraid all of this conservation would be deleted with tribal and commercial netting or long-lining.

The Neah Bay closure from Cape Flattery east to Neah Bay is a slap in the face to sport fishermen. The small boater and people that fish this area will be ENTIRELY left out from fishing in close to shore. This is a dumb proposal and a one user group that wants it all. If you want to protect Rockfish shut it down for ten years and ban all fishing till it rebounds. Your going to hear from allot of sport fishermen and I for one like to fish that whole stretch you intend to close. Somedays I don't like running 20 miles to fish and stay close because of the weather or fuel consumption. Your overall plan to me sounds like giving it to one user the Divers, and taking it away from sportfishermen? Fishermen spend way more money and are a huge part of your revenue. Better come up with something not so severe to sportfishermen. What about shorten the season or shut it down to all user groups. This includes Tribal, Commercial fishing of all kinds that you allowed. The proposal for Columbia River Endorsement and more money. How about budgeting your money like we do. Not in favor of that either I suppose! This is way to much to pay! Allot more than we should for fishing, and we have to short a time or season to do it in. I say no!

I am writing you to express my opinion that proposal 10B is another outrageous slap in the face of the sport fishing community. I am very much in favor of recovering our rockfish populations but do not believe that this proposal would significantly restore this resource when there are much more destructive stressors to the rockfish population at work now, besides recreational fishing.

I believe the scientific evidence for closing this area is thin, at best and I also believe that this proposal is nothing more than the pet project of one commissioner, David Jennings, who, in my opinion, is attempting to create a dive park that would only benefit a small percentage of this state's population. I further believe that Commissioner Jennings has abused his position to further his personal adjenda and should be removed from the Commission.

I am a member of both the Coastal Conservation Assosiation and Puget Sound Anglers. However, I do not speak for these groups. These are my personal comments.

I am writing in support of the creation of a Neah Bay UW Park area. I am a local Seattle diver with many years of experience, past president of The Marker Buoy Dive Club (a large 200+ member club), a volunteer science diver for The Seattle Aquarium. And I created WDF's new dive map for Washington State.

I can say, without any hesitation that rockfish are under tremendous pressure all over the state and were decimated in Puget Sound, both north and south. Their long lifespans and late sexual maturity leaves them very vulnerable to over-fishing. Many fishing areas such as off Blake Island have been completely cleaned out, and even with a ban on taking them, populations are very slow to build. Protections afforded to salmon and herring have trumped their establishment of habitat in many areas as well.

The area around Neah Bay that is under discussion is a very bio-diverse one and has good access when conditions are bad further around Cape Flattery. As such is is vulnerable to hunting and fishing pressure and should be protected.

I think divers would go out to Neah Bay more if some incentives were created in terms of better access and charter boats in the area. Currently there are none, but perhaps with the creation of the park, it might become more economically viable for an operator.

I have to comment on what happen at the latest WDFW commissioner's meeting. It has come to my attention that one of the commissioners has tried to shoehorn their own pet project into the rule change process in a way that completely overrides the process that has been in place for many years.

It is my understanding that the proposal for the proposed closure area in MA4 was added 4 months late, after the regional meetings to discuss proposals had closed. This allows limited time for public review, and appears to be an attempt by commissioner Jennings to abuse his post as a commissioner to further his own private agenda.

While I recognize that Jennings is a Washington State Citizen, and that he should be entitled to his opinions, he is playing what I consider dirty pool. Transcripts of the proposed closure area most likely will not be available to the general public prior to the end of the public comment period.

I would suggest that the commission take action on this issue. Not the MA4 closure, but the censure and removal of commissioner Jennings for this breach of trust.

Sportsfishermen continue to see our seasons cut and threats to historically productive fishing areas, such as is being proposed in the San Juans, and we provide a huge economic benefit to the state, not only through license sales, but also through taxes on fishing equipment and money spent on lodging and food in the local areas we go to.

Diving and fishing are both legal activities in the proposed closure area, and the divers want that area for themselves.

Anyone with half a brain can see that. As soon as someone tells me how I can get the keys to my own private playground, and not have to pay a thing for it, sign me up. That is exactly what Jennings is trying to do here, plain and simple. I'd like my own area for elk and deer hunting. Don't let hikers and mountain bikers out in the woods while I'm there, woodcutters, too. Kind of a silly analogy when you look at it that way, don't you think? One group claiming an area for themselves and not allowing other legal activities to take place.

I don't mind sharing the area with divers, but the area in question is protected waters where small boats can experience good fishing. It isn't uncommon to see 50-100 boats in that area during the spring and summer fishing seasons. As far as I know, I've never seen any area that attracted 50-100 dive boats in Washington. Jennings's idea that this will become an economic boon to the area is completely misguided, with no projections provided to support this claim. Show me your numbers. While diving is a legal activity, only those who choose to spearfish need to purchase licenses. Those who do not provide absolutely no economic support for enforcing the closure of this area. I pay hundreds of dollars in license and tag fees each year for my family.

Jennings needs to take the example of the current WDFW director in consideration. Phil Anderson owns a charter boat and license in Westport, but so as to appear neutral on the issues he presides over, he doesn't fish that license. I'm a banker, and I bank a number of charter boat operators in the Westport area, so I know what he is giving up. It would be nice to see commissioner Jennings set aside his personal agenda and let the scientists at the WDFW do their jobs. This really disgusts me and does nothing but diminish my opinion of the whole organization. I am not alone.

I watched the Washington Department of Wildlife Commission meeting of November 6, 2009, to learn more about the proposal to close Marine Area 4 to recreational fishermen in order to make it a world class destination for divers.

I now understand that this area is already open for diving, there is no scientific data supporting closure to fishermen, and that closing this area to fishermen will put them into harms way.

During public testimony, I was appalled at the WDFW commissioners callous response to the fishermen's safety concerns, they did not even care. Rather than ask a few questions to clarify and understand the safety concerns, Commissioner Jennings simply refuted the public testimony and defended his proposal. In contrast, the previous public testimony about health and safety of loons went for over 28 minutes. Commissioner Jennings made statements that Washington State fishermen were responsible for 50 to 80 metric tons (176,368 pounds) of lead in the environment every year. No data to back up the claim, just more fishermen bashing.

I can not and will not support this proposal, I can not condone the actions of commissioner Jennings.

He should not be allowed to continue service as a WDFW commissioner. He is not acting in the best interests of anyone but himself.

In stark contrast,

Harriet Spanel (she served State Government for 20 years and was Washington State Senator (D) for the 40th District) had this to say about conservation efforts;

"The water belongs to all of us. Puget Sound is all of ours. It isn't for one particular individual or organization to use. It belongs to every single one of us. And we don't have the right to destroy it but have a responsibility to keep it and to make sure it is in good condition." (5 identical e-mails)

I am writing you to express my opinion on proposal 10B. First I want to say that I am very much in favor of recovering our rockfish populations. I do not however, believe that this proposal will work when there are much more destructive stressors to the rockfish population currently at work. I do not target rock fish nor do I fish in ways conducive to catching

them. In the last fifteen years of trolling, mooching, and fly fishing for salmon and cutthroat trout in Puget Sound and the Straights of Juan de Fuca, I have yet to catch but one rockfish.

I find this proposal extremely general and premature in nature. I believe the scientific evidence for closing this area to non targeted rock fish angling is lacking and more research should be at the top of your list. It should include comprehensive creel checks and a mandatory retention of targeted species, regardless of size, until the legal limit is to hand. As well anglers must comply with reporting released by catch rock fish and have a record card on their person when angling in these waters. Stiff fines should be levied for failure to comply with any and all angling rules.

Although I have not attended any of the public meetings on this matter, I have heard from individuals who have attended, that Commissioner Jennings has been at the meetings. Apparently he has been quite vocal about his support for rules changes regarding rock fish. It has also come to my attention that he is lobbying on a few sport fishing and recreational scuba diving sites regarding this issue using a pen name "biodiversityguy". In my opinion these actions are well beyond the Commission's and Citizen's best interest. His actions reek of personal agenda and should not be tolerated. I have also been told that all rule change proposals we due by June 1, 2009 and Proposal 10B was not filed until October 16, 2009. If this is correct, abuse of power and his office are at issue.

I have been a resident of the State of Washington for fifth eight years and have been a recreational angler and conservationist for thirty. I am an active member of the Costal Conservation Association and the Sierra Club. The comments above are mine, I do not speak for these organizations.

Closing the proposed 4 mile (area 4) to Rock fish & Halibut will concentrate fishing pressure on outside areas, such as greenbanks, spike rock, father & son etc.

Smaller boats wont be able to fish outside Tattush island safely. It will force the small boats to fish east of closed area, putting pressure on those areas. I have seen dive boats in Neah Bay area with obscured dive flags so low on boats, they are hard to recognize. Dive flags should be high on boat and be unobscured. I have rock and halibut fished Neah Bay for 26 years and also ran fishing and dive charters out of Neah Bay and what is being proposed could be hazardous to small boats trying to go outside Tatush, but also confining fishing areas. If the fish stock is in danger, close area 4 to protect them. What is to be gained by giving divers exclusive rights to Neah Bay, when we have many areas in Puget Sound to accomidate them.

I am much more concerned for the welfare of our fish than catching them.

As an avid scuba diver, fly fisherman, and camper, I heartily endorse the department's creation of an underwater preserve at the Olympic Coast National Marine Sanctuary. I have been diving there many times, often taking video underwater, and have wondered at the amazing diversity. While this is an area where divers must be very cautious with the often dangerous currents, with good planning a diver can safely enjoy the variety and quantity of marine life. This is truly a wonderful place that is difficult to adequately describe to a person who has not spent hours beneath the waves. Not the cold, the currents, nor the distance from the Seattle area, deter the thousands of divers who visit this area to enjoy the unique subsurface landscape. This could be a destination resort area for divers around the globe, it is that special.

Please establish this wonderful park. I believe in estblishing this site to enable to rockfish to thrive along with all other species that will find this new site home.

Do not agree. This state is already a world class diving location; further restrictions on sport angling must be coupled with significant reduction in commercial harvest.

Please do not allow Proposal 10B Closure to pass! I am a sport fisherman and fish in this area annually.

I just wanted to add comments about this effort. I think it is a great idea and I hope it comes to pass. Thanks!!!

I have now been informed on Proposal 10B Closure.

I would like to give you my back ground and why it allows me to comment on this proposal with what I would say is first hand knowledge of what you want to do.

My qualifications are, I'm a diver and have dove in the Straits of Juan De Fuca starting in the mid 1970's. Served in the USCG as a Surfman on Motor Life Boats from Cape Disappointment to Neah Bay. Taught in the Motor Life Boat School as a Motor Life Boat instructor. Commercial fished from South Eastern Alaska to Southern Oregon and Sport Fished off the Washington and Oregon Coasts, the Straits and Canada. So as you can see I have first hand knowledge and extensive experience with these waters.

I have to say that these waters from Tatoosh to the Garbage Dump at Neah Bay could be a beautiful dive, but also very deadly for the inexperience or intermediate diver. This water could only be dove on in the low slack side of the tide. Which is not enough time to do so safely.

For the opening of this area to diving only. From one of my many experiences dealing with tides and tide rips in the Coast Guard and this one in this area, we had a call about a 14 year old son and his father who had entered the water in

this area and both were said to be strong swimmers. The tide rip caught them on the surface and pulled them away from their boat and the Father and Grand father to these two watched as his son and grand son were pulled under and never came back up. This has happened before and it will happen again if you set this area aside.

The reason this happened is this father and son entered the water on the start of low slack water, but they had failed to take into account the high run off from the heavy spring rains that made low slack 10 minutes later than what the tide book said. It was a beautiful late spring day that turned tragic in 5 minutes time. I don't want anything like this to happen again.

By making this area into to this with such strong tides you are asking for more deaths. For the Coast Guard crews to have to go out and recover bodies of some one's family that is distraught with grief from watch members of their family die right before their eyes. I have lived thru that and I don't want those that are following my foot steps in the Coast Guard to experience this because some one behind a desk made a decision with out knowledge about the situation.

Now for the fish closure of this area. I would be against that also. You are forcing the sports fishermen into the open ocean only. Even fishing when the weather is bad and they could have fished in here when a South Westerly blows up. By making this closure you would make fisherman that have made the long trip out there to fish for halibut salmon and bottom fish and having weather come up that they should not go out in and would fish in side the Straits but beings as you have closed this area they will and I stress the will go out and fish in weather that is beyond their experience and capacity's. Trust me I have seen it time and time again. Do not make the USCG's job any harder then it is. I have personally gone out and righted over turned boats and picked up bodies from accidents that were cause by people going out in weather that they should of never gone with the experience they have, all because the fishing season was so short.

Do not make this closure. You are putting people in the diving community and fishermen in danger. Maybe if you shut down all the net fishing in and around the rivers and in the sound your fish runs would come back! Maybe if you enforced fish limits on foreign net fleets that take everything. Maybe we could have an off shore fishery like we used to.

Trust me I know first hand what the foreign net fleets can do to our fishery. I have seen it first hand.

I would love to meet with you face to face and tell you and anyone else what I have seen and experienced, the good and the bad. What can be done right and what is being done wrong.

The Proposal 10B by the WDFW, with all due respect is a truck load of you know what.... Each year I fish Neah Bay and when the seas outside of Tatoosh Island are too rough, we fish the "inside" where we can at least salvage the day of fishing, the very area being targeted with this Proposal 10B.

Don't let this proposal even get close to passing! Do your part as a concerned WDFW representative and support the Sport Fishermen, you know, the folks who pump dollars into the WDFW bank account (unlike special interest groups, i.e. tribes and commercials).

Speaking of tribes and commercials, perhaps the day when these "special interest" groups drop their fish & habitat destroying nets and drag gear to pick up a fishing rod is the day a **CONVERSATION** about **CONSERVATION** can be had regarding closing waters to sport guy's who **FUND** the fishery anyway! Certainly the tribes and the commercials don't fund the WDFW like sport fishermen do!

OK, I'm off my soap box. I have a close friend who served in the US Coast Guard and was stationed at Neah Bay. As he and I were speaking of this Proposal 10B, he just laughed. He stated that Cape Flattery is one of the **WORST** places to attract divers due to the strong currents, it's a death trap!

Anyway, Sport Fishermen deserve to fish these waters, heaven knows, we've been restricted in so many ways with the 20 and 30 fathom lines, yellow eye / halibut closure areas, etc. Go after the tribes and industrials, they are the killers, not the Sport Fishermen!

I do not support this closer. There are many fish in the area and many people that love to fish in this area. I have been fishing here for almost 30 year and love every day I spend fishing in this area. (2 e-mails)

I would like to know why we are getting additional proposals after the proposal period has closed. This seems to me to be a violation of the process that is currently in place. I for one am against all of these additional proposals.

I would like to register my comments regarding the Neah Bay area bottomfish conservation area proposal. This proposal has absolutley no regard for sportfishing interests as is the usual case with most decisions made by the WDFW. This is an extreme change that only benefits environmental interests and the **COMMERCIAL DIVE INDUSTRY** and does not take at all into account the many sportsmen who have smaller boats and are limited to bottomfishing in those waters due to the size of their boat or sea conditions. It is completely unacceptable to suddenly implement these changes without reducing bottomfish limits and length of seasons first as a conservation measure **FIRST!** This needs to be implemented and it is up to the WDFW to make cuts to other areas to provide for the funds to conduct the creel surveys and analyze the data. Nothing is addressed or possible that is apparently able to change the **MAKAH** commercial draggers that routinely drag the area between Seiku/Slip Point and east of Pillar Point. I realize that the **MAKAH** tribe fishes because the law allows it but there really is no way to change or even enforce existing rules effectively so a heavy handed cut the sportsmen off approach is the norm. **THE SPORTSMEN LOSES ON THIS**

PROPOSAL 100%. Divers and the COMMERCIAL DIVE INDUSTRY benefit 100%. Since sportsmen seem to have to pay for the right to even park in some areas it seems to me that it is time for the recreational divers along with the commercial dive industry should start having fees and licenses imposed on them. Why should commercial dive charters be able to regularly visit the same reefs over and over and over throughout the year (in some cases daily) without any regulation at all except for the unregulated individual operators code of dive ethics. State marine parks should immediately implement fees for divers that visit these areas and a limited entry license for commercial operators if this proposal is implemented. Everyone should have to PAY to PLAY. I would ask that the WDFW consider the sportsmen who utilize this area and take a reduced season and bag limit approach instead. Neah Bay is a "mecca" for fisherman in this state. It is a tradition and most fisherman have made the "pilgrimage" at least once. No matter where you travel in this state you can meet someone who has a story of a memorable trip out to Neah Bay. Sportfishermen have lost so much over such a short period of time it would be "the final nail in the coffin" for many of us to lose an area that has provided so many memories. With careful sensible management taking into account all interests, and everyone paying their fair share, this area can continue provide memories and a quality recreational experience for all for the years to come.

I would like to comment on the proposed 2010-2012 rule changes. It is with dismay and grave concern when I read the last proposal in this 148 page document. The proposal to close the inshore area of Area 4 from just west of Wadah Island to Tatoosh Island and Duncan Rock is alarming and distressing. I can't see the validity of this proposal.

This is a favorite destination of the small boat sportsman for the opportunity to safely catch a variety of abundant bottom fish and halibut in relatively sheltered and near-port waters. People come from all over the Northwest (Washington, Idaho, Montana, Oregon and Utah) for the opportunity to fish specifically for these species in this area. For many Tatoosh Island is as far as they want to safely boat.

The proposed closure, which extends 1.5 miles offshore and 4 miles from Cape Flattery east to Neah Bay, would supposedly provide additional protection for bottomfish and halibut in the area. No mention is given to the specific species of bottomfish that require protection or the science which would support this claim.

The previously identified species of bottomfish at risk as identified by NOAA Fisheries and WDFW (such as Canary Rockfish) are rarely caught in this area because the habitat does not readily support those species. The NOAA-F and WDFW science that does support the depletion of the concerned species has already been identified and protected offshore in the "C" closure area. The International Halibut Commission states that the stocks of Northwest and Alaska halibut are healthy so there is no substantive need of protection by WDFW. Closing this area does nothing but deprive the small boat owner of the opportunity to catch halibut, sea bass, lingcod, greenling and other bottom species.

As to the desire for establishing a world-class destination for divers, it already exists. Divers come from all over our region and the world for the opportunity to sport dive and spearfish in a cold water marine environment for the exact same reasons as do small boaters. An area that has abundant fish of various species in an area which is relatively safe, protected and close to a protected port. Divers and sport fishers have shared this special area for years without problem.

No mention is made, other than sport fisherman, as to what user groups will not be able to fish in this proposed area. Will spear fishing be allowed? Will the co-managers still fish this area? Will the co-managers exercise "foregone opportunity" and harvest the fish not utilized by recreational fishers? Unless this proposal is equally applied to all user groups it will be ineffectual for protecting any fish species. It will also be grossly unfair to the user group(s) who are excluded from harvesting the abundant stocks that inhabit this area.

My last concern is the perception that as a sports fisherman, I am again having the opportunity to fish taken away from me by the very Commission which was just directed to preserve sportfishing opportunity. I view this as a thinly disguised attempt to establish a Marine Protected Area where there is no demonstrated need or economic benefit. MPA's have not been shown as successful in other parts of the country other than to close large areas of sport fishing opportunity to those people who directly support fisheries by the purchase of their license and the economic chaos that ensues in the local economies.

I ask that this proposal be denied

Norman L. Reinhardt, Vice President, Kitsap Poggie Club, Nick Blickhan, Board member, plus 3 identical e-mails from club members

As both a diver and an avid sports fisherman, I find the closure very misguided. The depths and currents in the proposed area are not very conducive to diving, yet provide some of the best near-shore fishing available. By closing this area to fishing, you will be forcing the small boat fisherman further from shore both endangering them and their passengers. In the many times I have fished in the proposed area, I have observed many boats in the 14' to 19' open bow class with their children fishing. By forcing this group further from the shore or out into the ocean to fish, there is going to be a tragedy! Try explaining to the family and friends of the victims that their deaths though tragic was necessary so that a few elite groups of divers could ply their sport in relatively protected waters. There are many outstanding marine parks available to and strictly for diving in the Puget Sound and surrounding waters. This closure could have a crippling effect on the economies of the region that support the fishermen and their families and guests that come to the area to fish.

I believe that before a closure of this magnitude is enacted, that there should be economic impact studies and cost benefit analysis done on the region being affected. Limiting or eliminating an area to a sporting activity (FISHING) in which so many diverse groups financial disadvantaged or not, old and young, disabled and healthy, proficient and not to promote a sport(DIVING) where significant training, skills (especially for the proposed area), finances, equipment and limited population are required completely baffles me.

I hope that you keep the benefits to a limited few verses the lost opportunities to the many current users in mind before enacting this proposed closure. Remember in order to teach someone to fish all you need is hook and line, while diving requires certification, older than sixteen, a vast amount of expensive equipment and limitations on depth and current.

I am writing this in regards to you proposed closure for marine protection at Neah Bay. Has the proposed area been scientifically research to see if this is a proper area for such a closure? Will all user groups be excluded from this area or just the sportsmen? In past history, thesportsmen have been kept from an area and the OTHER users reap the rewards. This is wrong, but this is historically how you run your commision. WDFW should look at how Canada runs there fisheries. People come from all over the world to fish and dive in Canada. This brings alot of money to the economy. Suports local businesses that live off sportfishers and divers. To close an area like Neah bay will kill these coastal towns that depend on the fishermen. This area is a premier small boat fishery. Its protected from the ocean and close to ports, for safe moorage. I feel this is a big mistake to close this area without more research.

I was stunned to learn of Proposal 10B and urge you to reject it on merit.

This proposal to eliminate the last viable, accessible and safe near-shore rockfish, lingcod and halibut fishery still available to small boat fishermen in Washington, simply in order to court developers into considering possible development of a "world class destination for divers" is a sacrifice that is certainly not in the best interest of the resource, fishermen, the sport fishing industry, WDFW or the delicate economy of this hard-pressed region.

In addition to the obvious sacrifice this proposal would require of sport fishermen and fishing dependent businesses in Neah Bay, there are other considerations.

Passage would create a WDFW enforcement nightmare with small boat anglers being forced to travel through 4 miles of "sanctuary" water from the only available public boat ramp in Neah Bay to reach the hazardous open ocean area that is open for fishing south of Tatoosh Island/Cape Flattery. WDFW enforcement officers will face many difficulties and public relation problems in determining if rockfish, lingcod and halibut in the fish boxes of boats stopped inside the sanctuary were legally caught outside or illegally inside of the sanctuary. The alternative, imposing a regulation that forbids possessing bottomfish inside the sanctuary, would force anglers to either abandon the near-shore ocean fishery south of Cape Flattery or to skirt the closed sanctuary by navigating 1.5 miles north in their small trailerable boats away from the protection of land wind breaks and into the often-tempestuous mouth of the Strait of Juan de Fuca. This, of course, would be irresponsibly dangerous and certainly, not something Washington's safe boating administrators would want the state to force on boaters.

The rocks, reefs and kelp beds around and between Tatoosh Island and Neah Bay include the best light-tackle bottomfishing area left in this state that is within reach of small boat fishermen where they can safely fish for and actually catch several varieties of rockfish, ling cod and halibut without undertaking long, dangerous boat runs, confronting the open ocean or booking a charter boat.

No evidence has been presented to indicate the populations of bottomfish in the proposed santuary area are in danger of being overfished by the sport-fishing community or threatened by habitat degradation. Simply put--no biological justification for this bottomfish sanctuary has been presented.

If we, the license buyers of Washington, loses this productive fishing area of Neah Bay there is no viable alternative areas available. As WDFW staff has often apprised the commission, bottomfishing in Puget Sound, Hood Canal, the eastern Strait and San Juans is on its lips. Rockfish populations were decimated by enviromental factors, commercial netting and rockfish populations remain down and far from recovering. Bag limits east of Neah Bay are basically token incentives, and while there has been great strides made in recovering ling cod even that fishery is at best marginally productive and tightly restricted east of Neah Bay.

If a bottomfish sanctuary is warranted in Washington, I suggest that instead of sacraficing these imporant and productive area that one of the impoverished marine areas to the east be considered. The commission certainly does not want to eliminate the last best option for small boat boatfishermen, to impose an economic hardship on the community of Neah Bay, or to force independent small boat bottomfish anglers away from their sport or into buying passage on off-shore charter boats by eliminating near-shore opportunities.

I might suggest that if an exclusive destination dive area is necessary (and that has yet to be established) then the commission might consider areas of Hood Canal in order to focus world attention on the environmental rehabilitation work underway in that once rich and productive marine environment.

Please reject Proposal 10B. It's the responsible thing to do.

In behalf of small pleasure boat & family fishing in areas that should stay the way they are. So asking you not to support the 4B bottomfish closure.

as to the Cape Flattery, will this not allow for fishing of any kind in the proposed area? and i would think boundary lines could be established to use the outlying rocks as the turning points, rather some point in the water, unless that is an established buoy.

BIG NOTE! I do not support the proposed Bottom Fish and Halibut Closure Area. There are many fish in the area and many people that love to fish in this area have smaller boats.

An attempt to restrict recreational fishing for bottom fish should apply equally to spear fishers, commercial fishers, and the Indian fishery.

I have some serious concerns regarding the (three new) proposals and do not support any of them. Regarding the Neah Bay closure area to make a "world class diving preserve". Why in the world is the northern line in excess of 350 feet. Sport divers don't go that deep if they have any regard to living very long. What it does do is to destroy some good halibut sport fishing.

If you want a world class diving preserve, then create one that would involve a no kill, no touch area like the one in La Joya Ca. I don't support this but at least it would make more sense and make a protected area for bottom fish.

This proposal should not even be considered. This is a last minute proposal that didn't even meet the deadline for submission. It has not even had the proper time to be evaluated. It is a last minute, poorly constructed, special interest based proposal based on no science at all. It is a very bad proposal. This area is critically important to the recreational fishery, especially in light of all of the recent closures and restrictions on this fishery. There is absolutely no basis for this closure. To close this area to all but divers is grossly unfair and should not even be considered.

I would like to express my concerns over sports fishing proposal 10B which would eliminate halibut and bottom fishing from Cape Flattery to Neah Bay and out 1.5 miles. There is no biologically based reasoning for this closure and should not be implemented. Bottom fish and halibut are well regulated in this area and can be adjusted (if needed) with recreational angling limits. There is no conservation need for a marine sanctuary open only to diving. I urge the commission to NOT adopt this as a rule.

We do not support proposed closure for sportfishermen.

Please do not support the 4B bottomfish closure.

This is a favorite spot for small boat fishers with kids aboard to catch a mixed bag of salmon and bottom fish in sheltered waters.

People come from all over the country with small boats and flat bottomed river boats. For many Tatoosh is as far as they want to go. On many days the ocean fog stops at Tatoosh Island giving people a fog free area to fish.

People drive long distances for the Area 4 halibut opener, if the weather is bad fishing the inside is a much safer option. Some of the best halibut fishing spots are in this proposed closure.

Divers and recreational fishers have coexisted just fine in this area. There are many places great for diving that boaters can't easily get to like caves and lagoons behind rocks and kelp beds. Between Tatoosh and Cape Flattery the channel current is not safe for diving anyway.

I hope you will not approve the Area 4 bottomfish closure. I represent the approximately 190 members of the Willapa Fishing Gang.

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Divers and recreational fishers have coexisted just fine in this area. There are many places, great for diving that boaters can't easily get to, like caves, and lagoons behind rocks and kelp beds. Between Tatoosh and Cape Flattery the channel current is not safe for diving anyway.

The Pierce County Sportsmens' Council is adamantly opposed to the proposal to close all fishing for halibut and bottomfish around Tatoosh Island and Cape Flattery. This proposed closure would remove all sportfishing in the area for the people who have only small boats. We feel that this area should be left open for all user groups, not just for people who want to dive. Sincerely, Jim McAfee, Pierce County Sportsmens' Council.

This sport closure proposal off Cape Flattery at Neah Bay seems very unfair to the guys with smaller boats that can't fish out farther off the coast. Why should divers be given special privileges, special areas? This proposal will cause much upset to the bottom fishermen in the area. Let's keep fishing a fun sport for families with smaller boats too. Not just for people with lots of money with the big boats. What dive group put in the proposal for this idea (Seattle divers?). The regulations are also being changed to protect rockfish in Area 4 on in thru Puget Sound so a fisherman can't keep bottom fish caught over 120 feet. This regulation will take away good Pacific Cod and Lingcod fishing at Sekiu that are caught by halibut fishermen. Let's keep bottom fishing open for everyone not to just a few select divers! This is such a beautiful fun area to fish, please don't close it down to hook and line fishing.

I love to spear fish at Neah Bay. These proposed rule changes will impact the ability to continue spear fishing in Neah. I would not be happy about that. Most people that dive at Neah bay are also spear fishermen. It will not be a premier dive destination without the added benefit of harvest. I can ensure you of that. Everyone that I know that dives there would boycott and not dive in area 4. Therefore, losing lost revenue for local business.

I am responding to a request for comment on a scuba diver e-group re:
OCNMS underwater park proposal.

(1) I support some form of no-take zone for scuba divers within part of the Olympic Coast National Marine Sanctuary.
(2) I have dived out of Neah Bay. I do not fish. Divers and fishermen/women can co-exist without closing down fishing in the entire area.

The actual proposal, as I understand it, is too broad, if it closes off the entire Juan de Fuca portion of the OCNMS to fishing.

(3) There is outstanding diving out of Neah Bay. But divers mostly dive only a few known dive sites. So, there is little or no benefit to divers to close down a whole area to fishing. And note also that divers often look at the invertebrate life; larger fish are nice, but smaller fish don't ruin the site.

(4) Please consider setting aside a few known dive sites, such as Duncan Rock, as no-take zones or underwater parks with no fishing or spear-fishing.

This would be excellent for divers.

(5) Would it be possible to consider setting aside some additional underwater parks in the San Juans or other areas closer to Seattle?

(6) The Neah Bay area will never be a big destination for scuba diving. It is a good four hours or more from Seattle, one way, and cannot compete with the San Juans, which can be reached by dive charter from Anacortes, just 1.5 hours from Seattle. That's an extra

2.5 hours of driving each way, and that's a BIG factor.

In sum, I think divers would benefit from multiple, smaller parks, closer to home. More of a neighborhood park approach versus a regional or state park approach.

Lori, thank you for your efforts and for thinking about the divers.

Please allow me to introduce myself, My name is Rick Migliacio I am a avid sport fisherman and frequent the North coast of Washington from April to September. I am in the Sekiu and Neah Bay area every weekend fishing. In all of the times I have been fishing the Neah bay area I have seen only 1 diver. I am strongly opposed to this proposal of making the area a marine sanctuary for world class diving. I support the local economy with my hard earned dollars do you and Mr. Jennings go there often? Why cant it still be a great dive destination and still allow fishing? How many divers go to the 360ft depth? Mr. Jennings does not have a link for his email on the website or I would have included him in this email. I look foreword to meeting with you and maybe some commission members to discuss some of these issues in person.

I would like to comment on the proposed 2010-2012 rule changes. I am angered by the proposal to close the inshore area of Area 4 from just west of Wadah Island to Tatoosh Island and Duncan Rock. I can't see the validity of this proposal. I am a small boat owner that typically fishes the Neah Bay/Tatoosh Island area three or four times each summer. People come from all over the Northwest (Washington, Idaho, Montana, Oregon and Utah) for the opportunity to fish specifically for these species in this area. For many Tatoosh Island is the outer limit they want to safely boat. The proposed closure, which extends 1.5 miles offshore and 4 miles from Cape Flattery east to Neah Bay, would supposedly provide additional protection for bottomfish and halibut in the area. No mention is given to the specific species of bottomfish that require protection or the science which would support this claim. Closing this area does nothing but deprive the small boat owner of the opportunity to catch halibut, sea bass, lingcod, greenling and other bottom species. As to the desire for establishing a world-class destination for divers, it already exists. Most divers that I know don't venture much past Waadah Island, they like the calm protected water off of Snow Creek resort and Sail and Seal Rocks. Divers come from all over our region and the world for the opportunity to sport dive and spearfish in a cold water marine environment for the exact same reasons as do small boaters. An area that has abundant fish of various species in an area which is relatively safe, protected and close to a protected port. Divers and sport fishers have shared this special area for years without problem. Do not close this area to bottomfishing. I already go to both Alaska and British Columbia

every year to catch fish in calm, shallow, and protected water. All this will do is give us true fishermen another reason to stop buying Washington fishing licenses and take our business elsewhere.

I ask that this proposal be denied

This proposal was added at the last minute with little to no public notice or time for sufficient discussion. The proposed area is listed as halibut & bottomfish closure area is one of the only areas that is available to smaller boats to fish during the short (7 day average) halibut season. Since the weather during the May halibut fishery is often severe this proposal could put many smaller boats at risk if they attempt to fish outside this closure area. I have personally found the areas around Tatoosh Island and Duncan Rock are usually only diveable a few times a year due to either weather or tidal conditions. As a diver I have found this area to already be a world class dive destination and would support a discussion concerning this area that actually involved public discussion.

I am writing a second letter about the 2010-2012 Sport Fishing rule proposals. The process which allowed the late inclusion of the proposed Bottomfish and Halibut Closure area in Marine Area 4 is frankly, a travesty. The only reason for the late entry is due to Commissioner Jennings, as any normal citizen would not have been afforded the same luxury of such a late entry. I hope that he is spoken to about his disregard for the public process and will follow the rules afforded to all citizens next time.

Besides the procedural problems with the proposal to close such a large area of Marine Area 4, it is a bad idea. I ran a charter boat out of Neah Bay from 2000-2005 and am very familiar with these waters. I believe it is time for the commission to do something to make sure that good, small boat bottomfishing continues in these waters for future citizens. A closure might make sense if lower limits were imposed and fish stocks continued to decline, but the current limit of 10 rockfish is not conservation based. Across the Strait in Canada their limit is only 5, and they do not put as much pressure on those populations due to longer halibut and salmon seasons. I can remember how many more rockfish there were from Waadah Island to Tatoosh Island when I first started fishing out there in 1997. I saw declines from 1997-2005 and conversations with anglers who had fished these waters prior to me made it clear that the larger populations I originally fished over were a fraction of what was there prior. This area can be used by both divers and fishermen without conflict, but WDFW needs to put more restrictive regulations on rockfish limits to ensure future abundance for both fishermen and divers.

Washington State has seen dramatic declines in all of the fish stocks. To act as though there are fish populations immune to overfishing and decline is just putting your head in the sand. The best time to act for the future is to protect populations when they are abundant and not wait until action is beyond necessary. This goes not only for rockfish, but all other fish populations in the Northwest. The time to pretend that the past management that put our fish stocks on the brink will continue to work on the few remaining stocks deemed healthy is over. In 50 year, will the pictures of wheelbarrows full of rockfish from 2009 be perceived the same way as pictures of stringers of 100 trout from 100 years ago? You stand on the brink with the power to lead our fisheries into the next century with the knowledge that comes from watching management failures and updated science. You can march into the future, or be dragged backwards by the institutional inertia of failed policies. It's your choice, but we are watching and future citizens will judge you on what you do now.

I can't support the proposal to close the waters West of Neah Bay to bottomfish and halibut fishing. The proposal came in well after the June 1 deadline for regulation proposals. It would close off most of the easily accessible small vessel waters W of Neah Bay that provide for a safer fishing opportunity. The dive community can still access those waters if they want to.

I would just like to state that I am very opposed to the bottom fish closure proposal for the area 4 around Tatoosh Island. It is my belief that it is unfair to make a change that would allow one user group (the scuba divers) exclusive use of on area that we all have used and enjoyed for years.

I believe if you eliminate this area from use by boat fishermen it will force many to go around the corner and into water that can turn very unsafe in a matter of moments. This could cause serious problems and even result in deaths for many of the small craft that normally fish this area. Thank you for taking in the concerns of all involved here.

Against any closures of waters to sportfishermen in the 4.7 mile area. Will affect all small boaters that fish inside. Nobody skin dives around Duncan Rock currents are to swift and treacherous water. Close it in the winter months reduce limits and curtail or stagger days you can fish. I am against this proposed rule for several reasons.

PROCEDURAL:

This proposed rule change was included after the 1 June 2009 cutoff for proposals and was not made public until 16 October 2009 after all proposed changes had been reviewed and commented upon by advisory groups and then presented to the public during the seven scheduled regional meetings for public review, questioning and comments. The last of these was conducted on 13 October 2009 and was followed just three days later by the inclusion of this proposal. Furthermore, this proposed change was submitted by Commissioner Jennings who has reportedly recently explained that his proposal was submitted timely but somehow was lost within WDFW thereby justifying its late inclusion. Even if that is true it does not relieve WDFW from following its own public hearing process which is still posted on its website. Where

was Commissioner Jennings when his personal pet proposal should have been visible during the many steps set forth in the formal process and especially during the review by the Fish Committee?
In addition to not following its own published procedures established by WDFW to meet the public review requirements of the WAC it has become public knowledge that Commissioner Jennings has actively solicited support for his personal rule change proposal through at least two diver-oriented internet websites (Commissioner Jennings is a diver) under the user name "Biodiversity Guy" on these sites. The first of these of which I am aware is ScubaBoard (www.scubaboard.com). Interestingly the posting on this site by Commissioner Jennings was on 4 October 2009 – well before his proposal was made public on 16 October yet before the end of the regional public meetings. This site boasts a membership of 100,000 divers so it is to an international community that Commissioner Jennings has pleaded for support of his own proposal. The second site is Reef and I am attaching a link to Biodiversity Guy's posting also on 4 October 2009 (<http://www.reef.org/node/3751>). Not only was this posting prior to the public notice of this prospective rule change Mr. Jennings also encouraged others to communicate to the Commission and others as follows:

"Please take a couple of minutes and submit a brief email. Your help is requested and needed to help us make the case for marine conservation!"

"Please forward this information to other interested individuals and organizations."

The WDFW had ample opportunity to withdraw this untimely change but, rather, elected to reformat it on 22 November 2009 so as to give it a unique number. That is unfortunate as this "validation" undermines the public's perception of the Commission. For procedural reasons this action needs to be withdrawn in that: (1) it was untimely having been made public on 16 October 2009 and apparently not having been reviewed by the advisory group nor available at any of the regional meetings and (2) the Commissioner having initiated it actively announced its presence on 4 October 2009 via website postings wherein he encouraged a specific special interest group to support it all prior to it being made public on 16 October 2009. I believe this is a serious ethics violation!

I generally try very hard to limit my comments to the ideas under consideration rather than focus on the source. Unfortunately, in this situation that politeness is impossible. If this proposed rule change is not withdrawn and if Commissioner Jennings is still a Commissioner it is imperative that he at least recluse himself from voting on it. Or Commissioner Jennings can make a public statement that he did not make the postings under the user name cited herein and is not otherwise responsible for those postings.

OTHER:

This area apparently does not have a biological need for the protection which Commissioner Jennings has indicated in his appeals for support. Neither NOAA in its review of proposed listings of rockfish in Puget Sound nor the WDFW in its draft Puget Sound Rockfish Conservation Plan (PSRCP) have indicated a problem with rockfish resources in this area. Furthermore, this stretch between Neah Bay and Cape Flattery constitutes most of that part of Puget Sound that is not included in the PSRCP. Removing it will shift the existing recreational fishery to a short section between Neah Bay and the Sekiu River increasing the bottom fishing pressure within that area. Also, the Makah fishermen will continue to be able to fish in this area so the idea of creating an area free of a consumptive rockfish/bottom fish fishery is unachievable. Having fished this area for rockfish and ling as recently as April 2009 I can personally attest that it is fishable even when further out in the Strait of Juan de Fuca was too rough for my 20 foot boat as was the area outside of Tatoosh Island. This area is already a world class dive site and does not need the protection sought by Commissioner Jennings which would essentially create a private aquarium. I suggest that if Commissioner Jennings and his dive supporters want to view an area that may have experienced less fishing impact that they make the trip outside and south toward LaPush. This proposed change, if enacted, would reduce angler activity in that area at a time when no other recreational fishery is available. Our trip in April included three boats and eight fisherpersons and there were other boats there targeting bottom fish. Are the small communities of Neah Bay, Clallam Bay and Port Angeles in support of this change and the loss of income it would create?

Regarding Mr. Jennings' proposal for an MPA near Cape Flattery:

The area that is proposed to be closed to angling is used by thousands of fishermen who frequent these areas every summer, and the location is ideal for fishing in waters not subject to high wind and wave action, especially those in smaller boats. The area is currently a multi use area available to divers and fisherman. Please note that this proposal is in direct opposition to your mandate. RCW77.04.012, "The commission shall attempt to maximize the public recreation game fishing and hunting opportunities of all citizens, including juvenile, disabled and senior citizens."

I have no problem with MPAs, in fact, I believe them to be useful tools. However, there is no reason to cram one through at the last minute without considerable deliberation.

It widely known that this MPA is Mr., Jennings' proposal, and that it was submitted well past the June 1 deadline. I heard Mr. Jennings' explanation that he gave in the Nov.6 meeting and I find it to be unbelievable.

This proposal did not follow the proper protocol and therefore should not have been allowed to advance.

Now that it has advanced, it must fail, that is if you expect the populace to retain any respect for your jobs and how you perform them.

The people are watching,

I am writing to urge you to establish an underwater park within the Olympic Coast National Marine Sanctuary lying within the Straits of Juan de Fuca. It is critical to protect this priceless treasure by placing it off limits to fishing and harvesting of invertebrates.

Our marine life is threatened by pollution, ghost nets, and over harvest. Protecting this area will give needed protection to Rockfish and many other species.

I am writing to oppose the proposed rule change that would close bottom fishing in an area at the West end of the Strait of Juan de Fuca. In my opinion this is a very poor proposal for the following reasons:

- The rule appears to favor one user group over another. There is nothing in the existing rules that prevents divers from enjoying the world class habitat in this area.
- The proposed change does not appear to be grounded in objective science, but rather appears to serve the wishes of a small user group who want to exclude other user groups from the area.
- This is one of the most popular recreational fisheries in the region. Closure would impact a large number of sports fishers and the businesses that serve them.
- A closure in the proposed area would encourage sports fishers to venture farther into the ocean and will certainly lead to more boaters getting in trouble and requiring rescue.

I would also like to add that it seems well outside the "Sound Stewardship" mission of WDFW to choose winners and losers among user groups. Under current law, divers can move into an area where sports fishers are actively fishing and, by the simple act of dropping a buoy, force all other vessels to maintain a safe distance from the dive boat. The proposed rule change has all the appearance of being crafted by sport divers to their direct advantage and at the expense of a long held traditional NW fishery which is enjoyed by a huge number of sports fishers.

It is now common knowledge that this rule change proposal was submitted, by WDFW Commissioner David Jennings, months after the submission deadline. This fact, coupled with Mr. Jennings' status as a Commissioner and a diver, show WDFW in a poor light.

I strongly urge the WDFW to support fair allocation of sport fishery resources by rejecting the proposed closure.

The rule change for halibut fishing at the tip of Washington State would create an exclusive economic zone for a aboriginal tribe that already abuses the system i.e., 20000 fish over their limit a few years back that decimated a run. Rewarding bad behavior is bad policy. Small boats that normally fish those areas cannot get outside safely. People will get hurt trying and put added pressure on the Coast Guard.

Dear WDFW Commission; I agree in principle with establishing one or more near shore, or onshore underwater "parks" in this area. However this is a very large area, which I would think significantly impact the recreational angling in the region. Smaller, and more numerous areas would actually improve fishing just outside these closures, as the mature fish within the "parks" would remain unmolested, and hopefully be very productive. Also, I believe a unilateral closure without the involvement of the tribes-especially the Makah(as this proposed closure borders their reservation), is meaningless. I expect that if this closure were to become law, that within a few years there would be healthy enough bottomfish numbers within the closure to support a small tribal/commercial fishery. Replacing one user with another will not benefit the ecosystem. Please negotiate real no fishing areas prior to unilaterally harming recreation users.

The Neah Bay area--and the notion of a sanctuary for rockfish--is a laudable idea and should be seriously considered. Not all Sportfishers oppose this idea, indeed such a solution is a critical measure that can help protect our aquatic resources and the future of sportfishing in our state. As a strong supporter of recreational sportfishing, I urge DFW and the Commission to support establishing a sanctuary/preserve at Neah Bay.

As a diver in that area several times a year, this proposal comes as a massive relief to me. I have been watching obscene amounts of rockfish being harvested at times in this area - literally hefty garbage bags full of fillets from a boatful of fishermen, and have become very very concerned over the years about the amount of fish being taken. Anecdotally, I've noticed depletions in the rockfish schools in the area, and have been trying to get this area closed for some time. I fully support the closure and believe it is in the best interests for maintaining fishing stocks for years to come.

The proposed halibut and bottom fish closure in Neah Bay needs to be opposed as well. This proposal was made months after the deadline and proposed by a sitting commissioner in an unprecedented way. The proposal is purely an attempt by one user group to shut all others out. This area is one of the top destinations in our state for recreational fisherman and has healthy populations of halibut and other bottom fish. Additionally, it provides access to small boat anglers that would not have access to the ocean due to frequent dangerous conditions. The halibut season is already very short and the bottom fish are only targeted during select times of year due to conditions.

I believe that some protected areas with no harvest allowed would be highly beneficial. It would provide a destination for divers (and tourism dollars), a place for juvenile Rockfish to thrive and disperse, and a place where research can be made into natural populations (necessary if we're to properly manage the stocks) – I'm not sure that we have that anywhere in Washington waters right now. The proposed area is very large – perhaps larger than can be justified, and it includes much area which is not accessible to divers because of extreme depths. However, it does not include any structure which is important to Halibut fishers – they favor the “banks” further offshore. It would affect Salmon anglers who are trolling, however. I would suggest that their impact, trolling outside the 20 fathom line, would be minimal on these closure areas. So, a good fallback from the proposed north boundary would be define it by the 20 fathom contour line – this might work in with the other proposed bottomfish regulation changes. If the included area is too wide, I would suggest two smaller areas – one at the extreme west end of the area proposed, and one at the extreme east end (this provides habitat at the “outside” where open ocean type species can sometimes be observed when conditions allow, and in more protected waters so divers can enjoy their sport even when the weather is against them). I would personally very much like the Waadah Island area to be part of a no harvest zone.

My name is Tom Burlingame and I would like to comment on the proposed rule changes in Puget Sound and the Neah Bay area. I am the owner and operator of Excel Fishing Charters, fishing from both the Ports of Everett and Neah Bay. Having fished these waters for over 25 years, the last 2 years running Excel Fishing Charters, I feel I have a very good grasp of these fisheries and the effects that these rule changes would have.

Proposed Bottomfish and Halibut Closure Area: I strongly oppose this rule change. I believe this is the most misguided idea ever presented by the WDFW. As a person who has fished these waters for the last 25 plus years, I have never seen any animosity between divers and anglers. We have always respected each other's space and lived in harmony. The only time I have had an encounter with a diver was when I picked him out of the water after he had been separated by over a ½ mile from his fellow divers and boat. I am quite sure he was thankful I was fishing the proposed closure area that day. I would guess the number of anglers to divers are greater than 10 to 1 in this area. Removing those anglers would not only be unfair but an economic disaster to the community. This is one of the best bottomfish opportunities for a small boat fishery. To force these boats out to the open waters of the Pacific would be a safety issue. I have run several trips in my charter boat in this area when ocean conditions did not permit safe passage in the last two years. To close this area would adversely affect my ability to earn a living. I also question the timing of this proposal. It is my understanding that all rule change proposals had to be submitted by a June deadline. Since this proposal was not submitted until September, I wonder how much of the angling public even knows it exists. For me, it calls into question its legality at this time. Let both user groups enjoy this one of a kind area.

Unfairly giving preferential treatment to small user groups (sports divers) at such high cost to other larger user groups and the economies that support them really doesn't make sense.

The proposal for bottom fishing in areas 4 and 5 seems to be very one sided. To eliminate one user groups and give complete rights to another group seems wrong. The average fishermen are the ones that have supported conservation of the resource and also have made it possible for businesses in fishing areas to survive, not the diving community.

From my experience the diving community is entirely a consuming group that wants to take as many and as large as they possibly can take. This is from many years of observation at fishing areas and listening to the conversations of divers.

Divers are able to enter areas in kelp beds and other areas that are breeding and nursery areas for fish. Line fisherman are unable to enter these areas and consequently cannot disturb these areas that should be protected. Divers also choose the biggest fish possible, which means that are aiming at the brood stock that is necessary to maintain good numbers of fish in these fishing areas. Particularly ling cod that enter these shallower areas to spawn and the large females are targeted by the divers. After the females are gone the diver target the largest males that remain to guard the nests. Compare the ice chests of fisherman and divers and compare the size of the fish taken.

The halibut of area 4 near Nea Bay is one area that the average fisherman with smaller boats can fish safely when the outside is rough as it often is during halibut season. To close this area to Halibut eliminates a safe fishing opportunity to many fisherman. Also, the good catch records in these areas (area 4 and 5) seems to show that the numbers of harvestable fish is good in these areas.

If fish numbers are down in these areas regulations should be changed to protect more fish to survive and breed in these areas. Perhaps seasons and catch limits need to be adjusted to create a larger escapement of brood stock.

I hope that my children and grandchildren will have some the fishing opportunities that I have enjoyed during my lifetime

I have to comment on what happen at the latest WDFW commissioner's meeting. It has come to my attention that one of the commissioners has tried to shoehorn their own pet project into the rule change process in a way that completely overrides the process that has been in place for many years.

It is my understanding that the proposal for the proposed closure area in MA4 was added 4 months late, after the regional meetings to discuss proposals had closed. This allows limited time for public review, and appears to be an attempt by commissioner Jennings to abuse his post as a commissioner to further his own private agenda.

While I recognize that Jennings is a Washington State Citizen, and that he should be entitled to his opinions, he is playing what I consider dirty pool. Transcripts of the proposed closure area most likely will not be available to the general public prior to the end of the public comment period.

I would suggest that the commission take action on this issue. Not the MA4 closure, but the censure and removal of commissioner Jennings for this breach of trust.

Sportsfishermen continue to see our seasons cut and threats to historically productive fishing areas, such as is being proposed in the San Juans, and we provide a huge economic benefit to the state, not only through license sales, but also through taxes on fishing equipment and money spent on lodging and food in the local areas we go to.

Diving and fishing are both legal activities in the proposed closure area, and the divers want that area for themselves.

Anyone with half a brain can see that. As soon as someone tells me how I can get the keys to my own private playground, and not have to pay a thing for it, sign me up. That is exactly what Jennings is trying to do here, plain and simple. I'd like my own area for elk and deer hunting. Don't let hikers and mountain bikers out in the woods while I'm there, woodcutters, too. Kind of a silly analogy when you look at it that way, don't you think? One group claiming an area for themselves and not allowing other legal activities to take place.

I don't mind sharing the area with divers, but the area in question is protected waters where small boats can experience good fishing. It isn't uncommon to see 50-100 boats in that area during the spring and summer fishing seasons. As far as I know, I've never seen any area that attracted 50-100 dive boats in Washington. Jennings' idea that this will become an economic boon to the area is completely misguided, with no projections provided to support this claim. Show me your numbers. While diving is a legal activity, only those who choose to spearfish need to purchase licenses. Those who do not provide absolutely no economic support for enforcing the closure of this area. I pay hundreds of dollars in license and tag fees each year for my family.

Jennings needs to take the example of the current WDFW director in consideration. Phil Anderson owns a charter boat and license in Westport, but so as to appear neutral on the issues he presides over, he doesn't fish that license. I'm a banker, and I bank a number of charter boat operators in the Westport area, so I know what he is giving up. It would be nice to see commissioner Jennings set aside his personal agenda and let the scientists at the WDFW do their jobs. This really disgusts me and does nothing but diminish my opinion of the whole organization. I am not alone.

I am writing to express my dismay at the proposal to close this area to bottom fishing. This would be a blow to those of us whose means don't allow us to purchase a boat that's big enough to go outside. It is one of the few areas left where small boats can reasonably expect to catch bottom fish.

As a Washington State resident and avid sports fisherman I am opposed to the proposed Bottomfish and Halibut closure for area 4B.

For many with small vessels this is a safe area with great potential for actually catching Halibut. If enacted, the closure will force anglers offshore into rougher and more dangerous water conditions.

Setting this area aside for "divers only" would be catering to a small special interest group. Sports fisherman far out number divers and clearly generate more revenue for the Washington State Department of Fish and Wildlife as well as Washington businesses.

Area 4B is a very fertile and productive for sports fisherman and should remain open to angling.

Please register my opposition to the "Proposed Rule" pertaining to the restriction of bottom fish from **Neah Bay to Cape Flattery Closure**.

This is an area that my family and myself have fished for many years and I can not see any solid reason to restrict the area any further than it is presently. If the information as presented on the "Link" below is correct, what message does this send to the public as far as "Open Government" (Rules and Regulations only apply to John Q. Public and not to those that make the Rules?)

Closing the bottomfishing (Rockfish) inside Puget Sound to provide SCUBA opportunities is a ludicrous notion to propose, at all the benefits and costs considered. Has the department looked at economic benefit and input from the recreational fishing population compared to the number of people involved in marine SCUBA diving? I no longer dive due to age and injury. Recreational diving can occur in conjunction with recreational fishing anyway. Stop and think what this would do to local economies as Neah Bay, Sekiu, and all along the Straits down into Puget Sound toward Seattle, etc. For one example, the charter boat service that members in our fish club use several times each season, will have to cease and desist his operation due to reduced customer base. Rather than take our own boats out to Neah Bay and La Push, with unpredictable weather, it is easier to support the safer charters and utilize local services for tackle, ice, lodging, restaurants, etc.

Again, please do not utilize bad science (you know what I mean) and an entirely inappropriate proposed closure measure dumped on your decision making group after the deadline had passed, to further restrict recreational crabbing and fishing opportunities from the populace that supports the need for your job.

Thank you, and if you would also please forward this to the WDFW Internet reply site for another very concerned recreational crabber and fisher, I appreciate your help.

Karl D. Pohlod (retired Environmental Biologist) Puget Sound Anglers, North Olympic Peninsula Chapter, Board Member

Strongly Oppose: This proposal is divisive and unwarranted. Currently there are numerous efforts being developed to manage rockfish. This proposal bypasses management and closes a valuable area for the benefit of one user group. This is without supporting science or goals. The area in question is one of the few areas that smaller boats can operate safely. The safety of human life must be held to a high value. The biological issues presented need to be reviewed in the same manner as any other species, with WDFW using tools such as limits and seasons to maintain a fishery. It is unacceptable to remove a resource from so many citizens to benefit a few. The economic and social impacts are too great.

The proposed halibut and bottom fish closure in Neah Bay. This proposal was made months after the deadline and proposed by a sitting commissioner in an unprecedented way. The proposal is purely an attempt by one user group to shut all others out. This area is one of the top destinations in our state for recreational fisherman and has healthy populations of halibut and other bottom fish. Additionally, it provides access to small boat anglers that would not have access to the ocean due to frequent and dangerous conditions. The halibut season is already very short and the bottom fish are only targeted during select times of year due to conditions. If this rule is adopted, small boats will be forced into unsafe conditions or force a larger congregation of small boats into "open" areas which will apply extra stress to the smaller areas.

The last issue with this rule change is the economic impact on the local businesses which rely on this fishery. Limiting the fishery will cause undue strain on the local and small businesses. I do not see how this is incorporated within the rule change.

According to WAC 19.85, "*The legislature finds that administrative rules adopted by state agencies can have a disproportionate impact on the state's small businesses because of the size of those businesses. This disproportionate impact reduces competition, innovation, employment, and new employment opportunities, and threatens the very existence of some small businesses. The legislature therefore enacts the Regulatory Fairness Act with the intent of reducing the disproportionate impact of state administrative rules on small business*".

I adamantly oppose the proposed Cape Flattery Neah Bay halibut and bottom fish closure. This proposal is nothing more than an attempt by one user group to shut all others out. The halibut season is already very short and the bottom fish are only targeted during select times of year due to weather conditions and there is no science indicating a closure is needed. This proposal was made months after the deadline and proposed by a sitting Commissioner in an unprecedented manner. The manner in which this proposal was presented sets a dangerous precedent for the Commission and has caused many of us to wonder if it is an ethics violation. I urge you to proceed cautiously on this issue as it being closely watched by more than just the recreational fishing community.

The Anadromous and Marine Resources Sportfishing Advisory Group (Group) reached a consensus position on: Proposal #10B - Area Closure

The Group OPPOSES closing this area. This is an area that can be reached from Neah Bay by smaller boats, and there is no science to support a closure.

I was born in the State of Washington in June 1940 and have spent many hours of my adult life enjoying the privilege of hunting and fishing throughout our state. In addition, I am a past officer of the Kitsap Poggie Club, an active member of the Coastal Conservation Association, the Kitsap Rifle and Revolver Club, the Bremerton Yacht Club and an appointed citizen at large of the Boating Programs Advisory Committee for the Recreational and Conservation Office (RCO). The subject proposal is another attempt to unfairly target recreational anglers from harvesting resources belonging to every citizen of the State of Washington. A recent economic study by Governor Gregoire reported "sport fishing supports 12,850 jobs in Washington compared to 3,524 for commercial fishing and \$376.1 million in earnings compared to \$148 million for the commercial fleet." There is also a troubling trend of a 27% reduction in recreational fishing licenses in the State of Washington anglers since 1996. I know out of state anglers who would like to visit the State of Washington to go fishing but the changing regulations and restrictions make it unlikely when they can go to British Columbia which is more favorable to recreational anglers.

I am strongly opposed to the proposed rule change for the following reasons: 1. There is no mention of the specific species of bottom fish that require protection or the science supporting the closure. 2. The International Halibut Commission states the stocks of Northwest and Alaska Halibut are healthy. Closing this area does nothing but deprive the recreational anglers the opportunity to catch Halibut. 3. Recreational divers come from all over our region for the opportunity to dive and spearfish in a cold water marine environment. Divers and recreational anglers have shared this area for years without conflicts or depleting the marine resources. 4. Marine Area 4 has been a favorite destination for small boat anglers to fish for a variety of bottom fish and Halibut in relatively sheltered waters with protected harbors and marine services. For many anglers, Waddah and Tatoosh Islands and Duncan Rocks are as far as they can safely boat in the Strait of Juan de Fuca.

5. It is grossly unfair to exclude ONLY the recreational anglers from fishing for bottom fish and Halibut. There is no mention of also excluding ALL tribal and commercial fishing.

6. One of the WDFW Commission goals is to preserve recreational fishing opportunities. The Marine Protected Areas (MPA) is being sponsored by well funded out of state environmental groups yet there is no scientific justification or economic benefit it will increase the abundance of bottom fish.

7. Closing the area only forces the recreational anglers into other areas. The result will be more anglers targeting the same species and over time the WDFW will be pressured to close these areas too. So where will anglers go? Many will go to Canada or just quit fishing.

8. Recreational divers will use only near shore water less than 100 feet so a closure extending to water depths over 360 feet is unfair to recreational anglers?

Recommend you consider the following before deciding on the proposed closure:

1. The Canadian Fisheries manages similar depletion of bottom fish by creating areas such as the Swiftsure Bank Closure that prohibits ALL fishing. They also created relatively small Rockfish Conservation Areas where NO fishing is allowed to protect endangered bottom fish species. The rest of the region is open for recreational fishing which provides adequate areas to fish for bottom fish and Halibut, especially along the West Coast of Vancouver Island.

2. Create small sanctuaries under 100 feet in depth where no recreational bottom fishing is allowed. Divers can view the cold water marine ecosystems but NO spear fishing or marine life harvesting is allowed by commercial, tribal, or recreational divers.

3. Do not close areas where the water depth is over 100 feet which is beyond the depth of recreational divers.

4. If you insist on creating the MPA, close it to ALL commercial, tribal, and recreational fishing equally.

5. This closure requires a balanced public input to develop a long term solution. In the mean time, do not close the proposed portion of Marine Area 4 until scientific community shows evidence it is justified to protect specific species.

I recommend this proposal be denied. Remember I am a very active recreational angler and I vote.

I just found out today about the proposed marine sanctuary from just west of Wadaah Island to west of Tatoosh Island in the Cape Flattery/Neah Bay area. I believe I have a somewhat unique perspective on marine life in our area. I have been an avid fisherman from when I was a young boy until I started scuba diving about 12 years ago. When I started diving, I thought I would be an avid spear fisherman. What I didn't realize is that scuba diving would present me with the opportunity to interact with and study our marine life in its own element. I quickly learned to respect and appreciate the members of our unique ecosystem in Pacific Northwest waters. I quickly became an advocate for conservancy and have dedicated a good part of my free time to help educate others regarding the remarkable creatures that live within our water, many of which will be in peril if we continue our current practices pertaining to pollution, harvest, habitat destruction, and expansion. In fact, I have a website dedicated to this cause: www.emeralddiving.com. I also conduct regular presentations for elementary school kids regarding preservation of Puget Sound.

The Neah Bay/Cape Flattery area is a very special place. I have been making diving pilgrimages to this area for the last nine years. It is the LAST part of our state where one can see eight or more species of rockfish on a single dive. Black, blue, and yellowtail rockfish still thrive here in sizable schools. I still find protected adult yelloweye rockfish on rare occasions. I even know of one site where I have been visiting a pair of rosy rockfish (extremely rare) for the last 7 years. But this area is about much more than just rockfish – the diversity and robustness of invertebrates, water fowl, marine mammals, and fish species make this area like no other. These creatures all conjugate at this unique nutrient rich location to take advantage of the deep cold water upwelling that occurs immediately west of the Strait of Juan de Fuca. To not protect this amazing area would be an absolute crime. I whole-hearted support this effort and would like to know if there is ANYTHING I can personally do to further this cause.

I have lived in the Puget Sound area almost all my life. Although the area has prospered economically, I have watched the environmental aspects of our area take second priority to economic expansion. I am so glad to see that some group within WDFW has the consciousness to propose a major and meaningful step in actually doing what is right for the wildlife. I have written letter to the WDFW on this and other potential marine life preserves over the last two years that seem to have fallen on deaf ears. Again, please let me know how I can help.

As president of the Charterboat Association of Puget Sound (CAPS), I am submitting these comments for our Association on the proposed rules. CAPS opposes this rule change.

My name is Chris Mohr. I have owned and operated Van Rippers resort in Sekiu for the past 27 years. The proposed closure area for Halibut and bottom fish cases me great concern for two reasons. It appears to me your proposal would discriminate against the very popular small boat fishery that utilizes this area to access Halibut and bottom fish. It is my opinion this area is the most popular small boat Halibut fishing area in all of the Straits and Puget Sound. If these small boats are forced to fish in the more dangerous waters of the open Pacific ocean it will create a huge safety issue. I also believe by creating these NO TAKE / MARINE RESERVES in front of the small coastal communities . You will be exacerbating the economic problems that already exist! I strongly believe we can reduce harvest of depressed stocks through other management measures before we use such draconian measures as closing entire marine areas.

Strongly Opposed- This is the most dangerous proposal ever proposed. This is one of the biggest small boat saltwater fisheries in Washington State. This would force small boaters and their kids to either go east and annihilate the Seal and Sail Rock areas with too much pressure or go around the corner in the ocean in dangerous waters. These waters can be treacherous and are at times. To make the small boater go past Tatoosh Island could kill these people and their children. At times coming back from around the corner back into the straits the water is too treacherous to make it through the cut. It would put the small boater too far away from Neah Bay's port when the weather turns very quickly. This would cause the sinking of many, many small boats and take lives for no reason. Many of us learned the ocean fishing this area. It has healthy supplies of all types of fish and has for sustained sportfishing for a hundred or more years. Even through the days of sportfishers filling garbage cans on the backs of the boats-before limits were enacted. This already is a world class diving and sportfish sanctuary. To close this area for divers is wrong. They already have full access to this area and are a very small percentage of users. Nothing stopping them. Seabass flow in and out of this area up and down the coast and replenishes the stocks. There is a tribal commercial increase on seabass from Cape Alava north from 20,000 pounds to 30,000 pounds. If these fish were in trouble there would be no tribal increase. Halibut migrate in and out of this area as they are migratory. Closing this area to sport fishing would also put a jeopardy on Neah Bay's economy as this is a large part of their income. Do not pass this, especially for one user group to overtake another.

Excel fishing charters – 4b closure area is a great safety issue – very popular area. World class diving already exists. Sail Rock area will get more pressure if this passes. Hook and line fishery is backbone of Neah Bay – we can live in harmony.

Willapa fishing gang – small boat fishers have had an increasing number of closures in this area – can't fish east of Sail Rock. hould make closure square or rectangular to make it easier. Don't want to lose a favorite spot – good sheltered spot to fish with kids. Should look at weighted release boxes to use deeper than 60 feet – work toward fewer lines you have to deal with – put the fun back in fishing.

Against 10B – Often fish Neah Bay – there are over 200 boats in this area. Divers can always fish in open areas to fishing. Opposite is not true.

The Tacoma Poggie Club is opposed to the proposal to close all fishing for halilbut and bottomfish in the area around Tatoosh Island and Cape Flattery.

This area, historically, has been a fishing destination for many south sound fishermen, of which we are a part of. To set this area aside for people who want to strictly dive is just another nail in the coffin of fishing opportunities for recreational fishermen.

The Department of Fish & Wildlife seems to be pounding a large number of these nails in the last several years.
Ron Kimball, Corresponding Secretary, Tacoma Poggie Club

See Appendix 3 for more testimony on this proposal.

Staff Recommendation: Do not adopt. Staff has recommended an alternate process for this proposal.

#11. Hook Rules for Salmon in Marine Areas

Proposal: Require single-point barbless hooks when fishing for salmon from the Columbia River jetty and in Willapa Bay (MA 2-1) and the Westport Boat Basin from August 1 – January 31.

Explanation: This proposal would require single-point barbless hooks for all saltwater salmon fisheries, making saltwater salmon hook rules consistent and easy to follow, while allowing easier release of any salmon not retained

Testimony:

I would only hope that the same rules would apply to all, including all Indian Nations, who fish on the Columbia River.

Gee, if it works there why not mandate it for all salmon fishing and eliminate proposed rule #1?

I support this and wish that this rule would apply to the entire Columbia River also, even to Oregonians.

Except Willapa Bay, this it is a catch and kill salmon fishery no release required, several years ago it used to be barbless and that rule was overturned, I see no reason to go back to barbless on a fishery with a 3 fish limit and no release of wild fish.

This rule should not be applied to Willapa Bay. There are virtually no wild salmon in Willapa Bay due to the large number of hatcheries on the tributaries to the Bay. You manage Willapa Bay as a commercial salmon fishery, and you allow the oyster growers to spray it with pesticides. Why restrict the sport fishery when you allow a complete commercial harvest of all remaining fish each year. Anglers and your Enforcement Officers can figure out the hook rules without needing this change simply for the sake of consistency. It is not any more difficult to release a salmon hooked with a barbed hook if you use a hook out tool. Leave the rules for Willapa Bay as they are, or eliminate commercial fishing in the Bay if the goal is to really protect fish from harvest.

OK, as to the single barbless hook off of the jetty I am against this and any where else in the marine areas. My reasoning is that while the sportsmen make all the sacrifices the rules are not the same for the tribal fisher they can use barbed hooks in marine area 12. So what part of fish in common with, am I missing??? The way I see the sportsmen of this state should bring a law suit against the state for these actions. I fished for three weeks in the canal this summer and only caught one king. This fishery is a disgrace considering I was fishing for silvers and the state continues to allow the tribes to commercial fish this area with the runs continuing to diminish. The silvers had only been in the canal for a week before the tribe had started to commercial fish.

This is one of those across the board things that WDFW loves to do but this should not be applied to Willapa bay. Willapa Bay has been designed to just be a commercial fishery and the presence of any amount of true "wild" fish is I think rather small if any. The whole system has been groomed for a commercial fishery that takes everything the nets can catch. The sportsman needs to have a fair share of this and adding the barbless hook rule to this one area is a wrong approach to this fishery. Do not add this to the increasing jabs taken at the sports fisher.

OK, as to the single barbless hook off of the jetty I am against this and any where else in the marine areas. My reasoning is that while the sportsmen make all the sacrifices the rules are not the same for the tribal fisher they can use barbed hooks in marine area 12. So what part of fish in common with, am I missing??? The way I see the sportsmen of this state should bring a law suit against the state for these actions. I fished for three weeks in the canal this summer and only caught one king. This fishery is a disgrace considering I was fishing for silvers and the state continues to allow the tribes to commercial fish this area with the runs continuing to diminish. The silvers had only been in the canal for a week before the tribe had started to commercial fish.

Westport boat basin coho fishery was established to provide sport and harvest of coho. There is no spawning habitat in the boat basin. Fishermen are encouraged to maximize their harvest of these planted coho. Therefore a barbed hook option should be available for maximum harvest.

I am writing with regards to the proposed rulings for the Columbia River and Willapa Bay. Currently, we sportsman are being allowed the benefit of a barbed hook to help us take our catch. It's been brought to my attention that the WDFW wants that changed to barbless hooks. Why?

In the case of Willapa Bay, there are no restrictions for the purpose of protection of its salmon runs. Hatchery, as well as wild fish, are allowed to be harvested. After August 15th we are even given a bonus of one extra fish. Why should the ability to harvest these salmon be handicapped with the advent of a barbless hook? Barbless hooks were designed and introduced for the conservation of protected runs.

After September 15th you will find that most of the recreational fisherman stop fishing the area. Why? It is because the commercial fleet begins their season. Believe me, I would give up any type of hook for a gill net that is thousands of times more effective in catching salmon.

It appears that the recreational fisherman is being limited more and more to harvesting take-able salmon. Neighboring Grays Harbor had one of the best Coho runs in recent memory. Yet, the barbless hook and hatchery-only rules, limited the harvest of this available resource. However, the commercials did well and the Indian fishery is still slaughtering the salmon. Here again, give me a gillnet and you will never hear me complain about using a barbless hook or returning a Wild salmon! (Are all hatchery fish marked?)

Why is it the sportsman pays the band while the commercials and Indians do the dancing?

WDFW, we, the sportsman, need your help before it is too late. Restricting barbed hooks on the Columbia River and Willapa Bay are again prime examples of the sportsman being limited to their take of available salmon. Help recreational salmon fishing on the Willapa and all over the state by being less restrictive in taking away an available resource. If the resource is endangered STOP ALL FISHING!

Remember, recreational fishing is the most economical fishery in the State of Washington and without it there a possibility of an end to all fishing and the disappearance of a wonderful resource.

Please consider my request of NOT banning barbless hooks on the Columbia River and the Willapa Bay. I submit this on behalf of the many sports fisherman in the State of Washington.

I am a sports fisherman that fishes from shore. The recent proposal by WDFW of a single barbless hook basically eliminates anyone fishing from shore catching another fish.

Any fisherman that has fished for salmon from shore knows that any loose line means the fish will get off the hook and be lost. I understand that WDFW is attempting to stop the incidental catch of native fish. Sports fisherman can release the incidental catch of native fish without a barbless hook. It would seem that if WDFW is truly concerned about the incidental catch of native fish, more should be done with regard to gill-netters than the sports fisherman.

If the proposal for a single barbless hook is approved, I and many other shore fishermen that I know will no longer be fishing and paying licensing fees. There is no reason for us to pay for a fishing license when it is made virtually impossible for us to catch a fish.

I would like a response explaining why there are no changes for gill netters, only sports fishermen.

OPPOSE: Proposal #11 Hook Rules for Salmon in Marine Areas

The Westport marina fishery is a terminal fishery on hatchery stock. No wild fish swim into the marina and even if they did, they cannot spawn there. There is no conservation reason to have this at Westport Marina. While I appreciate trying to simplify the rules, unless there is a legitimate Bona-Fide conservation reason, angers should not be restricted. I am 100% certain that there is no conservation reason for this at the Westport Marina. There may be a conservation reason for Willapa Bay and Columbia Jetty, however no evidence has been presented nor has it even been alleged. First there should be an allegation of a conservation reason and secondly there should be some evidence before further restrictions are even considered.

I also believe that if proposal 10 B had been well thought out it would have been presented to the commission before, not after, the June 1st deadline.

I understand there is under consideration to introduce a "no barb" regulation while fishing Willapa Bay waters. What is the rationale for such a regulation? With the taking of both Chinook and Coho salmon being legal it doesn't seem to make sense.

Also has there been consideration for a "Commercial net free zone" to include the entire bay up to the green marker #15 (or further up river) at the mouth of the Willapa River? This would allow recreational fishing to continue after the commercial fishing season begins. With the present regulations as soon as the commercial season starts the sport fishing in the bay comes to a near total halt.

Please stay with barbed hooks as there is nothing in the bay we have to throw back so it seems we don't need barbless hooks. It also seems like it is easier for enforcement because they don't need to be checking for barbs.

Word is out that WDF is considering barbless hooks for Willapa Bay again. I'd like to hear a statement why. I am for anything that improves fish survival. However is this just another suggestion by the commercial fishing gillnetters to discourage sport fishing in The Willapa. More fish should be made available to sport fishing with a later gill net opener. A handful of Welfare Gillette's get a shot at a big return which is always after September 15. Sport fishermen bring a bigger return to the community than the welfare gill netter ever will.

Sport fishermen put more money into the Washington State general fund than these Welfare gill netters ever will. Sooner or later Senators and Reps. will recognize this.

HI MY NAME IS MIKE KELLY IM A CHARTER OPERATOR AT WILLAPA BAY. MY CHARTER IS CALLED FISH REAPER. THERE IS NO REASON THAT WILLAPA SHOULD BE BARBLESS.

We don't need barbless hooks in Willapa Bay. Please, don't put us through this again.

I have been hearing rumors that you are considering bringing back barbless hooks in Willapa Bay, and unless you intend to institute a mandatory clipped adipose rule, the barbless hooks would be stupid. The season in Willapa is not very long, especially as soon as you let the gill netters in the season is OVER!! It would be real interesting to know the total catch records between us sportsman and the netters. The season is only about 2-3 weeks long and for most of us folks that still have to work so we can afford to even go and fish the Willapa, we only have a couple of weekends to fish. I for one would appreciate my best odds especially if you can keep anything that you catch.

PLEASE ALLOW BARBED HOOKS!!!

Gentleman,

There are ZERO fish in Willapa Bay that we have to release, so why go barbless? How many fish did the gill netters catch in 2009? There is nothing in the bays we have to throw back, so we don't need barbless hooks. It also seems like it's easier for enforcement, because they don't need to be checking for barbs, we pay the fees, they need to do a complete job of enforcement. Also, we don't want them in the bottom fish and halibut closed area west of Neah Bay either. Please respond....!!

Grays Harbor Poggie Club and Willapa Gang are opposed to Willapa barbless hooks proposal – total kill fishery – no reason for proposal – fought for 3 years on this.

Opposed - barbed hook mortality rate is very low.

Comments from Public Meetings:

One person at the Olympia meeting wonders why we would apply this rule to the Westport Boat Basin? This is a fishery on hatchery fish – you are not releasing anything. Lots of people who won't fish the ocean fish here – the fish already do not bite particularly well. Understand the use of barbless hooks to get a lower release mortality, but don't understand imposing it here.

Staff Recommendation: Adopt as proposed. This restriction will provide some protection for wild chum stocks, and will aid in the release of fish during future selective fisheries.

#12. Hoodspport Hatchery – ADA Fishing Pier

Proposal: This proposal allows persons who permanently use a wheelchair and/or have a designated harvester card to fish from the ADA-accessible site at the Hoodspport Salmon Hatchery, provided such persons follow all applicable rules and regulations of the adjoining waters of Marine Area 12. Designated harvesters may fish from the ADA-accessible site with persons who permanently use a wheelchair and/or have a designated harvester card, if room allows. However, persons who permanently use a wheelchair have priority over others if the ADA-accessible site becomes overcrowded.

Explanation: The ADA accessible fishing pier was constructed in an area that is currently closed to all fishing. This proposal exempts the fishing pier from that closure and specifies licensing requirements for anglers to fish from the pier.

Testimony:

Staff Recommendation: Adopt as proposed.

Shellfish Rules

#13. Dungeness Crab Season and Daily Limit

Proposal: This proposal would reduce the daily limit for Dungeness crab in all Puget Sound marine areas from 5 crab to 4. It would also change the days open each week from Wednesday through Saturday to Friday through Monday in Marine Areas 6, 7, 8-1, 8-2, 9, 10, 11, and 12.

Explanation: The intent of this rule change is to provide recreational crab opportunity for two consecutive weekend days while maintaining catch allocation objectives. We have received many requests from the public to allow crabbing on both Saturday and Sunday.

Testimony:

Why do commercial and natives get to crab before the sportsman in Puget Sound?

Crab harvesting; Changing the days of the week from Wednesday thru Saturday to Friday thru Monday would not reduce the number of crabs harvested even if the limit is dropped to 4 per day. I have fished for crab weekdays and weekend days... It's a circus on the weekend with lots of irate people at the launches and drunks on the water. Reduce the limit to 4 crabs, but please leave the days to harvest crab as is. Or if you are forced to include both weekend days, change it to Thursday thru Sunday.

I just received the E-mail regarding the meeting addressing the sport fishing rule changes for the up coming years. I noticed that one of the rules under consideration is changing the crab limit to four and the days to Friday through Monday. I am against this rule. The limit just changed to five in the last couple of years and I see no reason to reduce it again. The crab population at least where I crab seem to be holding their own and this year I have seen some

improvement in size and catch numbers. Also please don't change the days to the weekends. I am retired and it is much nicer for me to be able to crab during the week and not fight the crowds on the weekends. If you must change the days may I suggest Thursday through Sunday. That way there are two weekdays in a row along with the weekend. Thank you for your time and allowing comment on these rule changes

Alternate Proposal: Change the days open each week from Wednesday through Saturday to Wednesday through Sunday in Marine Areas 6, 7, 8-1, 8-2, 9, 10, 11, and 12. Also reduce the daily catch limit from 5 crab to 4 crab.

Rationale: The addition of one day and the reduction of daily catch limit results in exactly the same potential number of crab per person each week (5 days x 4 crab = 4 days x 5 crab) In addition it maintains three consecutive days for crabbing without the potential for having my traps stolen. During the last 3 years I have had my traps stolen twice and had my crab removed from my traps many many times. This year I started on Wednesday and took my traps out on Friday night. I did not have a trap stolen or lifted by someone else. Two weekends I had guests coming and left the traps out until Saturday night and both times I came out to find the traps had been lifted, not rebaited, and no remaining crab. I applaud you for opening the season for Saturday and Sunday, however I recommend you consider those of us who want consecutive days of "robber free" fishing. I have spoken with several other crab fishers who have had their traps stolen this year, all on weekends so I know I am not alone in this problem.

By the way, I fish in Birch Bay and can only get out to my traps at high tide.

This seems like a recreation take away to give to the commercials. I think the days open should remain the same. I can possibly relate to 4 but than that protection measure is lost to illegal tribe fishing. We all suffer from their destroying every resource here, in BC, etc.

We are for changing the crab season to Friday –Monday next year, but we are highly against changing the limit to 4 crabs per day. It is very hard to justify this when we are launching at John Wayne and see the tribe coming in with barrels and barrels of crab than you want to drop the limit more yet!!! We are retired and it would not matter to us about the way the season is now, but can understand the reason to give the folks who don't have the ability to crab on Wed-Friday.

I prefer the current daily limit/days of the week, over the proposed changes.

My understanding is that the proposal for the 2010-2012 is crab Friday through Monday with 4 crabs per day. I could live with this change provided that:

1) That the season in Area 7 is made longer and 2) There is no commercial or tribal crabbing during the sports season. This year for me personally crabbing was poor with many undersize crabs only in my pot or trap. Our area is over-fished by tribal crabbers including during our short six-week season. Our short season also encourages sports crabbing with lots of intensity.

My better changes I would like to see are: Eliminate over-night crabbing. Restrict sports crabbing to water depth 50 feet and under at any one time. Restrict commercial and tribal crabbing to water 100 feet and over at any one time. The area between 50 and 100 feet would be a reserve area to allow crabs to grow and separate sports and commercial/tribal. With these changes I would like to see sports crabbing year round except during soft shell periods with openings Friday through Monday 4 crabs per day.

I would hope my proposal is taken seriously. My sense in the past sports crabbing suggested changes are largely ignored. Thanks for listening.

Please do not reduce the limit on Dung. Crabs from 5 to 4.

The commercial take on crabs here in Sequim (Dung Bay and Sequim Bay) is so devastating to the crab population that anymore, I only go crabbing during the first few days of the season. When I go any later in the season, I never get my limit, mostly skunked, so I don't go anymore.

If you limit me to only 4 crabs, then during the first 2 or 3 days of the season, you severely limit my catch for the entire season. The natives/commercials just simply bring them in by the garbage can full.

Reducing the limit for the sports fisherman really won't conserve crabs; the commercials will just get them instead of the sportsman.

The proposed Crabbing Allocation for Sport fisherman for next year Stinks

Catch reduction:

No problem with the reduction from 5 to 4

Catch days:

I am in Area 9, in Port Townsend. Everyone and their grandmother come to this area for crabbing and the chinook salmon season. I understand the reasoning behind the proposed shellfish day changes.

Our primary boat launch is the Port of PT marina, which has only one [1] ramp. Second is Fort Worden [one ramp, fee based, and third, is the Monroe St. ramp [1ramp], which is next to the new Northwest Maritime Center Building, and their year-round boat and sculling activities. Alas, this is a local issue, and not a State problem.

When the commercial, native american, and the recreational shellfish "seasons" are overlapped, there is too much pressure on ramp use and no where to park. One can't even get a marina slot due to the demand. Why does the commercial season have to overlap with the recreational season?

Add the salmon fishing season overlap, and there is even a further problems here.

I am totally opposed to a reduction in daily bag limit, 5 to 4 for the following reasons:

Overall recreational quota is not being harvested due to reduced bag limit, 6 to 5 and reduced fishing days.

The over quota catches in Areas 7 and 8, and the increase in crabbing days, can be addressed by increasing the overall recreational quota which was to be proposed by WDF&W and accepted by the Fish & Wildlife Commission, with a commensurate decrease in the non-tribal commercial quota.

What's with you guys? Giving more crab to the commercials seems to have evolved into the never ending story in Washington state. What have you got against the sportsmen who contribute more money in the way of sales tax and sports licenses to the state coffers than all the commercials including the tribes do all together. It went from fishing all year for 6 a day to shortened seasons, 4 days a week and 5 a day, to now proposed 4 crab a day, short seasons, 4 days a week. Thank you.

I have lived in 5 western states and you guys are the most unfriendly fish and game people in all of them towards the sports fisherman, and charge the most for the licenses of any. This includes OR, CA, NV, and CO, congratulations on a job well done, I'm sure the commercials love you

I would like to express my opposition to the proposed crabbing regulation which would limit the daily limit from the current 5 per day to 4 per day. Please keep in mind that rule changes in the 1990's have reduced each Washington State Citizens crabbing potential by over 95%!

This looks like a rule proposed by commercial fishing interests. It is certainly another attempt to reduce the number of crab caught by sport fisherman. It would not be a conservation tool because commercial crabbers effectively scoop up all the legal crab each year after and during the sport season.

Fewer crabs per day means you will now need to crab more frequently to obtain the same number of crab per week. More fuel being wasted etc.

I would like to see the days changed to include Sunday.

It seems like there isn't enough crab to go around with the few dates of opportunity for rec. users in area 8-2. Now with the possibility of even lower limits per day after a cut just several years ago is unacceptable. In a highly populated area that likes to catch crab, you should consider giving a lower per cent or closing it to commercials all together. Crabbing a few months in the summer and a few days around Thanksgiving is only a little better than nothing. After a dreary winter it was nice to get out in a boat and catch crab in the spring of the year, years ago.

Sending the commercials to the areas that is now open 7 days a week could be the answer and keep them out of my back yard so I can crab almost year round like I used to be able to do growing up in this area. The commercial crabbers have been pushing the rec crabber out for years by getting more crabs allotted to them, so I don't feel guilty to push back and telling WDFW that the rec. crabbers around Puget Sound want more crabs and more days allotted now!

I was just shocked on the July 1, 2009 in the amount of people that anticipated and participated in the crab opener that began in the middle of the week. The Everett boat ramp parking lot was packed by rec. crabbers all the way through the 4th. This was just one boat ramp and getting and eating crab is part of living in the Northwest culture.

The idea of letting commercials, whether crabbers or fishers in Puget Sound is unrealistic in the future of these resources. Send them to the ocean if they want to make money on a public resource. I don't like them cutting into my quotas which in turn is cutting into my rec time on the salt water because of lost opportunity.

While I support the limit change to 4 per day, I do not support the days open change each week. Moving the days will concentrate more recreational crabbers with other water recreation users on weekends. Kayakers, paddlers, and power boaters would have to deal with more crab buoys on Sundays under the proposal. It will also impact those crabbers who have traditionally visited State Parks such as Camano Island and Cama Beach during the mid-week who prefer to avoid the crowds. Given that the Center for Wooden Boats livery at Cama Beach counts on some revenue from mid-week boat and crab pot rentals, a day change could impact them and the service they provide at Cama Beach.

The purpose of this letter is to express my strong opposition to Proposal #13 which would reduce the daily limit and change the season for recreational Dungeness crab harvest in Puget Sound, including Marine Area 6. According to the

2010-2012 Sportfishing Rule Change Proposals pamphlet, this proposal is in response to public requests to open recreational crabbing on both Saturday and Sunday. The reduction in daily limit would be to maintain catch allocation objectives with the added pressure of the full weekend fishery.

This proposal is clearly coming from crabbers outside of Marine Area 6. The East Juan de Fuca Strait marine Area (Area 6) has very low pressure from the sport crab fishery and has not been able to reach allocation objectives since harvest opportunity was reduced several years ago. What is needed in Area 6 is **increased harvest opportunity and increased daily limits**.

My suggestion is to group marine Area 6 with marine Areas 4,5, and 13 for rules purposes. This would give the additional opportunity needed for Area 6 crabbers to reach catch allocation objectives. It would also leave open the possibility of making the proposed changes in other Puget Sound marine areas if that is indeed what is desired.

Any rule change that further reduces the Dungeness Crab sport harvest in Area 6 is unacceptable. If we are not given the opportunity to harvest our quota, the quota will eventually be shifted to other areas with higher pressure and we will see a similar situation to the Spot Shrimp fishery this year. The Area 6 Spot Shrimp fishery was cut short this year even though the effort was very low, as was the catch. It turns out that the Spot Shrimp quota for the entire East Juan De Fuca Strait is now less than 1800 pounds. After a few years of low catch, most of the Area 6 sport quota was quietly redistributed to other marine areas with higher effort and higher catch.

I appreciate the opportunity to comment on the proposed rule changes and hope that my input will be considered in the rule making process.

I am opposed to the proposed change to the Dungeness Crab sport harvest season and daily limit if it is applied to Marine Area 6. It is clear from the wording of the proposal that supporters of this rule change are from a heavily fished area where sport harvest quotas are regularly reached. The effect of applying the proposed rule change to Marine Area 6, which has relatively low effort, would be to further reduce the sport catch which is already below the WDFW harvest allocation. Marine Area 6 needs increased opportunity and increased daily limits.

I am in favor of grouping Marine area 6 with Marine Areas 4, 5 and 13 for regulatory purposes. This would streamline the rules by grouping Area 6 with the rest of the Strait of Juan De Fuca and give a longer sport season to bring the sport harvest more in line with WDFW allocation targets.

I cannot speak for the crabbers in other marine areas, but I can say with absolute certainty that the proposed reduction in the daily limit does not have any support in Area 6. If the proposal is supported in other marine areas, that's fine, but please make sure to remove Area 6 from the affected areas.

Thank you for considering my comments in the rule making process.

I support the four crab limit. It seems to me that the pressure grows each year. There are a lot of pots lost each year and I doubt that all of them have cotton cords to allow crab to escape.

I have actively participated in the recreational crab harvest in areas 7 and 8-1 for many years. The change to a Wed - Sat opening has had, I feel, a significant positive impact on the viability of the crab fishery. This window spreads the fishing pressure over two days which are not typically active, and two days of typically more intense pressure. To shift to Friday through Monday would be a great mistake, as the fishery would now be subject to three consecutive high-pressure fishing days each week. I do not see how the reduced catch limit would ameliorate this increased pressure. Additionally, it has been my observation that the most careless and flagrant disregard for gear and catch limits comes from those who typically crab on Saturdays, and I am concerned that would apply to the Sunday crowd as well, should the proposed change be enacted. Please strongly consider leaving the existing window and limit regulations unchanged.... they are not currently broken!

The newsletter by WDFW on the winter Puget Sound opening of crab says it all. There are 236,000 Puget Sound summer crab license holders and the recreational crab limits were taken in area 7, 8-1, 8-2, and 11.

This indicates that the recreational crab getters need a larger piece of the pie. The commercial crabbers in these areas are allowed to much. Commercial percentage needs to be cut to allow more crabbing for the not for profit people. You are allowing too many crabs by commercials of a public resource and in doing so not letting recreational crabbers get enough time on the water for crab that has been a traditional custom of ours over the years. We need more time on the water and the same crab limit of 5 since our limit was just cut.

The price of a license is too high if you can't accommodate more time on the water. Commercials need to be moved to other areas to allow more recreation crabbing by the 236,000 crab licence holders that pays license fees that goes to the state and also spend dollars in those communities that helps the economy out. Obviously the commercials have pushed to get too much over the years and it is time now to cut them back or move them out of an area that needs more recreational time of a public resource.

No to this proposed change as presented by Staff!

Staff seeks support saying that the two continuous week-end days has been requested by the public. I am sure that the public has made such a request and, in fact, the public was against the initial establishment of a four day week which did not cover the week-end. I doubt that the public came out offering to cut the daily limit in order to achieve their request to shift to a full week-end. I am certainly not in support of this "give with one hand, take with the other" management approach.

The ongoing underlying issue is one of allocation between over 236,000 Puget Sound Catch Record Card holders (2009) and the approximately 250 non-tribal crabbers holding licenses to crab in Puget Sound. Staff refuses to provide the Commission with alternatives that include shifting allocation saying allocation is a policy issue.

Several years ago at a Commission meeting a Commissioner asked Dr. Koenigs, then Director, how WDFW had established the existing split of the non-tribal portion of available Puget Sound crab as 1/3 to sport and 2/3 to non-tribal commercial crabbers. After a short consultation with his Staff the response was that in the aftermath of the Rafeedie decision WDFW had to quickly come up with a split and it was their best estimate of the historical catch between the two groups.

When sportsmen initiated and lobbied the legislature for what is now the \$3.00 CRC in order to obtain good crab catch data the expectation was that such data would be used to support changes to the allocation. Before that program was able to generate valid data the season (both total length and days/week) were reduced as was the daily limit.

Now the CRC is producing sufficient valid data to reliably document how many crab the increasing number of sport crabbers are catching. I believe that the math would show that the 1/3 of the non-tribal catch split between 236,000 Puget Sound sport crabbers would result in about one limit of 5 crab per Puget Sound sport crabber.

So, here we are with Staff supporting a four day a week fishery to include both week-end days but not even suggesting that any resulting increase in total catch (exceeding the current allocation) could be achieved by a shift in the allocation.

That failure to provide alternatives to the Commission is unacceptable and we need to change that paradigm.

I request that the Commission consider the shift to include the whole week-end only in conjunction with a shift in allocation to "pay" for any total increase in sport crab catch.

In my 28 Oct 2009 e-mailed comment (above) against this proposed rule change I wrote of the past unwillingness of the Commission to address the hugely disproportionate allocation of the non-tribal share of Puget Sound Dungeness crab which is approximately 2/3 commercial and 1/3 sport. There are approximately 250 Puget Sound commercial license holders although not all of those participate actively. In 2009 there were 236,000 Puget Sound sport crab endorsements issued. I encouraged the Commission to reject this proposal if the *quid pro quo* is a reduction in daily catch limits from 5 to 4 crab. I further encouraged the Commission to expand the crabbing days and to obtain any increase in total catch by a re-allocation from the Puget Sound commercial crab portion. Note that given the current number of Puget Sound sport crabbers and the current sport allocation the average allocation per endorsement is approximately 5 crab or one daily limit.

So why am I writing this follow-up?

I just read the comments attributed to Chairwoman Wecker regarding the allocation of Spring salmon on the Columbia River and particularly her words regarding fairness of allocation, as follows:

"It just struck us all as fair to give (sport fishermen) two-thirds of the fish," she said Tuesday. "To give 50 people a third of the impacts seems to us to not be a reflection of hostility to commercial fishing. That just sounded equitable."

This comment was based upon there being 180,000 angler trips versus approximately 250 license holders of whom approximately 50 actively fished this past Spring.

I hope that the Commission will consider this far more equitable distribution rationale when looking at the disproportionate distribution of Puget Sound crab and especially any rule changes which will reduce the recreational opportunities for Puget Sound sport crabbers.

Virtually all of the tribal crab catch goes to the commercial market as does the coastal tribal and non-tribal catch. Puget Sound is home to Washington State's largest population center and provides ready access to the many families which enjoy the family oriented recreational opportunities found on its relatively safe waters. I urge the Commission to take actions which increase overall recreational opportunities and as far as the Dungeness crab fishery that would include expanding the seasons, daily limits, and shifting allocation from the commercial fleet to the recreational fishery.

I understand there is a proposal being considered which would change the regulations for recreational crabbing in Area 7 by altering the allowed fishing days to Friday through Monday, with a reduction in the daily limit to 4 crabs per day.

In speaking to many of my friends who enjoy crab fishing in the summer we are all unanimous in our desire to not see the daily limit reduced from 5 to 4 crab per day.

This proposal stems from the assumption that an additional weekend day of crabbing will substantially increase the recreational catch level and thus exceed our annual allowance. Thus in order to address this possibility a reduction in the daily limit has been felt necessary.

Ideally, the addition of Sunday would be best, while still maintaining the 5 crab limit. Most working families find it very difficult to participate in the fishery when only one weekend day on Saturday is available. I would propose the Commission consider this plan for the 2010 season on a trial basis? However, if that is not a possibility, the status quo would be preferred of Wednesday-Saturday fishing, with the 5 crab daily limit.

I am a recreational crabber on Camano Island, and would like for the crab limit to remain at 5 per day. I have been a responsible catch-card reporter, and do not believe the crab limit should be decreased just because others do not do the same. Is it safe to assume that most non-reporters are not locals? Is it reasonable to penalize the locals for the actions of the visitors? I do not believe so. Please consider keeping the crab limit at 5 per day.

I do not support the proposed change number 13 effecting future Dungeness crab seasons. The current limit of five crab is marginally adequate as it is. To change the limit to four in order to add Sunday as a legal crabbing day is not a change in the right direction from my perspective. I would like to see a change back to the six crab limit of years ago even if it means losing Wednesday as a legal day.

I absolutely support the change in crabbing from Wed through Sat to Friday through Monday with a daily limit reduction of 5 crabs to 4 crabs. The old period really discriminated against people who work from Monday through Friday to make a living.

As a sportsmen and crabber I ask that you not change our current crab regulation. I am not in favor of opening crabbing up on Sundays as the result will cause sportsmen reduce our limits to 4 crabs per day. This is unacceptable and the current regulations should stay. If the changes go through that will mean we will have to make extra trips out for the same # of crabs.

Unless this is what the Commission wants is to spur the economy along with sportsmen spending more to get the same result... Oh yah that's right the commission does not think the sportsmen contribute to the economy of this state but then again the economic impact of tribal and commercial fishing is 0 next to the sportsmen.

I would propose that sport crabbing in the designated areas be from Thursday through Sunday rather than Friday through Monday. I would like to see the allocation remain at 5 crab daily rather than 4 crab daily if that is possible.

We OPPOSE changing the crabbing days from Wed-Sat to Fri-Mon.

We OPPOSE changing the crab limit from 5 to 4.

If there is more recreational crabbing, which there obviously is, why not reduce the commercial crab quotas??.....Quotas which most recreational crabbers I know, as being "set in stone" by the Commission.

I'm opposed to the Dungeness Crab Season & Daily limit change. I would rather see it left as is. When I crab I only fish one day and then bring my pot in until the next week or longer. To limit my catch to 4 crab is getting close to making a one day crabbing adventure hardly worth the effort. My time is better spent in getting 5 crab in one day verses 8 crab in a two day effort. Please just leave the season and limit as is.

While a have disagreed with many changes in the past, the change to crabbing rules make great sense. Five crab limit, in my opinion, is too much. Having a full weekend just makes more opportunities for us.

I am a resident of San Juan county and an avid salt water sport fisherman.

I want to oppose the following proposals for rule changes.

Changing the harvest schedule for Dungeness crab from Wednesdays through Saturdays to Fridays through Mondays in marine areas 6, 7, 8-1, 8-2, 9, 10, 11 and 12. The proposal also would reduce the daily limit of Dungeness crab in all areas of Puget Sound from five to four, allowing WDFW to provide crabbing opportunities on Saturdays and Sundays without quickly exceeding harvest targets"

I think the current rule of crabbing from Wed. to Sat. is fine and the catch limit of 5 also works...again when the current rule was put in place a several years ago this has resulted in many more legal crabs being caught by myself when I crab in Area 7. I see no need to change a rule when the system is working fine and the crab population seems to be expanding.

Please don't change the crab limits or days. It will not extend the season. Probably would hit the limit of crabs taken earlier. It is hardly worth going out to get 4 crabs. I believe more people will leave their traps set all weekend.. 48 hours. Bummer!!! I like all the other changes I read.

There was no November opening in area 6, and now you propose further restrictions? I oppose the proposed changes! Restrict the commercial and Indian allowances, instead.

This would be a great improvement for weekend fishers, even with the lower limit.

I am highly opposed to the new days of the week and crab limit of 4 crab per day. I can understand the change in days, but the 4 crab limit is a joke and slap in the face to all recreational crabbers. Once that limit is changed to 4, it will never go up again, but the tribes will still get whatever they want. Again the recreational folks take it on the chin. Respectfully, Ron Casscles, Sequim, Puget Sound Anglers, North Olympic Chapter Board Member.

I am a female angler and captain of a 24 ft power boat. I am a sports angler in WA. I oppose proposed changes that would reduce the number of crabs per day that I can keep and take home to feed my family. The reduction to four crabs a day per person, as proposed, would cause me to reconsider whether it is worth all the trouble of launching my boat, buying a license for shellfish, buying gas, having out-of-state guests come and spend their money to share the experience, and on and on ---launch ramp fees, other supplies and equipment -- you can see how it might impact the overall revenue dollars that sport anglers pump into the state's economy just for the crabbing experience. And over the years we have had to fight hard to just get what we have....why set up more fighting between ourselves and WDFW ? Furthermore, in our marine area (9) we have always left quota out there in the waters, so there is no severe, urgent need to reduce the number of crabs we keep. We police ourselves well, only keeping legal size males. Everyone we know does the same. While we have fought hard to have weekends included, we should not be penalized for the change in days of the week by having our catch reduced in number. The fishery will not be over-harvested in Marine Area 9 !!

I understand that you wish to cut costs by making rule changes effective for two years instead of one. But if that is the case, then give us a chance for the new days of the week and let it run at 5 crabs a day then see what the effect is. We all know that any detrimental impact on crabs can be recovered quickly and effectively by then making other necessary changes. To implement too many restrictions and changes all at once and then make them for two years is just unfair and discriminates against the sport anglers while allowing tribal and commercial interests to continue to over-harvest and disregard many of your rules on many occasions.

In fact, I believe your proposed crabbing changes would encourage more rule violations, as more people will become desperate to harvest enough crabs for food sustenance for their families. You lack enough enforcement personnel as it is. Please don't implement rules that would encourage more violations and poaching for the next two years.

We moved here to retire so we could enjoy sport angling opportunities. We had no idea that would mean having to fight more and more vigorously every year for sport fishing accessibility and quota rights. By reducing the total number of crabs we can keep as you propose, we all know you are positioning the WDFW to then reduce our overall allocation for sport crabbers. Please don't do this to us. In these hard economic times we need crab to add to our food stores, and the state needs the revenue (millions of dollars) that sport fishermen provide. Please don't just try to run us over with your rules, thinking we won't fight it all the way to the Governor's office and the ballots in the next election. It's just not fair to the little guy. We vote, and we pump millions of dollars into Washington's coffers every year.

Ok, so I support the crabbing rule change, and I support prohibiting wild steelhead retention on all rivers until numbers improve.

The idea of limiting you to four Dungeness per day is stupid. A lot of us folks from Eastern Washington only make it over to the West side once a year. You already cut the limit down to five from six. What's next three a day? How about limiting everyone to say thirty per year and then your done. That sounds better to me.

Please note, that I'm not in favor of reducing the crab limit from 5 to 4. Also, I would favor keeping the crabbing days as is (Wednesday - Saturday).

I understand that you are considering changing the recreational crab fishing rules to limit fishing from Friday through Monday and bag limits to four(4). I am amazed that you overlook the catches taken by the local Indian tribes and commercial crab fishermen and concentrate your efforts on further penalizing the recreational fishermen who you know take only a small percentage of the yearly harvest. I highly encourage you to rethink your position on this issue before moving ahead with such a controversial decision that will affect so many of your constituents.

Dungeness Crab limit change from 5 to 4. This is a 20% reduction in catch limit. If studies suggest this drastic cut is needed for the conservation of dungeness crabs, I fully support this measure IF AND ONLY IF all other catch limits on dungeness crabs are reduced by the same percentage - this includes commercial and native catch quotas/targets. Doing so "across the board" will possibly ensure prolonged fishing opportunities of this species. WDFW would gain great respect if they would tackle such political issues!

#13, Crab, I don't know who did the math on this but based on the increased boating/fishing activity I see on the Sound Friday thru Monday I don't see how a reduction of one crab per day equals the same harvest/length season as the current days and limits. Unless the goal is to make it so uncomfortable and unsafe to go out that most sane boaters/fishermen will just stay home. I think you should leave the days and harvest limits as they currently are.

I am also apposed to changing the crabbing days. If it is open on Sundays there will be too much pressure on what few crab survive the commercial season.

I am willing to accept all the proposals I saw listed, however, I would like to see one of them modified. Could the days for harvesting crab be changed to Thursday thru Sunday instead of Friday thru Monday? My reason for the request is to allow people who can crab during the week to have two days in a row to get away and enjoy it without fighting the crowds on a weekend or traveling twice to get out for one weekday at a time.

Do not apply the 4 crab limit to area 13 where crabbing is open 7 days per week, and the crab are abundant. Leave the rule as it is, or consider a gear restriction on Sunday like ring traps only. Restricting the harvest from 5 to 4 is ridiculous. You already reduced it from 6 to 5. What's next, one crab per day? If you want to look at allocation objectives look at what the tribal commercial crabbers are taking because you have no idea what that is. Twice I have filed Public Disclosure Requests with your agency to obtain this information and I never got it. Either you do not have it, or you are breaking the Public Disclosure Rule. Until you really know who is taking what (and are willing to disclose it to the public) leave the rule alone!

Currently the crab season allows those of us who have week days off the opportunity to go crabbing (in my case I have Tuesday and Wednesday off). This season still allows people with weekends off to crab on Saturdays. The proposed season would give people with weekends off two days to crab while eliminating the opportunity for those of us with weekdays (Wednesday and Thursday) off. I don't see where this would result in any more licenses being purchased as those with Saturdays off generally have Sunday as well. On the other hand those of us with weekdays off would not purchase a crab license since we would have no opportunity to fish.

The allowing of allowing of crab fishing Friday-Monday probably makes sense for the working public. However lowering the limit to four crab is unacceptable!

If the purpose of lowering the limit is to keep the number of crab in the area higher, it is a failure before you begin! The only way to raise or maintain the number of crab in Puget Sound is to limit the tribal fishery take.

I personally watched tribal boats fish the Ruston Way area of area 11 in April and May of 2008, they fished an ungodly amount of pots. I cannot imagine how many crab they took. But I can tell you that when I fished the same area beginning July 1-July 4 there few crab left. It took four days with two pots to get five legal crab. Many females and under size crab and lots missing their claws. I put my pots away for the year rather than waste my fuel and time.

The Ruston Way area had been productive for a number of years prior to the tribal fishery moving into the area. WDFW needs to negotiate a reasonable take for the tribes. Allowing the tribes to fish an area out is unacceptable! There should also be a means for sportsmen to be aware of the tribal seasons and who to call when tribal boats are fishing illegally. Additionally four crab will not feed many families! I fish because I enjoy doing so and share my catch with family, what you are proposing will cause me to quit fishing for crab in Washington. Therefore no more license fees, gas tax on fuel, sales tax on gear purchased.

Please address the problem over fishing buy the tribes.

I support this proposal.

I am concerned with recent developments in the Dungeness Crab fishery. I believe this is the first year in history that the crab fishery is closed for the winter in Area 6 where I live. That is the traditional season where locals would appear along the beach in carrying wash tubs, lanterns, and garden tools. They could wander the tide flats in the dead of night and "rake" crab. On a minus tide in late October or November you may see 50 lanterns shining along the shoreline. I remember my Grandfather bringing home crab he collected in the same fashion over 40 years ago. It is one of the most interesting and entertaining sport fisheries I have had the opportunity to enjoy. The direction the crab season is going, I can see that event may never occur again.

When WDFW began to intensively manage the crab fishery approx. 4 years ago the season was open for pots 9 months a year, 7 days a week, 6 crab per person. It was open all year for ring nets and raking. When management increased WDFW stated that the crab fishery was healthy but there were concerns regarding an apparent increase in crabbing and the general lack of knowledge about crab numbers. Four years later, a quota has been implemented and the fishery is open for 3 months, 4 days a week, 5 crab per person with only one weekend day per week. Approximately 270 days reduced to 90 with over 75 weekend days reduced to around 15 (for pots). That is an alarming cut to the season. What did you learn about the population that initiated that blow? The current proposal would change the opener to include 2

consecutive weekend days with a further reduction in daily limit to 4. The quota will be reached so quickly that we will never see a winter fishery again. I can see a day in the not so distant future where there will be only a couple of weekends open for crabbing during the year just like Hood Canal Shrimp and Razor Clams. When those fisheries open, it is a complete circus. Tens of thousands of people show up and pound the resource for a couple of days. Please don't do this to crabbing. I cannot believe forcing the entire harvest into these brief periods benefits the resource. Massive harvests every year at the same time must have a negative effect on population trends. I'm sure it simplifies enforcement but managing a resource to ease the policing of regulations is fundamentally flawed.

I propose something completely different. Treat crab like Steelhead. Produce ONE punch card for crab fishers. Only allow people to catch the number of crab "punches" on that card. Only allow one card per year, a personal allocation. With a little refining the personal allocation could be modified to bring harvests into the total that WDFW has determined to be "healthy" for the resource. This would allow people to harvest crab throughout the year, at a time of their choosing. It spreads the harvest among people in a more equal fashion. You may also find people are far more selective in the crab they choose and the number they take per day. It would reduce the urge to completely fill your limit every day or take soft shelled crab. I honestly believe this is a better way to manage the crab resource and a more palatable way to reduce a growing harvest.

I definitely agree with the crab fishing suggestion to change to Friday - Monday. This years Wed-Sat dates had seriously impacted my availability to crab and appeared to favor the non-working demographic.

I like the proposed crab schedule change, could hardly go out this year as have Sat Sun Mon off. Wish the commercial crabbers didn't get as many, could not catch dungeness off of Cornet Bay docks like before.

It appears again that it's the same old story here for the Sport fishermen. Cut back the limits and change the days. I am speaking of the proposed changes for the Crab fishing. We sport fishers have been paying an extra \$3, and for what? I have read that less than a majority of catch cards were returned. So on that basis how can you folks suggest we need to reduce the catcher.

I had hoped with a new director things might change here in the right direction for sport fishermen. But it appears it is the same old thing. Cut back, Cut back. I hear nothing about reducing the commercial catches or lengths of the season for these folks. I am assuming that the WDFD is still in the pocket of the Commercials and Indians. It sucks. The Sportsmen by all accounts I have read put back into the state coffers through licenses, taxes and spending on boats, gear, tackle, rentals and all other things used to fish more than the commercial guys. So why do you continue to favor them? Cut them back or buy them out to reduce the amount of crabs caught.

Your department has been steadily reducing the opportunities for Sport fishermen in this state for years. Oregon doesn't seem to be having such a problem. They have large catch limits and a smaller size limit. I think someone from your department needs to take a look at what they are doing and how they are managing their crabs and quit favoring the commercials here in Washington.

If your goal is to drive the Sports Fishermen out you are well on the way. I am seriously considering a trip or two to Oregon waters for my crabs. I can spend my money there just as well as in Washington and it seems they certainly are more sympathetic to the desires of the Sportsman.

I would like to complain about the proposal to cut limits on Puget Sound crabs. If you want to cut crabs cut the Commercials (Indians) limits. Sportsmen generate more money than any others. No one is keeping track of the tribe except the tribe. Areas 10-11-12-13 are being overly fished by Commercials (Indians). Tribes.

Thank you for the opportunity to comment on sport fishing rules changes currently under consideration. I am a retired sergeant from the WDFW Enforcement program. I retired from WDFW Enforcement in June 2003. During the last two and one half years of employment I supervised the North Puget Sound Marine Detachment out of LaConner. Prior to that, I served as a Fish and Wildlife Officer in Snohomish County. I have had a great deal of experience with enforcement of crab fishing regulations. I am also an avid sport crabber and have fished Marine Areas 8-1 and 8-2 for many years. I predict that lowering the Dungeness crab limit from the current five to a limit of four will result in an increase in the number of people over-limiting in this fishery. There has been a dramatic decrease in the number of marine fishery enforcement personnel in past years, while the number of sport crabbers has increased. With fewer enforcement contacts people tend to stretch the rules more. How many times have we heard fishers and hunters say, "They keep giving us less and charging us more." Sports groups supported the Puget Sound Crab Enhancement fee and they are not happy about losing more. What did these funds accomplish?

Changing the harvest days will very likely increase the Dungeness crab harvest by putting more boats on the water on Friday through Sunday. You will have more people taking three-day weekends, resulting in increased effort and harvest rates will increase! The current Wednesday through Saturday season has been working just fine.

I would like to suggest some changes to the crab and shrimp regulations that would allow maintaining the current limits and season. Based on my enforcement experience and observations as a sport crab fisher, shoreline residents of Puget

Sound are some of the worst violators we have. They set gear on the morning of the opening day of the week and it stays in the water and fishes until the end of the closing day. They run the gear every few hours during this time period and retain any crab they choose, whether legal or not. They have little or no fear of being checked by enforcement personnel. They frequently do not record their crab catch. This fact can be corroborated with current enforcement personnel. There is a simple solution to the problem: daily fishing hours for crab and shrimp. I would suggest a regulation that allows fishing crab and shrimp from 7AM to 9PM daily during the open season. Such a reg would decrease theft and over-limits and hopefully extend seasons.

Without increased marine fishery enforcement, no new regulations, including reducing the daily catch limit will reduce overall seasonal harvests. It is important to remember that there was once an entire agency enforcing marine fishery regulations. Thanks again for the opportunity to comment.

I wish to comment about a change in recreational crabbing. My wife and I travel from East Wenatchee to Puget Sound twice each summer to do some crabbing. I support the idea of changing the open days for crabbing as well as a reduction in the daily limit. However, rather than being open Fri-Mon, we'd rather have the opportunity to set pots be Thur-Sun with a reduced daily limit to 4 males. Thanks for your consideration.

Shelf fish regulation changes - I totally disagree with the limit changes for the normal sport fishermen shell fisherman, over the years the dept has taken away more and more of our fishing seasons and limits washington state need to take a look at how other states run their fish and game depts,

I live in area 13. The harvestable crab is abundant here. The incredible amount of juvenile crab at 2-3 years old is as good as I've ever seen it and I grew up here. No, they are not Gracilis,,they are Dungeness. Doing across the board restriction to lower the daily take to 4 crab is just unjustified. You have already knocked it down from 6 to 5. You do not have any scientific to justify this. The tribe is fishing 24/7/365 and catch a LOT of crab and I would bet good money you have no idea of their catch,,,,no data. I have asked for this data in years past and have been totally ignored and this is a violation of the Public Disclosure Act. Put it out there on the table and let's see who is actually getting the lion's share of the catch. Do not mess with what we presently have in area 13.

I strongly urge you to reject the proposed changes to the current recreational crab harvest daily limit from five to four as put forth by the WDFW Shellfish Lab.

Previous commissions have promised to address the allocation issue between state commercial and recreational crabbers. Until this happens, I feel no further restrictions or changes should occur. Recreational crabbers have been waiting for the commission to address this issue for almost eight years.

Address the allocation issue first so that recreational crab advisors and shellfish lab personnel can then recommend changes that may be needed to protect this resource. First things first. Address allocation then possible changes to daily limits and season lengths.

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Address the allocation issue first so that recreational crab advisors and shellfish lab personnel can then recommend changes that may be needed to protect this resource. First things first. Address allocation then possible changes to daily limits and season lengths.

The changes to the crab season and catch limits seem quite sensible, although we would love to see some opening in the winter as well (area 8-2) when the crabs are much higher quality.

Is it true that out of an allotment of 4 million lbs.of Dungeness crab per year in Washington state that 3.8 million lbs.goes to the commercial crabbers limit, and 200,000 lbs. of crab are allotted to crab sport catch limit? If these figures are correct and your figure of 236,000 crabbers for summer crab cards that would be app. 1/2 crab per sport fisher in a season if the crab were 1 3/4- 2 lbs. per crab average. I know these figures don't add up and I hope they aren't right. There are 221 commercial crab fishers VS a min. of 236,000 sport crab fishers according to your figures. Crab sport fishers need more crab and time on the water getting crab. Could you direct me in the right direction of who to talk to? An E-mail or phone call would be appreciated.

Concur.

Please do not change the crabbing down to 4 and open on weekends. I am a senior and as we all know our budgets (no matter what age) are shot. I enjoy being out on the water when the crowds are less I Fish Wed. Thurs. & Friday with other seniors and enjoy the quiet and less crowds. Where I fish the weekend crowds are so thick that I can't even find a parking spot because of the weekend crabbers. How about leaving it at 5 crabs have Wed, & Thurs. during the week and open Sat. & Sunday for the weekenders. Up where I crab (Camano) there are more than enough crabs to go around, what is missing is WDFG people up there checking out the people who crab and don't record. Thank you for letting me bend your ear

The proposed changes to the fishing regulations, which will be in effect through 2012, would shift the four days a week to Thursday-Sunday but reduce the daily catch from 5 to 4.

I have no problem with the shift but object to reducing the daily catch limit from 5 to 4.

This reduction in the catch limit seems as arbitrary as the original split between recreational and commercial catches several years ago. There should be sufficient data from the catch record cards to provide a study of the catch numbers and percentages split between the recreational and commercial fishers. My expectation in regards to the catch record cards is that such data would be used to support changes to the allocation in a more scientific manner.

This is a joke, right? Every one of these proposals should be rejected, particularly those about no rockfish retention (there are plenty in area 7), more restrictive ling cod rules, and reduced dungeness crab limits. And what's this nonsense about "unclassified" fish and invertebrates?

I expect better than this from our public servants. My suggestion is that all these proposals be rejected and that you focus instead on increasing access to our fish resource, both wild and hatchery. You might start by putting some limits and/or better enforcement on the Indians, who seem to rape the resource at will.

I ask that you reject the proposed reduction in recreational crab limits from five to four.

For years now we have had reductions in days we can crab and limits. We get told that the commission will also look at allocations again and review current allocations for commercial, recreation and tribe but it never happens. Again. I ask that you reject the reduction in recreational crab limits.

I am an avid recreational fisherman and I used to crab regularly. However, I find that I crab less and less each time there is a decrease in the daily harvest limit. Area 6, did not take their quota of crab in 2007 and 2008 using the 5 crab a day limit. This year we apparently went over our quota but it remains to be seen if this was due to an increase in CRC reporting or some other anomaly. To apply the proposed 4 crab a day limit to Area 6 because of harvest problems that occur elsewhere in Puget Sound is wrong.

I urge you to keep the 5 crab a day bag limit in Area 6 until there is sufficient data to make an educated decision as to the necessity for decreasing the daily limit. The WDFW Shellfish Lab has been claiming for 8 years that they don't have sufficient data to make recommendations concerning the reallocation of the harvest quota between the state commercial and recreational crabbers and one year's data certainly doesn't provide them with enough information to adjust the daily bag limit. It is about time that the Commission applies the Shellfish Lab's "insufficient data" argument to an issue such as this and keeps the present daily bag limit of 5 crabs until a valid argument for harvest reduction is made.

I urge you NOT to change the daily limit of Dungeness crab from 5 to 4 crabs per day. I make this request as both a recreational crabber and as one of the eighteen Recreational Crab and Shrimp Advisors. I have been an advisor since 2003

As a recreational advisor, I receive information from Fish and Wildlife showing the total catch for each Marine Area based on the returned catch record cards and from the phone survey. On a year to year basis, typically, recreational crab allocations for Marine Areas 6,9,12, and 13 have substantial crab allocation remaining that often results in a winter season. Is this because of a lack of effort during the summer season or because the crab were not available?

As a recreational crabber, I have seen my seasonal catch vary by as much as 66%. For the last four seasons, I have fished the opening week in the same general location in Sequim Bay. This is the area I use to validate the variation of my catch from year to year; my own version of a test fishery similar to the areas repeatedly sampled by WDF&W. I have also noticed a large variation in my catch in Discovery and Port Townsend Bays. I extend an open invitation to any Commissioner to join me next season in Sequim Bay opening week, to verify the variation in catch that I am experiencing. The allocation issue has been brought up for the past eight years with no resolution. Until this issue is addressed, I request that the Commission leave the daily limit at 5 crabs and adopt the Friday through Monday daily schedule. I know from discussions with our Advisory Group, that these is s concern by the shellfish biologists that the recreation crabbers will exceed their allocation by adding Sunday. I urge the Commission to give the Friday-Monday daily schedule and a 5 crab limit a minimum of two seasons to gather statistical information that would indicate that the allocation should be raised or lowered. The present system of basing seasons and limits on inaccurate catch record card statistical information generated from a low return of the cards and the phone survey is not working.

I'm attaching two proposals I submitted to Fish & Wildlife that would provide better information as a way to solve the allocation issue. They were not adopted. Please review these proposals and feel free to contact me if you have questions. My proposal includes recording the catch results of all crab being caught, kept, and released. As it now stands, all user groups are competing for a finite crab population in and ADVISARIAL ROLE rather than a COOPERATIVE ROLE. All user groups, tribal, commercial and recreational, need to work together toward a solution before the crab population declines to a point that ends up restricted or listed like the rockfish, lingcod, and salmon species. See Appendix 3 for proposal and other supporting documents.

I have not seen the complete fishing rule changes. However, I have a couple of comments regarding these rules based on newspaper articles and other information that I have heard.

1. First, what is causing the changes? It seems that there may be a history for this but without such information, I don't think that the rules should be changed. For example, the change from 5 Dungeness crab take to 4. Why? Is there scientific data to back this? Why is this limit being changed? If there is GOOD scientific data to support the change, then we should be advised of that. I don't think that surveys do the trick. Voluntary surveys in any business are suspect because of the data base for them. Only good scientific surveys from wildlife biologists are perhaps in order and not prejudiced (????).
2. Why are the days being changed? What difference does it make for the days anyway. Why discriminate on the days of the week? Maybe I would prefer to go crabbing during the week days and someone else would prefer to go on weekends. I don't see why that should not be allowed.
3. Are the sport fishing limits being pushed because of pressure from the commercial fishermen? I have heard that sport fishing represents a great deal more financial impact than the commercial fishermen do and I think that's true. You should see my expenditures for sport fishing!!!

I write to offer a comment on the proposed 2010-2012 Sportfishing Rule Proposals offered by WDFW. I strongly support a change in the harvest schedule for Dungeness crab from Wednesdays through Saturdays to Fridays through Mondays in Marine Areas 6 – 12. If increased participation and harvest will result from the change, requiring a reduction in the daily limit from five crab to four to remain in compliance with the recreational crab quota, then I also support that change. The current harvest schedule favors retirees and unemployed folks and disadvantages people with regular work schedules and families with active children. If a family breadwinner has to work Monday through Friday and one or more children have sporting events or activities on Saturday (very common) then it makes it nearly impossible to crab. Allowing crabbing to occur on Saturday and Sunday will give folks with non-flexible work schedules and families with other demands a much better chance to crab. I suspect there are also some people out there who regularly have to work on Saturday--it is fair that they should have a chance to crab on Sunday. Retirees and those with flexible work schedules have benefitted from the current schedule for many years now. It is time to make a change to enhance opportunity for recreational crabbers whose only meaningful opportunity for participation is on the weekend.

The modification will also increase safety. While people usually stay with their pots while fishing over rings, it is more common for people fishing with pots to leave the pots and come back later to get them. Boats like mine—a 15ft Arima Seahunter—are safe for the Sound but are also somewhat weather dependant. There have been times when I would have preferred to let the weather settle before retrieving pots but, because the pots need to be out by the end of the day Saturday, I had to go out in rough water to retrieve them. Having an extra weekend day will really help to avoid bad weather, as will the fall-back option of going back Monday before work if it just isn't possible to get the pots on Sunday. Finally, I note that the impact of reducing the crab harvest limit from five to four, while not great, is also not a significant reduction. I believe allowing crabbing on Sunday will increase participation somewhat. If that increase requires a harvest limit reduction, then so be it. I trust that WDFW will evaluate catch rates for a couple seasons to determine whether the expected increase in participation actually occurs. Four legal crab is a decent amount of food. By inviting a spouse, friend, or one or two children, to join in the crabbing, the total limit could be 8 or 12. That is plenty of crab for dinner, even for a large family or a dinner party. The harvest limit reduction will not unfairly or inequitably impact recreational crabbers. For these reasons, I ask WDFW to adopt the proposed change to the 2010-2012 Rules, modifying the harvest schedule for Dungeness Crab to Friday – Monday. Thank you.

Even though this proposal would allow crab fishing on both Saturday and Sunday which benefits many people who work Monday through Friday, I cannot support this proposal with the reduction of the daily crab limit. Without this reduction, I would support the change. For the last decade or more, the recreational community has repeatedly asked the commission to please address the unfair imbalance in the allocation of Dungeness crab between the commercial and recreational fishery. Recreational fishers are only able to harvest about 4% of the Dungeness crab harvested annually in Washington State. We are tired of the departments solution to this problem to simply continue to reduce the recreational opportunity and bag limits.

PLEASE ADDRESS THE UNFAIR ALLOCATION ISSUE AND QUIT REDUCING THE RECREATIONAL OPPORTUNITIES AND BAG LIMITS!!!

I do not want changes to the limit or days able to fish. If you want to have more crabs available to sportsmen to catch get rid of the commercial fishers in Puget Sound. Buy them out. Sportsmen spend much more on crab fishing than commercials. Sportsmen bring in more commerce to businessmen taxes to the state by sales taxes and fuel taxes than commercials. Stop commercial fishing. Allow sportsmen to catch more crabs.

We have only one license to crab (unlike many people who have multiple licenses, one for each member of the family and who bring in 20 or more each day--legal but excessive)

five crab for us daily is plenty for us and guests.

Four can be a problem...

However, if the crab population is down and needs to be stabilized, AND the commercial harvesters also cut their limits, we would be in favor. (See what has happened because of overfishing.)

BUT, If the crab population is healthy, then no. We want our five.

I understand that you are considering changing the recreational crab fishing rules to limit fishing from Friday through Monday and bag limits to four(4). I am amazed that you overlook the catches taken by the local Indian tribes and commercial crab fishermen and concentrate your efforts on further penalizing the recreational fishermen who you know take only a small percentage of the yearly harvest. I highly encourage you to rethink your position on this issue before moving ahead with such a controversial decision that will affect so many of your constituents.

I do not want changes to the limit or days able to fish. If you want to have more crabs available to sportsmen to catch get rid of the commercial fishers in Puget Sound. Buy them out. Sportsmen spend much more on crab fishing than commercials. Sportsmen bring in more commerce to businessmen taxes to the state by sales taxes and fuel taxes than commercials. Stop commercial fishing. Allow sportsmen to catch more crabs.

I attended the public comment meeting held the previous month in Mill Creek.

I want to clearly state as I did in the meeting I am very opposed to changing the crab rules to go from 5 to 4 and include Sunday.

If this is done I think more crabs will be caught and we will not have a winter crab opening in 8-1 8-2

I strongly believe the crab limits should stay the same as last year and a big effort should be made by the WDFW to promote people reporting their catch records timely and accurately so we can better understand what the catch effort is on crabs.

I strongly urge you to critically review the history and current basis of the crab harvest allocation between state commercial and recreational crabbers and to reject the proposed reduction in the recreational crab harvest daily limit put forth by the WDFW Shellfish Lab.

Previous commissions have promised to address the allocation issue, which has been on the table for almost eight years, but have (to their shame) perpetually avoided addressing its iniquities. Until this issue is resolved no further restrictions or changes should be implemented.

I crab almost exclusively in Dungeness Bay. As a retiree I have sympathy for those who, because they work can only (under the 2009 schedule) crab on Saturdays. It would be more equitable that they get an equal opportunity. However, like the majority of crabbers in this area who are also senior retirees, I have always removed my pots on Fridays since the weekend is when theft from crab pots is common. (There are a lot of weekend crabbers who have licenses but don't use gear!). Opening Sundays, at the expense of Wednesdays, will in areas 5 & 6 (majority senior crabbers) not increase but possibly decrease the take. At least in these areas the daily limit needs to be maintained since I, for one, will reduce my days and will not be crabbing on both Saturdays and Sundays.

Please address the allocation issue first so that recreational crab advisors and shellfish lab personnel can then recommend changes that may be needed to protect this resource.

I believe this proposal should not be included in it's entirety and sports fishing allocation should be increased, relative to the commercial allocation ratio.

On the issue of crabbing daily limits to 4, do away with the Crab enhancement charge. Remember what that charge was for? Oh we must have forgot it's been a few years now, wow really enhanced a lot of stuff , just not the crabbing . If you want to keep taking away from the recreational fishing under the disguise of more opportunity than it should not cost us more.

Please do not change from the way it currently is. The Wednesday - Saturday schedule already has way too many people to the point where we have a hard time finding a place to drop our pots away from the other people. If you open it up for both weekend days, it will be worse. The launches are already overcrowded out on Camano Island and this will make it ten times worse. Please leave the days and amount of crab where they have been for the last few years.

Until the allocation issues are resolved between the non-tribal commercial crabbers and the recreational crabbing community, the limit should stay at 5 crab per day. It is interesting to me that the folks crabbing MA 6 this summer took 99,000 lbs of crab in a 42 day season with a 5 crab limit (exceeding our quota of 80,000 lbs) when we couldn't meet our quotas a few years back with a 200+ day season and a 6 crab limit. If we go to a Friday/Monday weekly season, I'm concerned that we'll be charged with a greater take since the shellfish folks consider a weekend day the same as two weekdays. I suggest that we maintain the status quo – Wednesday – Saturday and a 5 crab limit until the allocation issue and results of the CRC audit are completed. If you go to a Friday/Monday opener, then the 5 crab limit should still be maintained. (51 e-mails)

The deadline for public comment on this issue is this week. Please take my comments to heart. This email represents the strong feelings of 4 crab license holders: Kendal Wake, Mike Hitchen, Ralph Jensen, and John Engstrom. We believe the proposed reduction in the limit of crab taken is a mistake. Please don't lose track of the need to encourage people to get out and purchase fish and game licenses. Your own records should tell you that when limits of salmon were reduced some years back it led to a reduction of license holders. At a certain point the benefits of holding a license reaches a point of diminishing returns and people just don't go out anymore because they can't make the trip on the water for fish or shellfish worth their while considering the cost of travel and boat and equipment. Salmon has certainly reached that point. Now you want to do it to crab. I just swallowed hard when you reduced crab limit to 5 from 6 a few years back, but now we are speaking out speaking out against the new proposal to reduce the limit to just 4 crab.

Too many crab being taken during the season? **JUST REDUCE THE LENGTH OF THE SEASON OR REDUCE THE NUMBER OF DAYS PER WEEK WE CAN LEGALLY CRAB!** It's just too expensive to make this incredibly fun sport viable if the limit continues to go down any more!

Come on guys! Please don't let crabbing go by the way of salmon fishing so that just the rich can enjoy the sport. Some of us actually love the sport as a way to put food on our family table!

Listen, you eliminated the fall/winter crabbing season for our zone this year because too many crab were taken last summer. I grumbled, but I know it was for the greater good. If you must reduce the number of crab taken think outside the box and please just adjust the season, not the limit.

The change in crab day schedule and the reduction to limit 4 a day seems to be geared to selling more licenses or less product. The Friday through Monday schedule is obviously to attract more license purchases. I was born in Wa. and fished and hunted my entire life, and I have watched the opportunities for any measureable success decline to almost ZERO. Yet we have the nets completely across the rivers and crab pots in the sound year around. I have seen 3 crab pot strings set in front of popular crabbing beaches the day before opening, each string of pots were about 10 each. The same with hunting, this year my neighbor ran into a native American from Bellingham the first week of September that had shot 2 bull elk near Enumclaw. He said there were no more elk near his home so he came down here. I think I am done buying and fishing or hunting licenses in this state. I have talked to my friends and neighbors and they also are going to quit waisting money on our favorite sports in this state and go out of state.

Once again the sport fishermen are getting their quota reduced. We have already had the number of days reduced so far it is ridiculous. How much of a reduction are the Indian fishermen taking? How about the commercial fishermen? Come 2012-2014 we will be asked to take another reduction, and in a few years it will be like the shrimp fishery, just a few days a year.

I suggest we reallocate the crab fishery so that the sportsmen can get more of the catch, and get more days to fish. 40 days is a joke, considering that the Indian fishermen consider it necessary to fish our area for 3 days prior to our opening. We had a couple of hundred pots in our area, 8-2 June 28 - 30 prior to our opening on July 1. Guess how good the crabbing was.

The new regulations that are being proposed seem to be unfairly set up against senior retired people. Most of us are on fixed incomes, and cannot afford the loss of crab gear. When we attempt to crab under crowded conditions the number of stolen pots increases. Cutting back on the number of crab also increases the cost of the sport. So many of our sporting activities are limited as it is because of lack of mobility, strength, etc. With the increased cost of fuel, licenses gear and the shortening of opportunity to crab, it seems that we loose another recreation that so many seniors look forward to every year.

I am apposed to changing the rules as they now stand for Dungeness crab limits and the days of harvest. As sport fisherman we spend a lot of money on gear, boats and gasoline which also helps the local economy. Spending close to \$20 per trip to go crabbing and only being able to keep 4 makes it so that retired people on fixed incomes will be forced to stop crabbing. It is hard enough to try to crab on Saturday when so many pots are out and so many pot thieves are out as well but to then limit the number of crab you can legally keep and to eliminate a weekday will put most retired or lower income sport crabbers over the edge.

I would suggest starting the season later as they do in Birch Bay if there is a need to build numbers, as well as better enforcement.

I would like to express my opinion on the proposed revision to the Dungeness crab limit. If possible, I would prefer it remain at 5 in Areas 8-1 and 8-2. If too much crab is being taken, please reduce the limits the commercial and native American fisherman are harvesting. I get out few days per year and I'd like to be able to take home a reasonable catch of crab.

I am adamantly in disagreement with the proposed rule changes for crabbing.

With the price of gas going higher each year to spend the money to go out for only 5 crabs was hard to justify; now moving the limit to four is even more difficult to justify.

The time alone spent in getting the boat out on the water, waiting for the crabs to come, retrieving the pots then putting the boat back on the trailer was a lot of work. Now to do all that for just 4 crabs....difficult at best to justify.

Lets look at economy and efficiency. Much more effective with the 5 crab limit than the 4.

I believe if crabbing is open on Sunday the harvest will be significantly higher thus limiting the amount of time open for crabbing during the year.

Please leave the crab limits as they were last year. I would testify in Dec but unfortunately will be out of town. This email will have to suffice.

Thanks for listening.

Please note that the RCW 77.04.012 mandates that: "The commission shall attempt to maximize the public recreation game fishing and hunting opportunities of all citizens, including juvenile, disabled and senior citizens." Currently the commercial crabbers in the Puget Sound get 2/3s of the non-tribal harvest and now you want to reduce the sportsman's daily limit to 4 crab as a concession to giving sportfishers a Friday to Monday fishery. I don't understand.

If you must reduce the crab limit to enable a change of the days that are open, then don't change the days that are open. Its getting to the point that crabbing is hardly worth the effort already.

I write to offer a comment on the proposed 2010-2012 Sportfishing Rule Proposals offered by WDFW. I strongly support a change in the harvest schedule for Dungeness crab from Wednesdays through Saturdays to Fridays through Mondays in Marine Areas 6 – 12. If increased participation and harvest will result from the change, requiring a reduction in the daily limit from five crab to four to remain in compliance with the recreational crab quota, then I also support that change.

The current harvest schedule favors retirees and unemployed folks and disadvantages people with regular work schedules and families with active children. If a family breadwinner has to work Monday through Friday and one or more children have sporting events or activities on Saturday (very common) then it makes it nearly impossible to crab. Allowing crabbing to occur on Saturday and Sunday will give folks with non-flexible work schedules and families with other demands a much better chance to crab. I suspect there are also some people out there who regularly have to work on Saturday--it is fair that they should have a chance to crab on Sunday. Retirees and those with flexible work schedules have benefitted from the current schedule for many years now. It is time to make a change to enhance opportunity for recreational crabbers whose only meaningful opportunity for participation is on the weekend.

The modification will also increase safety. While people usually stay with their pots while fishing over rings, it is more common for people fishing with pots to leave the pots and come back later to get them. Boats like mine—a 15ft Arima Seahunter—are safe for the Sound but are also somewhat weather dependant. There have been times when I would have preferred to let the weather settle before retrieving pots but, because the pots need to be out by the end of the day Saturday, I had to go out in rough water to retrieve them. Having an extra weekend day will really help to avoid bad weather, as will the fall-back option of going back Monday before work if it just isn't possible to get the pots on Sunday.

Finally, I note that the impact of reducing the crab harvest limit from five to four, while not great, is also not a significant reduction. I believe allowing crabbing on Sunday will increase participation somewhat. If that increase requires a harvest limit reduction, then so be it. I trust that WDFW will evaluate catch rates for a couple seasons to determine whether the expected increase in participation actually occurs. Four legal crab is a decent amount of food. By inviting a spouse, friend, or one or two children, to join in the crabbing, the total limit could be 8 or 12. That is plenty of crab for dinner, even for a large family or a dinner party. The harvest limit reduction will not unfairly or inequitably impact recreational crabbers.

For these reasons, I ask WDFW to adopt the proposed change to the 2010-2012 Rules, modifying the harvest schedule for Dungeness Crab to Friday – Monday. Thank you. (One person noted that he agrees with the above comment).

I do not support this proposal. I prefer that the status quo is retained for both the recreational crab season and daily limit. I think it changes such as those currently being proposed should be delayed until the Commission update the allocation of the non-treaty Puget Sound crab between the commercial and recreational fishers. Once the recreational allocation is determined (whether changed or not) then it is appropriate to look at season and limit questions.

Please oppose the daily limit for Dungeness crab from 5 to 4. The recreational crabber has been getting the short side of allocation for years despite the economic and social benefits of recreational crabbing. I would much more prefer a more equitable allocation for the recreational crabber. I do support the Friday to Monday open days.

Like most people, I work regular business hours – Monday through Friday 9am to 5pm. I only have every second weekend with my child. With crabbing seasons getting shorter and shorter, I would appreciate the increased opportunity for recreation that Saturday and Sunday open days would afford. I would personally prefer the four crab limit opening Fridays through Mondays.

We really need to do a better job at allowing a fair take of the recreational Dungeness crab catch.

RCW 77.04.012 : This states the commission shall attempt to maximize the public game and fishing opportunities of all citizens. If the public can't crab 7 days a week 52 weeks out of the year barring soft shell restrictions to protect our resource, then the commission hasn't come close to living up to this law. The public resource of crab shouldn't be given to a commercial venture until that time that the public has maximized their chance at crabbing.

The 236,000 Puget Sound crab endorsement recreational crabbers want our rights to this public resource restored and encourage the commission to address this so we can maximize our opportunity as stated by RCW 77.04.012.

Until the allocation issues are resolved between the non-tribal commercial crabbers and the recreational crabbing community, the limit should stay at 5 crab per day. It is interesting to me that the folks crabbing MA 6 this summer took 99,000 lbs of crab in a 42 day season with a 5 crab limit (exceeding our quota of 80,000 lbs) when we couldn't meet our quotas a few years back with a 200+ day season and a 6 crab limit. If we go to a Friday/Monday weekly season, I'm concerned that we'll be charged with a greater take since the shellfish folks consider a weekend day the same as two weekdays. I suggest that we maintain the status quo – Wednesday – Saturday and a 5 crab limit until the allocation issue and results of the CRC audit are completed. If you go to a Friday/Monday opener, then the 5 crab limit should still be maintained.

Thank you for the opportunity to provide my comments on the proposed regulations.

I have been a crab fisherman for the past 18 years. Initially a licensee could purchase a sports fishing license for Dungeness crabs that permitted fishing 7 days a week, 365 days each year with a retention level of 6 male crabs of 6 1/4" in size in area 8.2. Over the years the season has been reduced to only 60 days with a retention level of 5 during only 4 days of fishing each week.

Now you want to reduce the retention level to only 4 crabs per day. This is just a way to discourage sportfishing in favor of commercial fishing. Few people would trailer their boat to a fishing site and go through the work and expense to harvest just 4 crabs. This resource belongs to the citizens not the Commission. Leave the catch level at 5 and reduce the season a little more if the fishery needs it. I would also suggest you consider closing the fishery for 1 to 2 years to ALL fishing as a vigorous measure to rebuild the population of crabs.

I do support the proposal to offer 2 weekdays and 2 weekend days for fishing. Even though I am a retiree, I think it unfair to allow 3 weekdays and only 1 weekend day for the working person to fish for crabs.

We can't get an allocation change in Dungeness crab that we were told would be coming again and again and then years of nothing but silence.

We can't get a single one of three performance audits to happen after years of total run around, now they are shelved. We have been providing a self tax crab endorsement fee that was to be used to enhance recreational crabbing. We get the opposite. We have gone from 270 days on the water with economic impacts in the estimated range of \$35-40 million a year for the small and large businesses of this state. We have endorsed and enhanced ourselves down to UNDER 70 DAYS!

Then we are supposed to be ABOUT VALUES?

Excuse me? People are stressed, things are all fouled up, and we can't even crab for a holiday crab cocktail in all but 2 areas. NUTS!!!

WAKE UP AND SMELL THE CRAB GUTS, PLEASE.

And now you want for the department is suggesting going from a 5 crab limit down to a 4 crab limit. (Right now I have a ZERO crab limit and I feel like my right to crab and my liberty and pursuit of happiness has been diminished.

Data is fouled up till no end, we don't get ANY respect on these matters.

IF you were US wouldn't you FEEL THE SAME?

I agree with the daily limit of 4 Dungeness crab per person. But if the goal is to delay closures due to harvest quotas I think keeping the wed-sat would also help. Because with a weekend open both days the harvest will double on weekends. I also believe there should be a seasonal catch limit. I personally know two people that brag of harvesting 200-300 crab this

season. One in area 12 and one in 8-1. That to me seems kind of greedy.

I am writing (without Internet access) to you and asking that you do not pass the proposed crabbing and fisheries regulation changes, before good science and economic benefit mentality are allowed to prevail.

As one of many life long recreational fishing license purchasers and WDFW supporters, I ask and insist that the non tribal 50% split of the Dungeness crab allocation be split equally between recreational and non tribal commercial harvests. The inequitable shares of 16 and 34 percent, roughly, over the past seven year (management?) time frame, through skewed harvest data tabulation is entirely inappropriate and unfair to the sport crabbing public. Catch estimate calculations are higher now than in years back when recreational crabbing was open year around and seven days a week. Please do not use bad science as a management tool for determining policy, regulations, and open season.

Karl D. Pohlod (retired Environmental Biologist) Puget Sound Anglers, North Olympic Peninsula Chapter, Board Member

The issue that needs to be addressed is allocation between sport and commercial interests. With only 1/3 of the non-tribal allocation, there is no way to reasonably provide opportunity for sport crabbers. The allocation must be adjusted to more fairly represent the needs of the citizens.

It states in your biennium report of 2007-2009 entitled Strategic Plan Budget Submittal that under RCW 77.04.012 :

1)Wildlife, fish, and shell fish are property of the State.

2)The department shall promote orderly fisheries and enhance improve recreational and commercial fisheries in the state.

3) The commission shall attempt to maximize the public recreation of game fish and hunting opportunities of all citizens.

On page 49 of your biennium the contradiction occurs: quote " WDFW fishery managers crafted seasons aimed at keeping recreational crab harvest levels within averages of the 1996 - 2000 base years and provide the commercial fishers their historical share".

1)This is not promoting enhanced improvement and attempt to maximize public recreation by keeping the numbers within the base years as stated.

2) Dropping the limit from 6-5 a couple years ago to 5 to 4 crabs for the next 2 years isn't enhanced improvement while commercials are provided historical share.

Since shell fish are protected property of the state which means they are a public resource we 236,000 recreational crabbers with Puget Sound crab endorsements need to maximize more time and crab before commercial shares are handed out.

We propose to shelf crab proposal this year until more time can be spent on this. Wrapping this very important and popular fishery with 100+ issues on the table isn't right.

I agree with the daily limit of 4 dungeness crab per person. But if the goal is to delay closures due to harvest quotas I think keeping the wed-sat would also help. Because with a weekend open both days the harvest will double on weekends. I also believe there should be a seasonal catch limit. I personally know two people that brag of harvesting 200-300 crab this season. One in area 12 and one in 8-1. That to me seems kind of greedy.

I oppose the daily limit for Dungeness crab from 5 to 4. The recreational crabber has been getting the short side of allocation for years despite the economic and social benefits of recreational crabbing. I would much more prefer a more equitable allocation for the recreational crabber. I do support the Friday to Monday open days.

DIRECTOR-- I was contacted by a survey concerning crabbing in the Sound. I was one of many picked out of those who returned catch cards for the summer crab season. There appeared to be two issues. (1) changing the crabbing days from Wednesday thru Saturday to Friday thru Monday. (2) decreasing the crab limit once again from 5 crab per day to only 4 due to anticipated increased pressure by the Sunday and Monday crabbers. I have been crabbing the sound for over 30 years and have a few thoughts concerning these proposals.

(1)--changing the days--adding a another weekend day would seem to be fairer for the vast majority of crabbers that are not yet retired and can only crab on weekends. I am retired and live on our boat all summer and we can crab what ever the days may be so it will not make a big difference to us. However, adding Monday in place of Thursday does not make any sense to me as I believe that most working folks can probably get a Thursday off much easier than getting a Monday off. I don't think you will get a lot of crabbing pressure from the work force on Mondays. Therefore, if a change were to be made on the days for crabbing I would go for Thursday thru Sunday instead of Friday thru Monday. However, when you look at the favorable crabbing tides on Sunday's for next summer between July 15 and Sept 5, only 3 have incoming tides and 5 have afternoon incoming tides. This will limit the crab take on Sundays in that people have to get off the water early on Sundays to get on home.

2) changing the limits--I am totally against any additional limit decreases. The sport crabber's limits were decreased 52.3% just a few years ago when crabbing went from 7 days per week/6 crabs per day to 4 days per week/5 crab per day. I believe that the commercial take was increased at the same time. But that is another story. I do not believe that

pressure on the crabs will increase significantly with a Friday through Monday opening. First of all as already stated, Monday will get very little pressure from the working folks, most likely much less than the current Wednesday or Thursday of the current set up. As for as Sunday goes, I don't think Sunday will catch nearly as much pressure as Saturdays due to the fact that people have to stop crabbing early and get their boats out of the water and travel back home to get ready to go to work on Monday. Looking at the tides for the 8 Sundays that would be included in the proposed change, only 3 of them have incoming tides (the best for crabbing by far) in the mornings. The other 5 Sundays have incoming tides starting after noon which likely would not be heavily crabbed due to people having to get off the water and back home on Sunday afternoon.

Therefore, I don't think that limit changes are required as you will not get the added pressure. If you think you need reductions in the crab catch in the Sound, reduce the commercial guys. Their 10 million crab vs our less than 1 million crab is not fair compared to the money spent by the sports guys vs the commercial guys. I won't even mention the Native Americans.

Based on our experience I believe that crabbing in the Sound is as good as it has ever been. The three main areas we crab include Oak Harbor, Saddlebag and the Roche Harbor/Garrison Bay areas. This year at Oak Harbor and Saddlebag for the first time in my 30 years experience the Indians were crabbing there the week and weekend after the sports season opened at Oak Harbor and the week and weekend of the opening at Saddlebag. Even with the added pressure of the Indian fishing we were able to limit easily every day we crabbed.

I strongly urge you to reject the proposed changes to the current recreational crab harvest daily limit from five to four as put forth by the WDFW Shellfish lab.

Previous commissions have promised to address the allocation issue between state commercial and recreational crabbers. Until this happens, I feel no further restrictions or changes should occur. Recreational crabbers have been waiting for the commission to address this issue for almost eight years

Address the allocation issue first so that recreational crab advisors and shellfish lab personnel can then recommend changes that may be needed to protect this resource.

Need to get a more equitable split for recreational fishers.

Anadromous and Marine Advisors – PS Recreational Fisheries Oversight Committee and NW Marine Trade Association don't support reduction in daily limit. Support Sunday opening - should address allocation with the data we have.

Recreational crab advisor wants to delay any changes until allocation review occurs. 10 years ago when allocations were established, we had 9-10 month seasons, 7 days/week, daily limit of 6. Allocation was set at 60% commercial, 40% sport – didn't expect it to be permanent. Never reviewed or adjusted. Now 2 month season, 4 days a week, reduced daily limit. Advisors are opposed to proposal #13 because of drop in daily limit.

PS Shrimp and Crab advisor is against this proposal. At the Port Angeles it was presented as advisors split on this issue– vote was 11-2 against. Advisors proposed weekend fishing – limit reduction was added later and is totally unacceptable. Two PSA groups like the weekend day change, but not at the expense of the reduced daily limit. Believe the intent is to deal with allocation with the reduced limit. South of Everett, no areas have reached their limits this year.

Comments from Public meetings:

Mill Creek

One person gave some historical perspective of his 50 years of crabbing in the state, beginning with the season being open year-round and no license required. Now there are lots of time and area closures, including certain days of the week, and a reduction in the daily limit from 6 to 5. We are constantly chipping away at the recreational fishery for crab in Puget Sound. We should terminate all non-tribal commercial crabbing in Puget Sound. The sport fishery brought in \$44 million in 2006, and the commercial fishery only \$244,000. If the daily limit goes down to 4, this person and many others will just buy their crabs from the Indians – it is much cheaper when you consider gas, launch fees, bait, etc.

Another person at said the rules are too complicated and you should fish in British Columbia.

Another noted concern over gas prices for a reduced daily limit of crab. He would rather give up a day of fishing and keep the higher daily limit.

One person wanted to know how to get the allocation of crab between sport and commercial changed. Why are commercial seasons set to open before the sport seasons?

One person asked about a 3-day-a week season, with both weekend days. He wanted to know if all the legal-sized males are taken each year, and if this is OK for the population.

One person asked about an annual limit of, say, 40 crab – you could put them on a punchcard, and talk them all in one day if you wanted to.

Port Angeles

One person from the Crab Advisory Group opposed the proposal, as did most of those present at the meeting. He stated that two years ago, advisors asked for crabbing on the weekend. There was no talk about a reduction in the daily limit. He remembers the daily limit set at 24, then 12, 6, and now 5. There is no reason for the proposed reduction to 4. The males taken are surplus. This proposal is an attempt by Rich Childers to take care of the allocation problem between sport and commercial crabbers. This decision should belong to the Commission. None of the crab management areas south of Everett have reached their quotas in recent years.

Another Advisor stated that he remembers changes in the past to the quota and the split between commercial and sport crabbers. The question asked was “how many crab are needed for a sport fishery 8 months a year, 7 days a week?” It was about 40% of the catch, so 60% went to the commercial fishery. Then the sport seasons began to get shorter. The allocation was supposed to be revisited and adjusted – not set in stone. It hasn’t been revisited or adjusted in 10 years. One person stated that they were told they needed better catch numbers before the allocations would be adjusted. He has been part of the effort to work on that, but still no one will talk about changing the allocation. He stated that he will not support any changes in the sport fishery until the allocation issue is addressed. He wants that issue addressed first. He wants Rich Childers to go to the Commission and address this issue. He stated that the vote on this proposal in the advisory group was 12-2 against (not 11-3 as stated in the notes that were given to me), and given that lack of support, the proposal should never have been added to the proposal package.

One person has been heavily involved in the performance audit for the CRCs. His numbers, taken from our website, show that the sport catch has gone down from 20% in 2003 to 16% in 2006, while the commercial allocation (non-tribal) has gone up from 30% to 34%. Recreational crabbers are not catching their quotas. He wants an official answer to who “owns” this proposal. (We explained that the proposal went through several levels of review, ultimately being given the Ok from the director, before going out). He says he refuse to take a 20% reduction in sport catch. One of the Crab Advisors noted that the change in the proportion caught by recreational crabbers was actually due to the “clean-up” fishery done by commercial crabbers once it was evident that recreational crabbers did not get their quota; i.e., there was no intentional re-allocation done by WDFW.

It was noted that the \$10 fee for not turning in your CRC is expected to generate \$1,400,000, which should only be spent on improving crab catch accounting. We should do models first, then re-allocate fairly with the commercials. He has been pushing and will continue to push the performance audit on this issue – three years is too long for it to go on. He has an e-mail list of 150 people that he shares information with. All the money collected from this fee should be refunded.

Another person agreed with all of the above comments. In the proposal it states that we have had “many requests from the public to allow crabbing on both Saturday and Sunday.” How many requests? Five years ago catch counting and allocation were in sad shape – everyone agreed. Some thought the recreational catch was grossly underestimated; some thought it was grossly overestimated. Recreational fishers and tribes both wanted accurate counts and backed the surcharge for this reason. Things have gotten better, and most agree the numbers are “pretty good.” Two years ago the daily limit was reduced to 5, and we were able to keep the winter season – this has worked well. Now another “major surgery” is proposed on the regulations, and the “patient” is not sick. Keep the rules we have unless proved otherwise.

One person noted that the recreational crabbers have not caught their quota south of Everett in the last few years. This proposal should go forward with no change in the daily limit, and the season should be left open past January 2.

One person wants the 4% imbalance in commercial/sport allocation returned. Or, make the commercial crabbers pay for the share of the recreational allocation they take.

It depends on how you ask the question – everyone would like to crab on Sunday - the drop in the daily limit was never discussed. Why can’t we have a different daily limit in different areas?

One person stated that we have harvesting legal-sized male crab that have bred at least twice before reaching legal size. We are harvesting the surplus. We could go out every day for 6 months and if we are still harvesting 6 ¼” males it doesn’t matter. We have made it a ‘derby fishery’ where everyone has to fish the same days of the week. Sometimes it is dangerous to get your pots out on Saturday night. Availability of time for people to crab is key – should be open 24/7 with a daily limit of 4 crab.

One person said that fisheries management is an oxymoron. Recreational fishing is one thing, fishing for food is another. You can't eat 4 crab per person per day. He would like to see a daily limit of 2, open all year except during the molt. There would be less mortality if you outlawed pots and just used rings – this would really be recreational fishing.

One person stated that not all areas need to have the same rules.

One person noted an item on ABC told people the best place to go crabbing for your vacation was Nehalem Bay Oregon.

One person noted that fishing for crab on Sunday is very important because some folks have to work on Saturdays.

One person stated that license sellers need more instruction about the crab catch record cards – you do not have to buy one. Automatically selling one to everyone skews the data and is wrong.

Olympia

One person expressed support, grudgingly. Since we went away from being open 7 days a week, his primary gripe has been the Sunday closure. It's difficult to travel somewhere for the weekend, set your pot Saturday morning and pull it the same afternoon. Having the whole weekend is a real benefit. But don't set the daily limit below 4 or it is not worth the effort. Also need to address the allocation issue with the Commission. This person was upset because he caught only one crab on the opener – pots had gone in earlier and he felt they had taken all the crab.

Staff Recommendation: Pending

#14. Daily Limit for Rock Scallops

Proposal: This proposal would change the daily limit for rock scallops from 12 to 6.

Explanation: Rock scallops are a popular shellfish harvested by recreational divers. Rock scallops are a slow growing species with limited habitat in Washington waters. The department does not have the capacity to regularly monitor either the harvest or the abundance of this species. The proposed decrease to the daily bag limit is intended to decrease the risk of overexploitation while still maintaining an opportunity for recreational harvest. Any commercial changes? Sport season should open before commercial.

Testimony:

I disagree – Rock Scallops are not a popular shellfish. They've never been common inside of Admiralty Inlet (so divers who most frequently dive in the Seattle / Tacoma areas don't often see them and assume they're depleted) but they are still very common in the natural habitats they thrive in. I know many divers and can say with some certainty that very few divers ever collect even a single Rock Scallop. I see many Rock Scallops while diving – alive and well, and I almost never see the damaged shells which would be left behind by harvesting. Having said this, I do agree that they have particular needs for habitat, they are slow growing, and they are not monitored – the existing 12 scallop daily limit year round is too lax. I would fully support a reduction to 6 per day.

Staff Recommendation: Adopt as proposed.

#15. DNR-85 and South Dougall Point Beaches

Proposal: This proposal re-opens both of these beaches to the recreational harvest of clams and oysters year-round.

Explanation: These two public beaches have been closed due to pollution, but Washington Department of Health has notified our agency that the beaches are no longer polluted and can be re-opened year-round for recreational clam and oyster harvest.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#16. Oakland Bay Oyster Reserve

Proposal: Open all public tidelands in the Oakland Bay Oyster Reserve to recreational clam and oyster harvest year-round except for Dikes 7-17 (which are currently closed and will remain closed, with signage marking the dike boundaries).

Explanation: There is no biological or management reason to keep the other public tidelands within the Oakland Bay Oyster Reserve closed to public harvest, except in the case of Dikes 7-17, which have been closed to sport harvest since the early 1990s, and are currently managed by agreement as a "single-entity" tideland under Squaxin Tribe management. These dikes would remain closed under this rule change, and would be posted with signs.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#17. Potlatch East and Cushman (Saltwater) Park

Proposal: Delete Potlatch East and Cushman (Saltwater) Park from the beach list.

Explanation: Both these former public beaches are now in private ownership. WDFW rules are only applicable to publicly-owned tidelands.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#18. Scientific Name of Native Littleneck Clam

Proposal: In list of classified shellfish, change scientific name of native little neck clam to *Leukoma staminea* (was formerly *Protothaca staminea*).

Explanation: The scientific (Latin) name for the genus of this clam species has been officially changed.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#19. Clam and Oyster Beach Seasons

Clam Season Changes

Ala Spit:

Current Regulation: CLOSED

Proposed Regulation: Open May 1 through May 31

A change in management status will allow this beach to re-open in 2010 with the same month long season it had in the years prior to 2009.

Belfair State Park:

Current Regulation: Open year-round.

Proposed Regulation: CLOSED.

The state share of clams was overharvested in 2009, and surveys indicate that the resource will not support a sport fishery in 2010.

Frye Cove County Park:

Current Regulation: CLOSED.

Proposed Regulation: Open January 1 through May 15.

This beach was closed in 2009 at the request of Thurston County Parks Dept. when budget cuts forced closure of the park itself. The park has now re-opened, and shellfish harvest on the park beach can resume with the same season it had prior to the closure.

Hope Island State Park:

Current Regulation: Open April 1 through May 31.

Proposed Regulation: Open May 1 through May 31.

Surveys indicate that the butter clam population on this beach has declined, requiring a shorter season in 2010. This proposed season still includes 11 days with tides lower than minus 2.0 feet to accommodate recreational geoduck digging.

Penrose Point State Park:

Current Regulation: Open March 1 through May 31.

Proposed Regulation: CLOSED.

Recreational shellfishing effort in 2009 almost tripled compared to previous years, and the recreational share of clams was consequently overharvested, requiring a closure in 2010.

Point Whitney Tidelands (excluding Lagoon):

Current Regulation: Open March 1 through May 31.

Proposed Regulation: Open March 1 through April 30.

Recreational effort increased in 2009 and the state's share of clams was overharvested, requiring a shorter season in 2010.

Point Whitney Lagoon:

Current Regulation: CLOSED.

Proposed Regulation: Open May 1 through May 31.

Surveys indicate an increase in the clam population, allowing this beach to re-open for recreational harvesting. This proposed season would open the Lagoon immediately following the closure of the Tidelands, which is the customary schedule for these two adjacent beaches.

Port Townsend Ship Canal/Portage Canal:

Current Regulation: January 1 through May 31.

Proposed Regulation: January 1 through June 30.

Surveys indicate an increase in the clam population, allowing for a lengthier season in 2010.

Potlatch DNR Tidelands:

Current Regulation: April 1 through August 31.

Proposed Regulation: April 1 through June 30.

Clam and oyster seasons should coincide on the two Potlatch beaches. Recreational effort in 2009 nearly doubled on the Potlatch beaches compared to previous years, and the resulting shorter oyster season will require a shorter clam season.

Potlatch State Park:

Current Regulation: April 1 through August 31.

Proposed Regulation: April 1 through June 30.

Clam and oyster seasons should coincide on the two Potlatch beaches. Recreational effort in 2009 nearly doubled on the Potlatch beaches compared to previous years, and the resulting shorter oyster season will require a shorter clam season.

Rendsland Creek:

Current Regulation: January 1 through June 30.

Proposed Regulation: Year-round.

This is primarily an oyster beach. Clam surveys and low recreational effort for clams here show that the clam season on this beach can be extended year-round, coinciding with the oyster season.

Sequim Bay State Park:

Current Regulation: Open May 1 through July 31.

Proposed Regulation: Open May 1 through June 30.

Surveys indicate a decrease in the clam population, necessitating a shorter season in 2010.

Triton Cove Tidelands:

Current Regulation: Open May 1 through September 30.

Proposed Regulation: Open June 1 through August 31.

Recreational effort on this beach in 2009 nearly doubled on this beach compared to previous years, and the clam share was overharvested, requiring a shorter season in 2010.

Oyster Season Changes

Ala Spit:

Current Regulation: CLOSED

Proposed Regulation: Open May 1 through May 31

Oyster season should coincide with the clam season on this beach.

Frye Cove County Park:

Current Regulation: CLOSED.

Proposed Regulation: Open January 1 through May 15.

Oyster season should coincide with the clam season on this beach.

Hope Island State Park:

Current Regulation: Open April 1 through May 31.

Proposed Regulation: Open May 1 through May 31.

Oyster season should coincide with the clam season on this beach.

Penrose Point State Park:

Current Regulation: Open March 1 through May 31.

Proposed Regulation: CLOSED.

Oyster season should coincide with the clam season on this beach.

Port Townsend Ship Canal/Portage Canal:

Current Regulation: January 1 through May 31.

Proposed Regulation: Open January 1 through June 30.

Oyster season should coincide with the clam season on this beach.

Potlatch DNR Tidelands:

Current Regulation: April 1 through August 31.

Proposed Regulation: Open April 1 through June 30.

Recreational effort in 2009 nearly doubled on the Potlatch beaches compared to previous years, and the shorter oyster season on adjacent Potlatch State Park will require a shorter season on this beach.

Potlatch State Park:

Current Regulation: April 1 through August 31.

Proposed Regulation: Open April 1 through June 30.

Recreational effort in 2009 nearly doubled on the Potlatch beaches compared to previous years, and the oyster share was overharvested, requiring a shorter season in 2010.

Staff Recommendation: Adopt as proposed.

#20. Standardizing Clam and Oyster Seasons

Proposal: Make recreational oyster seasons the same as the clam seasons on eight public beaches (Pitt Island, Cama Beach State Park, Camano Island State Park, Kayak Point County Park, Purdy Spit County Park, Dungeness Spit/National Wildlife Refuge, Spencer Spit State Park and Brown Point DNR 57-B). The first five will be closed to oyster harvest, Dungeness will be open May 15-Sept. 30, Spencer Spit will be open March 1 – July 31, and Brown Point will be open year-round.

Explanation: Pitt Island, Cama Beach State Park, Camano Island State Park, Kayak Point County Park and Purdy Spit County Park have all been closed to clamming for several years, but are open for oysters year-round. There is very little oyster resource present on these beaches, and this inconsistency with the clam season causes confusion among the public as well as enforcement problems. Spencer Spit and Dungeness Spit have limited (or closed) clam seasons most years, but year-long oyster seasons. Again, this is inconsistent with the clam season, causing confusion among the public and enforcement problems. Brown Point (DNR 57-B) oyster resources can be opened year-round for consistency with the existing year-round clam season.

Testimony:

Staff Recommendation: Adopt as proposed.

#21. Silverdale County Park Name Change

Proposal: Change the name of “Silverdale County Park” to “Silverdale Waterfront Park.” This beach is located in Dyes Inlet.

Explanation: The official name for this Kitsap County Park is “Silverdale Waterfront Park.” The name change in the rules and Fishing pamphlet will make the names consistent with the county’s signage, web pages and other publications.

Testimony:

Staff Recommendation: Adopt as proposed.

#22. Crayfish Harvest

Proposal: This proposal would allow the harvest of non-native northern crayfish (*Orconectes virilis*) and Louisiana redclaw crayfish (*Procambarus clarkii*) as part of the daily limit of crayfish. All rules currently in place for crayfish (gear

rules, season, minimum size, no females with eggs or young etc.) would also apply to these species. The daily limit would be 10 lbs in the shell of all crayfish species combined.

Explanation: Currently, only the native *Pacifastacus* species of crawfish are permitted in recreational harvests. Harvest of Northern Crayfish and Louisiana redclaw crayfish is not currently allowed. These two species have established themselves in lakes and streams in Washington State. Northern crayfish appear to be the predominant species in the Columbia River reservoirs of Lake Roosevelt and Lake Rufus Woods, and have spread to become the predominant species throughout the Columbia Basin Project waters. They appear to be the sole crayfish species in Moses Lake and Crab Creek, and have been found in at least 3 lakes in western Washington. Louisiana redclaw crayfish are known to be established in at least 10 lakes and ponds in western Washington (17% of sampled lakes per Larson and Olden 2008). Allowing harvest of the two species will help to remove these non-native species, while retaining current seasons and size limits provides protection for native species.

Testimony:

I am writing this email to show my support for the 2010 -2012 Sportsfishing Rule Change Proposal "Rule #22 Crayfish Harvest". Seeing through various studies by the DFW it has been determined that the native *Pacifastacus* crayfish is no longer the predominant species or is even non-existence in Moses Lake and Crab Creek it only makes common sense to allow for the harvest of the existing species, Northern Crayfish or Louisiana Red Claw Crayfish. Adopting Rule #22, as written, will make fishing for these non-natives legal and provide another fishing opportunity for the residents and visitors to the area.

I am writing in support of 2010-2012 Sportfishing Rule Change Proposals, specifically Rule Number 22: Crawfish harvest. Currently the two non-native species appear to be the sole crayfish species in Moses Lake and Crab Creek.

Allowing harvest of the two species will help to remove these non-native species, while retaining current seasons and size limits provides protection for native species.

At the present time it seems lowering a crayfish trap into Moses Lake and Crab Creek is illegal, because there are no apparent native crayfish species in these waters. Adopting Rule Number 22, as written, will make fishing for the non-natives legal, provide another fishing opportunity for the citizens and visitors in the area and help to remove the non-native species from these waters.

Allow unlimited harvest of non-native species.

See Appendix 3 for more testimony on this proposal.

Comments from Public Meetings:

The eight attendees were at the meeting in support of this proposal. They all fished for crayfish in the Moses Lake area and were interested in being able to retain crayfish they caught with the confidence that they were legal to keep.

Discussion on the crayfish proposal centered around questions like "why did it take you so long to allow harvest of these species? Can you tell the native and invasive species apart? Why not go with "no daily limit" for the invasive species? They noted that bass and walleye eat the crayfish; and mink, seagulls and even beavers are attracted to their traps.

Anglers at the Yakima meeting had questions about the rule making it unlawful to fish with live game fish and why that is important and about this proposal to allow harvest of invasive species of crayfish, and the reasons why these animals are on the "prohibited species" list.

Modification: Allow harvest of all non-native crayfish species. To continue to protect native crayfish, apply the same season and pot regulations that are currently in place to all species, but no daily limits, size limits or sex restrictions for non-native species. All non-native crayfish must be dead before removing them from the riparian zone and must be kept in a separate container from native crayfish.

Staff Recommendation: Adopt as modified.

Freshwater Rules

#23. Stream Strategy for Puget Sound and Straits

With various fish populations across the State being listed under the Endangered Species Act, (most recently Puget Sound steelhead), a more conservative approach to the regulation of fishing in rivers, streams, and beaver ponds is essential and requires the WDFW to provide as much protection as possible for all life stages of these populations, in particular for rearing juveniles. The difficulty is how to provide protection for these stocks of fish while also offering reasonable recreational opportunity. Currently the standard stream rule opens rivers, streams and beaver ponds to fishing for game fish from the 1st Saturday in June – October 31st, with an 8" minimum size, 2 fish / day limit.

Consequently much of the juvenile rearing habitat for resident trout and Dolly Varden and anadromous salmon, steelhead, cutthroat, and Bull Trout is currently open for fishing. As a result, these juvenile salmonids are at risk of being incidentally caught and may not survive being handled and released, especially if bait is used.

A more conservative management strategy to protect these stocks under consideration by the WDFW is to close all rivers, streams, and beaver ponds to fishing except as listed in the Fishing in Washington Rules Pamphlet. Rivers, streams and beaver ponds listed in the pamphlet as open to fishing will be identified for areas where stocks are robust and can support fishing pressure and in areas where reasonable recreational opportunity exists. The primary goal is to protect stocks at certain times of the year and in areas where they are most susceptible to mortality that may be associated with recreational angling. At this time, we are proposing to implement this strategy only in streams that drain into Puget Sound and the Strait of Juan de Fuca. If this strategy is adopted and proves successful, the rest of the state would follow suit during the next regulation change cycle in two years.

The tables in Appendix 1 present all of the fishing opportunity that will be available in the Puget Sound and Strait of Juan de Fuca drainages. Areas open to fisheries are presented by river system unless the waters drain directly to salt water. (If these proposals are adopted there will also be an alphabetical list of open areas placed in the fishing pamphlet). All salmon seasons listed are *last year's* seasons and are subject to change. Since the basic rule in these areas would be "closed unless listed" there are "closed waters" areas that will no longer be highlighted. We are still working on how these would be displayed in the pamphlet. Some of these closed areas are still listed in the tables to clarify the intent of the proposals. The last column in each table is a letter listing, from A-G. These are the reasons for the proposed changes. Rules that remain unchanged will not have a letter in this column. Descriptions of the A-G listings are shown in the table below.

STREAM STRATEGY			
	Steelhead Status	Trout Rules	Fishing/Conservation
A	Resident fish zone	8" minimum size, daily limit 2, bait allowed.	Fishing: resident fish opportunities usually above anadromous zone, hatchery steelhead may be available Conservation: allows most resident trout to spawn once before harvest
B	Resident fish zone/resident fish concerns	8" minimum size, daily limit 2 fish, selective gear rules.	Fishing: resident fish opportunities usually above anadromous zone, hatchery steelhead may be available Conservation: allows most resident trout to spawn once before harvest, reduces catch-and-release mortality associated with use of bait
C	Status good or anadromous fish juvenile presence low	14" minimum size, daily limit 2, bait allowed.	Fishing: resident trout, sea-run cutthroat, salmon, hatchery steelhead Conservation: 14" minimum size protects overwintering steelhead, allows resident trout and sea-run cutthroat to spawn once before retention.
D	Status good or anadromous fish juvenile presence low	14" minimum size, daily limit 2, selective gear rules.	Fishing: resident trout, sea-run cutthroat, salmon, hatchery steelhead Conservation: selective gear rules reduces the catch&release mortality associated with use of bait. 14" minimum size protects overwintering steelhead, allows resident trout and sea-run cutthroat to spawn once before retention.
E	bad	Selective gear rules and catch&release, except ,may retain 2 hatchery steelhead	Fishing: opportunity for harvest of hatchery steelhead, often includes catch&release opportunity for sea-run cutthroat and wild steelhead. Conservation: selective gear rules reduces the catch&release mortality associated with the use of bait. Protection provided for all trout life history stages.
F	bad	Catch&release, selective gear rules	Fishing: no hatchery steelhead present, catch&release opportunity for trout, which may include wild steelhead. Conservation: selective gear rules reduces the C&R mortality associated with the use of bait. Protection provided for all trout life history stages.
G	very bad	CLOSED WATERS	No fishing for any species. Protection provided for all life history stages.

Testimony:

YES, education.

Although it sounds like a good deal I firmly believe these are small band aides on a large deepening wound which is we have less and less fish getting to the spawning grounds so there is numerous and surplus amounts of juveniles to ensure adequate escapement regardless of environmental conditions and the negligible impact that sport fisherman have on these small fish. Although saving each penny is important (i.e., each small regulation change), we must at sometime realize that we must save in bigger chunks and that starts with getting more fish to the spawning grounds and developing more innovative approaches with local communities to have large broodstocking programs like the Snyder Creek program on the Sol Duc River that the department has frowned on so long. This also includes setting some rivers aside for hatchery production so we can have a strong revenue stream that can help fund wild fish restoration programs. The larger rivers with dams and relatively few spawning tributaries are a prime candidate for this type of program. To change to the philospophy will require a cultural change in the department. Strategic planning is a way to start with citizen strong involvement. WE should support these changes but on the condition there is much more that needs to be done.

.I object to this proposed change as it makes the rules just that much more difficult to interpret. It seems that managing and restricting recreational fishers is taking precedence over any control of commercial fishers.

I support this concept but it needs to go further. "Trout" in all waters with anadromous steelhead are genetically identical to these steelhead and are essential for providing broodstock in years when ocean or other conditions cause low returns of anadromous fish. So close all fishing in anadromous waters, period, unless they can be opened for hatchery salmon or steelhead or for C&R of wild fish. Then restrict hook size, a minimum size of #2 single point barbless for lures and #2/0 single point barbless for bait, to reduce the chance of a smolt or "trout" getting fatally hooked. If people want to fish for "trout" they can do so in non-anadromous waters.

Please seriously consider:

- 1) The Skykomish River be open for hatchery steelhead retention with Selective Fishery regulations and wild steelhead release in the area 2000' above and below the Reiter Ponds Hatchery outlet until April 30 of each year. This will allow anglers opportunity with very minimal impact on wild steelhead and to harvest surplus hatchery steelhead that could adversely affect native populations.
- 2) The North Fork of Stillaguamish River be open under Fly Fishing Only regulations from Feb 16 - May 30 of each year with wild steelhead release. This will allow fly fishing anglers opportunity with very minimal impact on wild steelhead and to harvest surplus hatchery steelhead that could adversely affect native populations.

I would like to see the rule changed on the Green River from 1st ave S upstream to old hwy 99/tukw intl blv From "Aug 22 to Aug 31 night closure, only one single point hook may be used" to "Aug 22 to Aug 31 night closure and anti snagging rules apply"

For this reason, the rules change on what type of hooks you can use several times as you move upstream on the green river, this is very confusing. Why not use the anti snagging rule on all sections of the green river, instead of 1 single point hook, then anti snagging rule, then 1 single point hook. This is very annoying and unnecessary, the anti snagging rule should apply to all sections and not change. Remember this river is a heavily harvested river with tons of tribal gillnets on it, any excuse for gear rules on sportsmen in the name of fish conservation on this river cannot be taken seriously. Simply the rules so it is consistent and easy to understand, and allow the sportsmen to harvest our meager share on the 3 gill net free days a week we get.

Should not try and "cookie cut" with this proposal outside of Puget Sound. WDFW has a lack of resources to prove what has a good fish population or not on the countless number of fishable beaver ponds and small streams to impose this regulation. This will unfairly limit opportunity for fish-able populations of fish. Allow this rule for Puget Sound and the Straits only.

The Conservation Committee of the Washington Fly Fishing Club supports -- Though there are way too many considerations in a single rules change

I support this proposal.

As you may know, the Sunset Falls fishway on the South Fork Skykomish River is a trap and haul facility. Fish trapped at the falls at River Mile 51.5 are trucked above Canyon and Eagle Falls and released at River Mile 55.4 (several 100 yards below the confluence of Barclay Creek and the South Fork Skykomish River). The current sport fishing regulations has provided a 600' closure downstream of Sunset Falls which is appropriate. However, no closure has been applied to the area where fish are released. Often times, these fish are disoriented when released and can be easily snagged in and around the release site. I suggest that as a rule change that the area from the confluence of Barclay Creek downstream to Eagle Falls be closed to sport fishing from July 1st through December 31st for all species.

Ever since the EAS-listing of Puget Sound steelhead as Threatened, I attempted to convince the Commission and WDFW that existing regulations for trout fishing in streams were exerting a high fishing mortality rate of juvenile Puget sound steelhead. The standard response by WDFW had been that comments in the listing decision documents clearly stated that fishing mortality was not a significant problem for Puget Sound steelhead. While all of these Federal comments were clearly made in the context of only adult steelhead, they were mistakenly being applied to Juveniles by WDFW. In reality, the fishing mortality rate on juveniles may be an order or magnitude higher than the fishing mortality rate on wild adult steelhead.

The changes proposed for 2010-2012 have finally recognized both the Puget Sound and the State-wide problems and the solution is the correct one. It will be the beginning of the end for the long Washington tradition of providing widespread "trout fishing" on juvenile steelhead. It is also being proposed in the correct CLOSED unless OPEN harvest management strategy that limits fishing mortality to times and locations where there is a reasonable expectation of a harvestable surplus for one or more species. In addition, it will make management of trout fishing in streams parallel to the same CLOSED unless OPEN format that has been used for decades to manage both salmon and steelhead fisheries in the same streams.

The primary purpose of the comments to follow is to describe why the net result of existing regulations is a high fishing mortality rate on juvenile Puget Sound steelhead. The basic reference that I will be referring to (unless noted otherwise) is the following: Wright, S. 1992. Guidelines for selecting regulations to manage open-access fisheries for natural populations of anadromous and resident trout in stream habitats. *North American Journal of Fisheries Management* 12:517-527.

The existing Statewide Freshwater Rules that apply to all Puget Sound streams not identified under Special Rules are a five month fishing season from the first Saturday in June through October 31, a two fish daily bag limit and an 8 inch minimum size limit. In practice, the effective size limit is about 7 inches since there is a tolerance policy (just like

everyone knows that they can always go 5 miles over the posted speed limit and never get a ticket.) Every length frequency distribution for any fishery with a minimum size limit will show this artifact. There is no restriction on the use of bait even though numerous studies have indicated the expectation of a 30 to 50% mortality rate for any fish that are hooked and released. This is recognized in WDFW regulations since fish caught with bait count as part of the daily bag limit, while you can continue to catch and release fish caught on artificial lures or flies. However, the regulations also state that, if any fish has swallowed the hook or is hooked in the gill, eye, or tongue, it should be kept *if legal to do so*. Obviously, these types of regulations can never be effectively enforced in actual practice. Fishing with bait produces a much high incidence of serious injuries since fish are attempting to swallow bait as opposed to capturing a lure or fly. The net result is that hundreds of the smaller named and unnamed streams in the Greater Puget Sound Basin are open under Statewide Rules to harvest fisheries on juvenile steelhead plus a high hooking mortality rate on smaller fish. There are 56 stream reaches listed under Special Rules that have a 14 inch minimum size limit to prevent retention of juvenile steelhead but this does not apply to most of their tributaries and 51 of the 56 allow the use of bait. There are an additional 24 stream reaches with catch-and-release fisheries but this does not apply to most of their tributaries. There are also 23 stream reaches closed to fishing that lack tributary protection. These three categories total 98 stream reaches where protection has not been extended to most named and unnamed tributaries (a small percentage of named tributaries are identified under Special Rules). Research conducted in Idaho in the early 1970s demonstrated that 70 to 100% of 2-year-old juvenile steelhead could be removed from 400 foot reaches of streams with only four angler hours of fishing effort. Thus, it is possible to severely deplete or even eliminate any juvenile steelhead populations with only a very modest amount of fishing effort.

One source of information that can be used to quantify impacts from fishing comes from the WDFW long-term research station at Big Beef Creek on the Kitsap Peninsula. Smolt production of juvenile salmonids has been measured every year since 1978m while the regulations needed to eliminate significant fishing mortality on juvenile salmonids have been implemented in several increments extending from 1987 to 1999. The end result is a catch-and-release fishery with a prohibition on the use of bait. In the 10-year "before" period from 1978 through 1987, the average annual production of anadromous trout smolts (steelhead, cutthroat, and hybrids) was 1723 fish. The average annual anadromous trout smolt production in the 9-year "after" period from 2000 through 2008 was 2638 fish. This represents a 53% increase in anadromous trout smolt production.

Another quantitative expression of impacts from fishing can be seen in the end result at Chambers creek, the original brood stock site for most Washington hatchery steelhead. Biologist Bruce Crawford described the history of this resource in a 1979 report entitled "The origin and history of trout brood stocks of the Washington Department of Game". The natural steelhead run in Chamber Creek had the normal run timing of Puget Sound winter run steelhead and early egg takes were made mainly from February through April. However, the run was shifted a full two months earlier in run timing by continually selecting the earliest returning adults. Egg takes were then made mainly in December and January and the trap was generally opened to unimpeded upstream fish passage in early February. The early run hatchery fish gradually died out due to exceptionally poor smolt to dault survival rates. However, everyone assumed that a natural run still existed in the normal winter steelhead run timing period beginning in early February. WDFW installed a fish counter in the fish ladder during 2008 but not a single adult steelhead was detected. The only plausible cause for this extinction is the "trout" fishery that was provided for decades with on ly 6 and then 8 inch minimum size limits. This is a 149 square mile watershed with over 330,000 people living in it. New regulations to supposedly "protect steelhead" have recently been adopted for the 2009-2010 period but were applied only to the main stem of Chambers Creek. At least half of the juvenile steelhead rearing potential occurs in four named tributaries and these remain unprotected.

The problems that I have attempted to describe for juvenile Puget Sound steelhead are generic statewide problems that extend to other ESA-listed and unlisted juvenile steelhead populations, ESA-listed bull trout, ESA-listed and unlisted juvenile Chinook salmon populations with significant yearling production, ESA-listed and unlisted juvenile coho salmon populations, juvenile sea-run cutthroat, and immature resident rainbow and cutthroat trout.

The first comment is for the Quilcene River The daily limit is 4 COHO and it reads as follows:
QUILCENE RIVER (Jefferson Co.)from Rodgers St. to electric weir at Quilcene National Fish Hatchery
SALMON Aug. 16-Oct. 31 Min. size 12". Daily limit 4 COHO only. Only fish hooked inside
My comment is that you should probably specify/clarify the final sentence. "...Inside What?"(inside the mouth)

I do not support this change .Do not close all the streams that are not listed only close down the rivers with very low stocks. (7 e-mails)

Once again I find the agency charged with managing and protecting our states wildlife to be woefully deficient in it's abilities and performance. For as far back as one can look the WDFW has been functioning with a deficit of research, facts and data needed to make the decisions needed to reverse the decline of native and anadromous sport and food fish in our waters. The rule changes proposed in regulation 23 makes an implicit assumption that sport fisheries are the sole or at least most important cause of species decline. Frankly, I think that there is little or no evidence to support this. Although the shutting down of sport fisheries in some waters may, in fact, be merited and even, sometimes, necessary,

there is little real evidence that closing sport fisheries will do much to effect the recovery of troubled fish populations. What it will do is insure that there are less observers on the water to bear witness to the health or decline of fish populations. It would seem that in the case of anadromous fish, little attention is being paid to the impact of habitat and commercial harvest.

It appears to me that the WDFW has failed in it's mandate to research and find the base causes of fisheries decline in our state and has, furthermore, failed to do much to implement any affective remedies to the problem of this decline. The rivers, streams and other waters of our region served remarkably well as the hatcheries and rearing areas of our fisheries for millennia while the WDFW and it's predecessors have, with all it's artificial hatcheries, presided over the catastrophic decline, almost to the point of collapse, of our fisheries in mere decades. I agree with Curt Kreamer that the application of proposed rule 23 is plagued with flaws and inaccuracies. It should not be implemented unless and until the WDFW has done the work to evaluate the entire process based on fact.

I am concerned that WDFW has not fully evaluated the impact of the ongoing blackmouth program in Puget Sound waters. This program places an unnatural population of Chinook Salmon living and feeding and most likely impacting the food supply in these waters at times when the rockfish and bottomfish normally would not face such competition for food. In fact--I propose that the blackmouth salmon program be shut down completely until their effect on the food supply of the depleted rockfish and bottom fish populations can be thoroughly researched and evaluated.

In closing, I must say the WDFW should be ashamed for it's record of shoddy and often absent research and evaluation of Washington State's fisheries and for it's failure to halt the decline of these native fish populations.

I have never sent any comment to the ruling bodies in the past, but this idea of further restricting fishing is rotten. The proposal 23, shutting down streams unless a specific exemption is made for each stream, is based on no clear data according to what I have read. A lack of manpower to study issues is no reason to make unsupported change. Any change without supportive scientific data can not be scientifically motivated. Without imperial data, changes have to be made for politically reasons, personal reasons or just to justify ones self existance. We the sport fishermen keep getting more and more restrictions while the Lummi Nation continue to leave nets in the local rivers with dead bloated fish. I know the fish and game office has little control of the Indian issue, but they can fight this abuse by generating more opportunities for sportsmen rather than decreasing fishing rights for the average sportsman. It is clear, fishing has become a political issue rather than an Eco issue. Until that is addressed, any further restriction on the sportsman, without equal compensation by the commercial and Native Americans will have no effect on the species survival. It will only change who catches the remaining fish and destroys the juvenile stock.

I would like to see this proposal not accepted until further review of the included/excluded streams can be done. I believe this is too broad of closure of to many creeks and beaver ponds.

This is a very complex proposal that seems to be less than fully developed. Pretty clear in listening to the public at the Mill Creek regulation meeting and to talking to fellow anglers that this a poorly understood proposal. While I fully support the conservation goals of this proposal it is clear that it has not been developed to the extent needed for public review and meaningful comment.

In my review of this proposal and the appendix 1 I found that there appears to be a lack of underlying principles in how this change is to be implemented and what the over all goal of the changes may be. The result is that I found inconsistencies between watersheds, river sections and even species within a given system section in how the various stream strategies were applied. Also there are a number of examples where tributaries are not listed meaning that they are closed to fishing. In some cases that includes all the upper basin tributaries above anadromous barriers being closed resulting in reduce fishing opportunities on resident trout which are not a target of this change.

In short while I understand and support the intent of this proposal if it is adopted as currently written the result will be significant angler confusion, inconsistent regulations, lost of recreational opportunity as well as a number of errors and omissions in the resulting pamphlet.

I strongly encourage the commission to table action on this proposal until a more comprehensive and completed proposal can be developed and presented to the public for comment.

That modified proposal should include a standard approach across the "Salish sea" streams, a "fixing" of the various errors, unaddressed issues, etc. Once that work is done (it might be aided by one or more public workshops) a completed proposals should be made available to public for adequate review and comment.

As the proposal is currently written I don't know how an concern angler or citizen can possibly provide a meaningful review and comments on the specifics of the proposals - there are just too many "holes" and errors. Even if those issues were addressed and a "corrected proposal" was produced there is no way that such an improved proposal could be made available to the concern public for any sort of timely review for this regulation cycle.

If some sort of action for this regulation cycle is thought to be needed I would suggest that a broader application of selective gear rule restrictions be considered as an alternative. Those rules could be applied to major anadromous fish producing areas. In the past this type of approach was considered to be "illegal" via the "bait ban bill" where prohibition of the use was prohibited except on a case by case based on conservation need. I think that the federal agencies have

made that conservation case when three different anadromous salmonids (Chinook, steelhead and bulltrout) were ESA listed in Puget Sound.

I would like to go on record as opposing proposal 23. It is clear that more work needs to be done to develop the entire process before it is reconsidered. I would like to see WDFW adopt stream management strategies that protect all wild juvenile salmonids and rainbow trout while continuing to allow selective fisheries for adult salmon and steelhead hatchery fish.

Statement from the Wild Steelhead Coalition:

This is the one proposal for wild steelhead that we do not support as written. The WSC has reviewed this proposal in a generic manner, as commenting on each proposed change would mean considerable redundancy. Many individuals and organizations, including the WSC, proposed selective fishing gear for all trout species and catch and release for rainbow trout (RTB). This enhanced protection is critically needed to protect juvenile wild steelhead, salmon and rainbow trout, the resident form of wild steelhead.

The WDFW Stream Strategies proposals in Appendix 1 for Puget Sound protect trout and juvenile wild salmonids only from February 16 to the closing date of the steelhead fishery (generally March 31) through selective gear and catch and release regulations. However the remainder of the season (generally June through February 15) the WDFW continues to allow harvest of 2 rainbow trout 14" or larger with all gear types as well as barbed hooks, which unfortunately continue to contribute a very high mortality rate of all small wild salmonids hooked and released (about 30%) and the continued harvest of needed rainbow trout spawners.

The WSC finds it scientifically enigmatic to understand why the WDFW can protect one form of steelhead trout, the anadromous steelhead, but continue to allow harvest of the other form, the resident rainbow trout. Both forms, by definition and taxonomy are classified as the same species, steelhead trout, *Oncorhynchus mykiss*, and are genetically the same in each watershed. Each form contributes to the abundance and productivity of the other form. The state of Washington should not follow the shallow Federal Governments political split of this species into "trout" and "anadromous" population units so they can be managed by two agencies; the state can be much more responsible to the species and its survival by managing these two forms as one integrated population. Rainbow trout, through participation in the late winter/spring spawning interactions of wild steelhead improve the success of fertilization of female steelhead, especially during April, May and June. During this period, male wild steelhead becomes depleted and the population is in part reliant on rainbow trout to provide the male partner for spawning.

Rainbow trout can be an important component in the recovery of wild steelhead stocks and the rebuilding of declining stocks. Steelhead and rainbow trout can produce independently the opposite form (i.e., rainbow trout can produce anadromous smolts, steelhead can produce resident fish). Rainbow trout can be the leading or single source of anadromous smolt production when the abundance of steelhead is depleted or extinct. This fact has been documented in several California rivers where steelhead stocks (example: Ventura River) were considered extinct. Wild steelhead returned many years after a river's run was classified as extinct, and appeared to be the progeny of the river's rainbow trout population. In consideration of the highly depleted condition of most Washington rivers, prudent management should strive to save all rainbow trout. Also, the WDFW does not have abundance estimates of the rainbow trout populations, due to budget restrictions, to understand their stock health or provide adequate management. Scientific recovery and stock protection procedures for both the anadromous form and the resident form should dictate the elimination of harvest of both forms in ESA listed rivers and of rainbow trout in the few remaining healthy rivers. Anything short of this will only inhibit and possibly prevent the recovery and rebuilding of wild steelhead stocks.

We encourage the WDFW to pursue stream management strategies that protect all juvenile wild salmonids and rainbow trout while continuing to allow selective fisheries for adult salmon and steelhead hatchery fish. We believe this is the direction the Stream Strategy section should take rather than the limited changes for rainbow trout protection proposed in Appendix 1. To accomplish this protection, the WSC proposes the use of one of the two following strategies:

1. Devise a hook size separation strategy and the use of selective gear which protects rainbow trout and wild salmonid juveniles. This proposal would allow hook sizes up to size 6 for all trout and require selective fishing gear as well as catch and release of all juvenile salmonids and all rainbow trout. Allow a minimum hook size (barbless would be best) of 1/0 (or possibly 2/0) and larger for adult steelhead and salmon fisheries. This would continue to allow the range in gear presently used including bait. The trout fishery could be set in a season of June through October to further reduce hook and release mortality which can be more than 30% with most gear types. These changes will save most juveniles and rainbow trout.

This change will promote rainbow trout as a sport CnR sport fishery. As larger rainbows are available through savings, we believe that a healthier population will develop that provides the diversity needed in steelhead trout spawning and an improved sport fishery for rainbows.

No strategy for achieving this management goal will be perfect or 100% enforceable but we think this one comes the closest to protecting rainbows and allowing other fisheries to continue. Given the very poor condition of steelhead runs in Puget Sound and the slow but steady decline of the runs on the coast, a management change that uses these types of gear and fishing opportunities is badly needed.

2. Require selective gear for all fisheries and catch and release of RBT with a June through October fishing season for RBT. This may be the easiest regulation (s) to enforce and simplest to apply.

Additional Comment: The stream Strategy Steelhead Status nomenclature does not often fit the streams. We recommend review of these before they are made permanent. We offer a few examples:

For the Skykomish River, the category needs to be moved to either D or more appropriately E given the current state of the steelhead runs and the fact that there is a high population of juvenile steelhead in the lower river during June and early July. This should include all stretches. It is interesting to note that the South Fork's tributaries are listed as D but nothing else is. All areas of this watershed accessible to steelhead need to be D or E (for the selective gear rules). Given the current state of the Snoqualmie River including its tributaries, the Tolt and the Raging, the category needs to be moved to E even though the Snoqualmie is already selective gear rules in the summer, if the state is going to follow the stream strategy, it should be classified as D or better yet E. It does not make any sense when you have various rivers like the Pratt which is a tributary to the MF of the Snoqualmie and natural barrier cuts it off from anadromous fish is listed as E and F which should be classified as D for sake of consistency.

Both Forks of the Stillaguamish River should be classified as E given the poor status of wild steelhead in the Stillaguamish and the need to limit harvest and the use of bait and barbed hooks to minimize the mortality on juvenile steelhead.

I am against it and support the WSC stance and explanations and additions on this rule. (2)

#23 The last issue concerns the stream strategy for Puget Sound and Straits. Though I think it's a step in the right direction I believe there should not be any retention of wild fishes allowed in anadromous zones. The state does nothing to monitor sea run cutthroat populations in many of its streams. How can retention of wild searun cutthroat be justified? If you're concerned with recreational angling opportunity then move all fishing in anadromous zones to C&R selective gear rules so you don't wipe out a population and completely eliminate future angling opportunities.

Per our phone conversation, I received the following comments over the phone on the sport regulation proposals from Cliff Schleusner, president of the Olympic Peninsula Flyfishers, a club located along the Strait of Juan de Fuca. He canvassed members (80 some strong) for these comments. Please include them in the comments received on the proposals.

Comments 3 through 6 are in response to the need to maintain some fishing opportunity for the Straits community in view of the widespread reductions in opportunity anticipated in the near future due to cessation of hatchery steelhead outplants to the Lyre, Pysht, and Clallam rivers, the impending dam removals on the Elwha River, with associated reductions in fishing opportunity as those runs rebuild and colonize the upper river, and WDFW's proposed closure of many small waters along the Straits to benefit rearing anadromous juveniles (the "Puget Sound Streams Proposal"). The area also has very few (2) lakes outside Olympic National Park that are able to receive trout plants, and one of those (Sutherland) may lose its plants by virtue of its being in the Elwha River watershed.

3. Deep Creek, Clallam Co.: Deep Creek is an excellent cutthroat trout producer, and would be a good stream to open up to provide opportunity during the June – Oct time period. Catch and release, and an opening without selective gear rules is preferred. Any opening would be welcome in light of the widespread reductions in opportunity the area faces in the near future. In addition, though currently closed by regulations during the June – Oct. time period, this stream is frequently fished, often by people ignorant of the closure.

4. Salt Creek, Clallam Co.: Another trout producing stream that provides valuable fishing opportunity for the Straits community. In view of the reduced opportunities facing the area, as detailed above, Cliff recommends leaving Salt Creek open as it currently is, without implementing the selective gear rules proposed for this stream.

5. Little River, tributary to the Elwha River, Clallam Co.: Another good trout stream that is currently open under statewide regulations. Cliff recommends that it remain open June through October with a continuation of current rules (statewide regs: bait allowed; 5 trout daily bag; 8 inch minimum size).

6. South Fork Pysht River, Clallam Co.: This stream provides additional trout fishing opportunity, and was opened after discussions several years ago. Cliff recommends it remain open under current regulations (minimum size 14 inch, daily limit 2).

The Washington Council of Trout Unlimited welcomes the opportunity to comment on the proposed changes for the 2010/2012 Recreational Fishing Rules. Our views here closely conform to those offered by Rich Simms and Dick Burge, for the Wild Steelhead Coalition reflecting our close collaboration with the WSC and the Steelhead Summit Alliance workgroup in developing proposals for Wild Salmonid Management Zones in the current rules cycle. We fully support the WSC comments and, like our partners, applaud the WDFW's efforts to move towards a more comprehensive strategy to protect and recover wild steelhead. Our remarks below will differ only in emphasis.

A second critical issue is the problem posed in Proposal #23 by traditional fisheries management of rainbow trout as a separate species. This is as the WSC remarks terms it, "scientifically enigmatic", and especially so; in that resident rainbows are genetically identical to the steelhead in any given stream population and play a critical role in sustaining those populations. Another complication is that all recreational trout fisheries produce significant impacts on juvenile wild salmonids. A strategy for separation of hook sizes, selective gear, a switch to June to October rainbow trout seasons, and

catch and release rainbow trout fisheries are all reasonable remedies for these kinds of problems. Again, this is an area where public reaction will be substantial. However, over time, this can be offset by education and the eventual increase of abundance in both steelhead and rainbow and the probable increase of the size of the latter.

More protection should be afforded to resident rainbows year-round, not just during the steelhead fishery. Like the more conservative protection proposed in #'s 7, 8, and 24 for unclassified species and Food fish, we should provide additional protection to resident rainbows until their role in the recovery of the anadromous forms is better understood. If we can afford increased protection to these other species, we should provide the same added protection to our WA state fish to prevent it from going extinct under our watch. Please eliminate harvest of resident rainbows in waters with listed steelhead and apply only selective gear rules.

My group missed receiving information. Got 1st look at proposal in Bellingham Herald this weekend – Doug Huddle's column. You are rushing to a judgment on proposal 23. In a hurry to get something done that may not be in the best interest of the resource. Nooksack, Sauk, Skagit, Elwha – table for a year. Sport fishermen are not the cause of the problem.

Need to realize that "trout fishing" in WA is really fishing on juvenile SH. Adopting this proposal would be the beginning of the end for this and change to the correct way to manage fish populations. These fisheries have to be closed unless open. The rest of the state should be fixed too.

Wild Steelhead Coalition supports, but it should also protect rainbow. Why protect one form but not the other? Proposal needs to be simplified – it is confusing. See John McMillan article in Appendix 3.

See Appendix 3 for more information on this proposal.

Comments from Public meetings:

Mill Creek

One person thought that, in general, this proposal is replete with omissions, errors, and inconsistencies. Case in point – Skagit spreadsheet says category E in several places, which includes selective gear rules, but selective gear rules do not show up in the text. How does the public know what is being proposed so that they can make intelligent comments? This proposal should be tabled until it can be fully developed. Then send out a final package for the public to look at and comment on. Another thing that is not clear in the proposal package is what about tributaries to tributaries? If the tributaries to the Skagit are closed in a certain section, what about the tributaries to the Skagit tributaries? What is out intent? Current rules banning fishing from boats in several sections of the Green/Duwamish River are not in spreadsheets, yet we have said "no" to the proposal to remove these rules in the back section of the document. Why are there no letter justifications on this spreadsheet?

One person asked: Why close Skokomish near Reiter ponds on Feb 15?

Port Angeles

Why are stocks going downhill? Not from us catching too many fish. Habitat issues need addressing.

One person asked about tributaries to the Dungeness not listed on the spreadsheet – would they be closed?

One person commented that he put in several proposals to close various areas on the Green River. Several were incorporated into the stream strategy tables, but some were not. Upstream of Friday Creek Tacoma Utilities Water Division is releasing radio-tagged salmon – these fish should not be harvested – would this area be open to salmon (no). Tacoma Water also surveyed landowners that would be affected by their proposals and contacted sportfishing groups. Three landowners responded to the proposal to close the Green River to fishing between the pipeline bridge and the Headworks Dam – two in favor and one against. (See Appendix 3 for cover letter and response forms). Trout unlimited and Puget Sound Anglers were neutral on the proposals.

Olympia

Green River closure around water pipeline is a good one.

Modifications: Add selective gear rules to Alma Creek, Bacon Creek, Boulder River, Diobsud Creek, Goodell Creek, Ladder Creek, Newhalem Creek, SF Nooksack River from Maple Creek to Nooksack Falls, Squire Creek, Stillaguamish River, and Suiattle River for protection of juvenile anadromous fish. Remove the catch-and-release restriction from All Creek, Cadet Creek, Elliot Creek, and Falls Creek. Clarify fishery boundaries in Buck Creek, Fisher Slough. Adjust end

date of fishery to February 15 for steelhead protection in Canyon Creek (SF Stillaguamish), Skykomish River. Adjust opening date of fishery to 1st Saturday in June for Canyon Creek (Whatcom Co), and Fishtrap Creek (Whatcom Co). Allow retention of up to two hatchery steelhead in Hilt Creek. Add 14" minimum size for trout for sea-run cutthroat protection to Hutchinson Creek. Add first Saturday in June through October season and selective gear rules to Straight Creek. Reinstate fisheries in upper SF Stillaguamish River. Add upper boundary to fishery on Sultan River. Add first Saturday in June through October 31 season to Sumas River. County references were also corrected on several rivers and streams. Reinstate April 30 end date for catch and release fisheries in the Skagit River from the Dalles Bridge to the Cascade River.

Staff Recommendation: Adopt as modified.

#24. Freshwater Fish not Classified as Food Fish or Game Fish

Proposal: This proposal would close the harvest of freshwater fish not classified as food fish or game fish.

Explanation: This proposal provides protection of unclassified freshwater fish species from overharvest and also would eliminate the ability of an angler to fish in a body of water without a fishing license.

Testimony:

This is an unwarranted rule. No know quantity of unclassified food or game fish is being harvested. Instead rewrite this rule as anyone who fishes in Washington waters needs a license regardless of targeted species. This proposal will also conflict with Northern Pike Minnow Sports reward fishery.

I do not support this change only close the fish that need to be protected not all the fish. (7 e-mails)

OPPOSE: #24. Freshwater Fish not Classified as Food Fish or Game Fish

For similar reason as #7 above. This prohibits the harvest of invasive non native species. There is no evidence of overharvest, so we have no legitimate conservation reason. If you are concerned with people fishing with no license, instead of closing down harvest of these to everybody, just close it down to non-license holders. You should also notice that some runs of fish that are non-native and not managed by WDFW, such as Columbia River Shad, are doing quite well without WDFW's help.

I strongly support the department's paradigm shift to provide protection unless data indicates that increased harvest is possible. However, believe that this should only apply to native species and would like see no limits or restrictions on non-native species.

Comments from Public Meetings:

One person at the Mill Creek meeting stated that if we are concerned about people fishing for exotics, this does not do that.

Another person at Mill Creek thought that the proposal should say that you need a fishing license to fish - period.

Staff Recommendation: Adopt as proposed.

#25. Wild Steelhead Retention Seasons

Proposal: This proposal would change the beginning date for wild steelhead retention seasons on coastal streams from December 1 to February 16 – end dates of these fisheries would not be affected.

Explanation: Moving the starting date of the wild steelhead retention date forward to the middle of February is needed in order to protect the early portion of the run. Run timing is one of the important diversity traits of wild steelhead that helps maintain their total annual abundance and distribution. In the past, these early runs were large and known to migrate higher in the watershed during early high flows and occupy spawning areas not often accessed by later running fish.

Testimony:

Support. This regulation will provide some protection to the most depressed part of our wild winter steelhead runs. Not only do these early timed stocks provide important diversity, they were a significant part of the total run size historically and in some cases the largest segment of the total winter steelhead population. This is an important regulation change that combined with the upcoming hatchery reforms may offer hope in giving future anglers larger and more diverse runs of wild steelhead than we see today.

It makes no sense to look that far ahead and guess at what the future holds for this resource. We need to have a ONE year agreement maximum so that all the information available to us can be examined with a intelligent decision fair to all sides.

I am thankful that the commission is concerned with the depleted returns of wild steelhead. That being said I know that this proposal is backwards. There is many many reasons that the early returns of the wild steelhead on the Olympic Peninsula are stronger than the later returns. The main reason is that the river conditions between the month of December through February are much higher flows with more opportunity for escapement. During these months we have more flooding events and conditions that make it difficult or impossible for the tribe to net and the sportsman to fish therefor higher of number of fish escape. After February the weather generally gets better and the fish have less water and more visibility therefor more fish are caught and killed. I would compare it to hunting deer in dense fog, when the water get lower and clearer the fish have no where to hide.

Please don't take this email a negative view on the conservation of the wild steelhead but rather tweak it to save the fish that are in real jeopardy.

I can tell you first hand that the later fish have been hit hard and have been depleted at an alarming rate, and something needs to be done ASAP.

Again thank you for your work, I hope that you will consider this email with an open mind.

This is another example to try and save a handful of fish instead of doing the right thing which is to restrict the harvest of all wild steelhead and mandate that the tribes cut back significantly on their harvest and netting schedules. We must get more fish escaping to spawn and quit managing on the basis of how many can we squeeze out of the harvest. This reg may save a few hundred fish but we are thousands in debt based on looking at historical escapement capacity of individual **rivers and not by basin.**

Very few people will argue the fact that wild steelhead should be protected. Problem is equity and fairness. If there is enough evidence to further restrict the harvest of wild steelhead there is absolutely enough evidence to significantly reduce tribal harvest of wild fish. I believe sport fisherman have changed their mentality immensely and are ready to save these fish but our co-managers show no conservation ethic.

The Quinault Tribe on the lower Chehalis River, Quileute Tribe on the Quileute, Sol Duc and Bogachield Rivers as well as tribes on the northern rivers have consistently netted 5 days a week during the winter steelhead runs (December through April). The days the nets are in the rivers are rarely staggered nor are the schedules managed based on weather and river conditions which significantly impact fish movements and subsequent escapement upriver.

It did not used to be this way prior to this last director who was guided by the current director. The current director negotiated changes that have devastated these runs – now we again must take the high road and be further restricted. Management used to be on a quota system where fish were actually counted. Harvest was not solely based on manipulated computer models. I agree with this reg change but it must go farther. We want wild steelhead protected but not at the expense of giving the tribes more and more. It must be fair and the foregone opportunity must be dealt with. In all reality there is no opportunity to be forgone because these wild populations if looked at on a river by river, run by run are in peril.

I strongly support this proposal. The early run is severely degraded and the few that are left should go on upstream.

I support this change but this is lost opportunity to sports fisherman, therefore the tribes should reduce netting during the same time period, as in one less day a week of nets in the water. We are co managers so if sports fisherman lose opportunity, then tribes lose opportunity to harvest as well. Please confirm if the tribes will reduce netting during the same time period, if they do not then this change should not take place.

However, I think that it does not make any sense at all to close rivers a month early for the retention of hatchery steelhead. If anything, the selective harvest of hatchery steelhead will help the wild fish thrive. I think it will actually harm the wild fish to let them be overrun by hatchery fish.

I think that allowing these fish to be slaughtered in the not-so-selective gillnets is probably not good for their numbers, though.

The Conservation Committee of the Washington Fly Fishing Club supports -- This is the first serious proposal to allow wild steelhead to fill the niche of early season anadromy. In essence, a great plan to increase temporal diversity in the wild steelhead runs.

I agree with this rule so long as the fishery stays open for hatchery retention and this rule will not end up closing the river to a catch and release for wild steelhead.

I Support

#25 The second issue i am concerned with is the allowable retention of wild steelhead in our state. The steelhead is the most cherished gamefish in the pacific northwest and is an icon of our angling traditions here in washington; afterall it's our state fish. Allowing the retention of these fish year after year has contributed greatly to the decline of wild coastal stocks that in some cases, like the hoh, have been underescaped for quite sometime. With the early closures on winter steelhead rivers in Puget Sound, the Olympic Peninsula will see higher fishing pressure than normal and with the greater number of anglers on the water there is room for more removal from the wild spawning population than ever before. Stop killing wild fish!

Statement from the Wild Steelhead Coaliton (plus 1 letter in support)

The WSC submitted this suggestion and continues to strongly support it. Rebuilding wild stocks will not be successful without recovering the early run component which has become badly depleted. The early runs were historically (pre 1960) very large and probably constituted 40% to 50% (more or less) of the total run for most west side rivers (based on Washington Department of Game Bulletins). Today the early runs are nearly gone and must be rebuilt if total stock recovery and rebuilding has a chance of success. There will be opposition to this change, but it is clearly necessary and imperative to protect and recover wild steelhead. And we mention that there are good numbers of hatchery fish at this time of the year. We continue to support the use of barbless hooks during the entire winter steelhead season to improve the survival of wild fish released. This is analogous to ocean salmon fishing that improves survival of released salmon at sea and is also a proposal (#31) for the Columbia River

The Washington Council of Trout Unlimited welcomes the opportunity to comment on the proposed changes for the 2010/2012 Recreational Fishing Rules. Our views here closely conform to those offered by Rich Simms and Dick Burge, for the Wild Steelhead Coalition reflecting our close collaboration with the WSC and the Steelhead Summit Alliance workgroup in developing proposals for Wild Salmonid Management Zones in the current rules cycle. We fully support the WSC comments and, like our partners, applaud the WDFW's efforts to move towards a more comprehensive strategy to protect and recover wild steelhead. Our remarks below will differ only in emphasis.

There are several areas addressed in the WSC letter that we think are worthy of special consideration. The first of these addresses Proposal #25, Wild Steelhead Retention Seasons. A key component of any measure protecting or aimed at the recovery of wild steelhead should focus in some way on the depleted early run components of most winter steelhead stocks. This is a critical area of concern that is one the keys to full recovery of most runs of winter steelhead as evidenced by the fact that, historically, these early run components were from 40 to 50% of the total runs. It is also an area where it can be expected that there will be significant public opposition to reform. The success of these efforts will be measured by both the WDFW's willingness to take tough measures including closures to harvest or the elimination of hatchery runs where necessary but also to educate the public on why these are necessary measures. Both the Wild Steelhead Coalition and Trout Unlimited have long advocated catch and release fisheries and the use of barbless hooks. We continue to see those as reasonable tools in recovering the early winter run components.

I support this proposal but would prefer that additional protection be afforded through mandatory release of all wild steelhead.

Wild Steelhead Coalition – need to protect early portion of wild steelhead runs and wild rainbow trout populations. See Appendix 3 for more information.

Treasurer of Wild Steelhead Coalition – supports #25 – however, should go to total catch and release all for wild steelhead.

Comments from Public Meetings:

Mill Creek

Three people spoke in support of this proposal. One noted that if we extend the closure of the retention season, we should require barbless hooks so the wild fish can be released more easily.

Another person stated that we are to be commended for our conservation of wild steelhead – he hates to lose the opportunity but support sthe closure of retention through Feb 15 – and actually would be OK with extending it to the end of February.

Port Angeles

One person stated that he agreed with proposal to protect the early part of the run, but to would still allow catch-and-release mortality – why not just close the fishery during this time period?

Staff Recommendation: Adopt as proposed.

#26. Tiger Muskie Rules

Proposal: This proposal would make it unlawful to use bait while fishing for tiger muskies.

Explanation: Because of the 50" minimum size limit, the tiger muskie fishery is primarily a catch-and-release fishery. Some anglers are concerned about the potential loss of released fish from hooking mortality if bait becomes a common method of fishing for tiger muskie. The use of bait while fishing for northern pike and muskellunge is popular in the Midwest states. The definition of bait includes the use of scent and/or flavor on any terminal lure.

Testimony:

I am a Tiger Musky fisherman here in this state. I for one AM NOT in favor of any additional rules concerning this fishery. I think there are way too many rules already and this new one would even be harder to enforce than the 50" limit that was passed 2 years ago. I will say that I am in favor of a no "live bait" rule for fishing the species. I will also say that I do fish for bass in this state too. I do use plastic artificial tubes, worms, grubs and such. Some do have artificial scents such as garlic and or salt added to them. I have in the past caught muskies mistakenly on these same types of lures. They will pretty much hit anything that is thrown their way. Only on their terms though..lol. And salt is a mineral so it probably even fall into the category of a scented/scent bait.

So please, if you just want to make it a "artificial lure only" rule, I'd be ok with that. But adding scents to the equation would be very complex and complicated and hard to enforce. Just my opinion.

I am against banning the use of scents when tiger musky fishing. It's an unenforceable rule if it gets passed. Most fishermen on the water will be guilty because most bass/walleye and many musky fishermen use scents regularly and just having them in the boat while fishing on a musky lake would make the person guilty whether or not they were in use at the time. We have enough rules as it is and many of them are unenforceable.

I could support an artificial lure only rule but then again, could it be enforced? Many bass fishermen use large swimbaits for trophy largemouth fishing. These same fishermen could use dead bait legally on many of Washington's musky lakes while bass fishing. They'd be technically guilty simply because muskies are in that lake.

Like I said: Not enforceable. The WDFW does not need another rule to add to the fishing pamphlet and we(fishermen) do not need another rule to decipher or depend on a confused enforcement officer to decipher possibly different that we have.

There has been some concern about not being able to use scents and flavors while fishing for Tiger Muskie. I believe the issue could be resolved by making changes as I have outlined below. If this cannot be corrected I would still support the proposal to ban bait for Tiger Muskie.

Proposal: This proposal would make it unlawful to use bait while fishing for tiger muskies.

Explanation: Because of the 50" minimum size limit, the tiger muskie fishery is primarily a catch-and release fishery. Some anglers are concerned about the potential loss of released fish from hooking mortality if bait becomes a common method of fishing for tiger muskie. The use of bait while fishing for northern pike and muskellunge is popular in the Midwest states. The definition of bait does not includes the use of scent and/or flavor on any terminal lure while fishing for Tiger Muskie.

Tiger muskies provide valuable recreation to sport anglers and tourism benefits to surrounding communities. They are sterile hybrids raised in hatcheries, at a cost of \$10 to \$15 per fingerling, and exist only through state stocking efforts. This proposed rule is a conservation measure to prevent tiger muskies below the legal harvest size from being killed by the intentional use of bait. It will save the state money by reducing fish losses to preventable angling mortality. The problem is that fish swallow bait and getting hooked in the stomach or throat kills the fish. This rule is not aimed at artificial scents, which do not hurt the fish. However, the Department's general definition of "bait" includes scents, so this rule would effectively ban adding scents to tiger muskie lures. Some anglers object to this, but having to use unscented lures is not the end of the world for tiger muskie anglers. It will simply make the sport a bit more challenging by requiring some skill at giving the lure an attractive action. I don't use scents, and I catch (and release) plenty of tiger muskies, and other anglers I know do, too. What is important here is to protect trophy fish that we want to keep alive in our waters for all to enjoy from being killed by hooks embedded in smelt, herring, or other swallowed baits. Restricting tiger muskie anglers to artificial lures ensures that most or all sport-caught fish will be hooked in the lips, so they can be safely released. This rule also will help prevent illegal snagging of tiger muskies by attracting them with bait. Losing the ability to use scents on our lures is a minor consideration compared to these important goals.

I do not support this rule change muskies do not typically swallow their food on the first strike and I do not think this rule will save any fish. (7 e-mails)

I am writing you in support of a ban on bait fishing for tiger muskies, even if that ban prohibits the use of scents on lures. The reason is simple: I have fished around the world and have caught quite a number of trophy fish (including a 1,000 lb marlin and a 696 lb bluefin tuna), and, to me, tiger muskies are the closest we can get to the excitement of a big-game fishing experience in freshwater in the Pacific Northwest. Such a unique and valuable resource needs to be protected and preserved. I am sure you are well aware that numerous studies conducted across the country have demonstrated that the mortality rate for released bait-caught fish is staggering. As an apex predator, there simply are not that many trophy-sized tiger muskies in any given lake. The loss of even a small number of these fish through bait fishing mortality would be devastating to a lake. We must do all we can to minimize angler-caused mortality losses.

I also want to emphasize the value of this fishery to the State of Washington. I live in Portland, Oregon and while there are many excellent fishing opportunities in my home state, I do a great deal of my fishing in Washington for one reason only...tiger muskies. Tiger muskies are the only reason I have a Washington fishing license...the only reason I stay at the local motels...the only reason I dine at the local restaurants...the only reason I pay the park usage fees. And I'm sure there are other like-minded anglers out there. I have been contacted by friends and acquaintances from other states who are intrigued by the prospect of catching muskies in the Pacific Northwest rather than having to travel to the Midwest or Canada. We need to balance the value of such a trophy fishery against the interests of those who want to make tiger muskie fishing easier for themselves by using bait.

Again, Washington's tiger muskies are a unique trophy fishery that needs to be preserved, protected...and promoted. A ban on bait fishing will go a long way in accomplishing these worthwhile goals. And if a ban on bait also means a ban on the use of scents, well, so be it. Let's keep focused on the greater good.

My name is Mike Schlueter and I am the president of the Columbia Basin Walleye Club based out of Moses Lake. I would like to comment on behalf of the 100 members and their families for a total of more than 250 Washington anglers. Club members are made up of people from both East and Western Washington.

Rule change #26 Tiger Muskie Rules

We feel the proposed ban on bait fishing in lakes where Muskies have been planted should not be adopted for the following reasons.

*In Evergreen reservoir (as well as other Muskie lakes) club members fish for a variety of other fish with bait that Muskies could occasionally take. This ban could make law abiding anglers violators or put game dept. enforcement officers in a terrible position to be judge and jury when an issue would arise.

* A ban on bait fishing would be discriminatory for both youth and special needs individuals that have a hard time casting/retrieving artificial lures. This proposal would be discrimination, it could also be viewed as mistaken enforcement as well as a very unnecessary rule change.

I do not support rule proposal #26.

Tiger musky angling in the state of Washington does not need this rule to protect the fishery. The adopted 50" minimum size requirement is an excellent rule and it is enforceable. I feel that the ban on scents will be absolutely unenforceable and could lead to multi-species anglers, like myself, being ticketed for using scents while walleye or bass fishing. Most of Washington's tiger musky lakes are also great bass fishing lakes and anglers often target both species while on the water. Many bass anglers accidentally catch tiger musky while bass fishing. Will these anglers be subject to citation because a species they were not targeting took scented bait? What if a new state record tiger musky is caught by a bass fisherman while perusing bass? Will I be ticketed because my bass tackle box has a scent spray in it while I fish for tiger musky? How is an enforcement officer supposed to know the difference? This proposal is unenforceable.

The use of live/dead bait is an extremely uncommon method of angling for tiger musky in our state. While it is common in the mid-west for Pike and Muskellunge, it has not attained any wide following as a practice in our state. In 10 years of tiger musky angling I have never met anyone who has purposely used bait, such as worms or other live bait, to catch a tiger musky in Washington State.

The practice of applying scents to artificial lures is a commonly used method in our state. This rule would take away a useful tool, which has zero negative impact on the fishery, and is utilized by the majority of bass and tiger musky angler on our tiger musky lakes.

Please do not pass rule proposal # 26.

I would like to express my concerns for (against) rule proposal #26. The inclusion of scent within this rule proposal is the reason I am against it as written.

Possibly the WDFW needs to change their definition of bait to not include scent.

I am seriously concerned about the possible consequences if this rule passes as written.

Sincerely,

Mark Wells, President/Tournament Director
Cascade Musky Association

I am writing in support of the proposed tiger muskie rule. This rule is needed to conserve our limited population of tiger muskies. Using bait to catch tiger muskies kills the fish. Restricting tiger muskie fishermen to artificial lures ensures they will be hooked in the mouth so they can be safely released. I would have preferred that the scent ban not be included, but I understand that that is not an option at this time.

None the less, I support the ban on using bait for tiger muskies; it is the responsible thing to do if we want to support this fishery.

I am writing to you today in strong support of a ban on bait fishing for tiger muskies in the State of Washington. I grew up fishing for Esoc in "the land of plenty" in the Midwest; primarily Wisconsin and Minnesota, as well as Canada. In those early days when my love for the elusive hunt was formed there was almost a wasteful attitude towards one's daily catch. Muskie fishermen didn't give much thought to keeping their catch and frying it up for an afternoon shore lunch or taking it home to share with the masses. Today, attitudes have changed. Even where pure muskies and natural tiger muskies are much more prevalent, anglers are taking precautions to protect the species primarily by using active catch and release practices. In order for catch and release to be effective; muskies have to survive the catch. In order for the tiger muskie stocking program of Washington State to continue to be effective muskies must be given every chance at survival.

When using bait for this species of fish the mortality rate increased markedly. There are a variety of studies that have been done that showcase the staggering mortality rates of fish caught with bait, live or dead. With the tiger muskie fishery in the in Washington State requiring an active stocking program to survive preserving the active species is even more critical. As a member of the local Muskies Inc. chapter, I have been involved in supporting the funding of the stocking efforts put forth by the WDFW. The NW TIGER PAC, Chapter 57 will continue to make exerted efforts to ensure that those stocking programs continue. By banning the use of bait fishing for tiger muskies we have the opportunity to minimize the mortality and protect and preserve this unique fishery.

The tiger muskie fishery offers a valuable resource to our state. It affords a distinctive angling experience while at the same time benefitting surrounding communities with the influx of tourism. Several anglers travel throughout the state to muskie fishing waters, thereby supporting the local businesses; making the tiger muskie important to both the angler as well as the business owner. The tiger muskie fishery in the Pacific Northwest has not only grown in popularity with Washington State anglers, but it has gotten national wide attention, as well.

I support the proposal that bans the use of bait for tiger muskies. Simply by reducing the loss of fish to preventable angling mortality, the state dollars put forth to sustain this fishing program will go farther. I understand that there is some controversy regarding the inclusion of scents, that would effectively be banned if this proposal were to pass. I still support the ban of bait fishing even if the use of scents must be included in the ban language. Restricting anglers to artificial lures is the most effective way to ensure that the majority of tiger muskies caught in this state will be hooked in a manner that will allow them to be safely released.

Thank you for considering my perspective and allowing me the opportunity to express it.

Sincerely,

Tammy E. Baldwin, Chapter 57 Treasurer; Muskies Inc.

I am writing you today in support of a ban on bait fishing for tiger muskies. Yes, even if this means prohibiting scent on lures. When using live, or dead, bait for this species of fish it has been proven that the mortality rate is raised drastically. The "Tiger Muskie Fishery" here in the State of Washington is truly "unique" and we are getting a wonderful reputation across the United States as one of the best tiger fisheries in the entire Nation! We have been featured in not only "local" newspapers and sports magazines, but we have made the Cover of our Muskies, Inc. International Magazine twice because of our "tigers" since the inception of the NW TIGER PAC back in May of 2007!

Our Chapter is to be in the 2010 January issue also of "Muskie" magazine...we have become a model" for others to follow! We need to really take a look at this valuable resource and do our best to protect and preserve it. It is my opinion that we should do our best to add this species to more lakes here in Washington. We have worked right along side with the WDFW biologists in "stocking operations" and we as a Chapter have "donated" money to the WDFW to help our tigers out in anyway we can. Last year we purchased a rearing tank for the Mesberg hatchery (\$2000.00)...this year we have donated another \$1000.00 for forage to help Mike over at the hatchery.

We, the members of NW TIGER PAC, Chapter 57 of Muskies, Inc. and Muskies, Inc. International are committed to this fish...and the Washington fishery! Muskies, Inc. has been committed to the sport of muskie fishing for all anglers since 1966 when a gentleman by the name of Mr. Gil Hamm started the whole 501(C)3 Non-Profit Organization. We are now 7000 members strong across the United States and Canada! I would like to personally "thank you" for taking the time to read this today and giving the general public a chance to express our opinion on this "rule".

Sincerely,

Perry Peterson
VP Internal Affairs
Muskies, Inc.

I am writing in support of the proposed tiger Muskie rule.

This rule is needed to conserve our limited population of tiger muskies within the state. Using bait to catch tiger muskies kills the fish at an alarming rate. Restricting tiger muskie fishermen to artificial lures ensures they will be hooked in the mouth so they can be safely released. I would like to see the use of scents still be allowed based on the fact I have been using scent for years and have never mortally hooked a Musky. I hope you will take my recommendation and understand that either

way this proposal is a step in the right direction.

I also would like you to know that I'm writing you while deployed to Iraq to show my commitment to protecting this great fishery in the state of Washington.

I am writing in support of the proposed tiger muskie rule. This rule is needed to conserve our limited population of tiger muskies. Using bait to catch tiger muskies can sometimes kill the fish. Restricting tiger muskie fishermen to artificial lures ensures the probability that they will be hooked in the mouth so they can be safely released. I must say that I would like to see scents not be included in this ban due to the fact that a lot of plastic lure trailers that we attach to our lures are scented, but if it must be an all or none rule in order to pass, I support the rule and opt for the bigger picture to prevent mortality to our precious tiger muskie population due to bait fishing.

Thank you.

Buddy Hartman President, Chapter 57 Muskies, Inc.

I am writing in support of the proposed Tiger Musky rule to ban the use of bait and Scents. The possibility of the fish swallowing dead bait is real and likely to kill a fish if it was to happen. The fishery in my opinion is too valuable to allow the death of any fish if it can be avoided. Thanks for you time.

I am here again asking you to please take a third and fourth look at this rule proposal. I have been a fisherman for 35 years. A fisherman of all species. Started back in Wisconsin as a young child with my Dad and Grandpa. Uncles and Aunties. Cousins and friends. Now with my own family. We have always fished and only kept what we needed to eat and never have i wasted a fish. I am a multi-specie fisherman. From blue gills to walleyes. I grew up in the midwest where the rules are alot different. Live bait, leaches, maggots and worms. And dead bait. Herring to alewives to minnows and suckers.

And now i forward to the present. Washington has a lot of rules that do not apply here as they did back home. This is why i am writing you now. Again. Still a multi specie fisherman. But my main focus over the last 3 years or so has been the Tiger Muskies. I have fished all but one of the lakes with Tigers stocked in them. In most of those lakes there are other species of fish I do fish for. Those are Bass. Smallies and Largemouth bass. And walleyes. So in my tackle boxes i do have some lures that are scented. I do carry Power bait for trout. For crappies. For perch. For the bass i do have some jigs and tubes and crawfish imitations and salt impregnated lures. Along with plastic worms of all types. Scented and unscented. I have spent alot of money on baits that are scented or impregnated with scent.

This Ms. Preuss is where I have a problem with the proposed rule change for Tiger Muskies. If I am fishing for Smallies on Lake Tapps and a Tiger strikes and I hook into a Tiger i would be in violation of the proposed new rule. I feel that if that part of the rule was stricken from the language I will support this rule if it is passed. I am in favor of the artificial lure only for Tiger Muskies. Take into consideration too that there are baits made that are for Musky fishing that are salt scented or impregnated. I guess the only true way to show you that a Musky could be caught on a scented tube (accidentally) would be to invite you out on a Musky fishing trip..

The other reason I am against this proposal is the way that it was presented to the WDFW. A gentleman we know is on the IFPAG. He was asked to bring the artificial bait only rule to the board. He told a few of us that the only way that rule were to pass was if the scent language was added. There was not enough time to gather support from the other fisherpersons to actually get a feel for how the other fisherpersons felt about the rule change. So with that being said...I would appreciate that the board strikes down this rule until we all can figure out some kind of common ground. And a rule that can satisfy all fisherpersons.

I support this proposal to reduce accidental mortality on released tiger muskies. As we spend money to stock them and the minimum size is so large, we ought to ensure we are getting the most bang for our buck by protecting the under-sized fish.

Tiger muskie – brought in as a control predator – support this proposal to encourage live release.

Comments from Public Meetings:

One person at the Mill Creek meeting stated that he was Ok with this proposal.

Staff Recommendation: Do not adopt. Testimony on this proposal was mixed, and because it only restricts the use of bait for one species, this rule would be difficult to enforce. Many tiger muskie anglers already chose to fish without bait, but anglers fishing for other species in tiger muskie lakes could be confused as to what is lawful fishing gear.

Sturgeon

#27. Lower Columbia River Sturgeon Rules Above and Below Wauna

Proposal: This proposal allows for adoption of rules for the 2010 white sturgeon fishery in the Columbia River from Bonneville Dam downstream to the overhead powerline crossing of the Columbia River from Cathlamet, Washington to Wauna, Oregon approximately 40 miles upstream from the mouth (commonly referred to as the Wauna powerlines), and from the powerlines downstream to the mouth.

Opening and closing dates for the retention fishery and the specific days of the week that white sturgeon retention are allowed are contingent upon the annual fall-time resource inventory updates and negotiations with the state of Oregon and will be decided at a Joint State Hearing in December or January, and added to the 2010-2011 Sportfishing Rule Proposal package for recommendation to the Commission.

Explanation: Sturgeon in the lower Columbia River and tributaries downstream from Bonneville Dam are managed under the 3-year sturgeon management agreements between Washington and Oregon. Sturgeon population status, fishing seasons, and regulations are reviewed prior to each year of the 3-year agreement. Columbia River Joint State Hearings are held at the end of each year to set following-year seasons and regulations to keep sturgeon harvest within annual guidelines as defined in the Joint State Accord on Columbia River Sturgeon Fishery Management. These rules also maintain concurrent regulations between Washington and Oregon.

Testimony:

Staff Recommendation: Rules for these fisheries have not been finalized and will be adopted through another process.

#28. Columbia River Sturgeon Rules - Bonneville to McNary Dam

Proposal: This proposal is designed to increase the period that retention of white sturgeon is allowed in the three Columbia River reservoirs between Bonneville and McNary dams.

Explanation: White sturgeon harvest in the three reservoirs between Bonneville and McNary dams is managed using annual pool-specific harvest guidelines based on resource inventories updated every three years. The current guidelines of 300 fish for The Dalles Pool and 165 fish for John Day Pool have resulted in short retention seasons of 2.5 to 3.5 months the past two years. Anglers have expressed frustration with the early closures and would like fisheries to last into the warmer summer months if possible.

The existing season structure allows retention 7-days per week starting January 1 and lasts until each harvest guideline is reached. Possible alternatives include starting the retention fishery later in the year, limiting retention to fewer days each week, or a combination of both.

Region 3 and 5 staff, along with staff from ODFW, will convene a public meeting this fall to solicit input from local anglers on potential fishery options.

Testimony:

Comments from Public Meetings:

Anglers at the Yakima meeting would like to see a split season so they don't have to fish when it is really cold weather. One angler had serious questions about the catch estimates. He stated that the estimates kept going up last year even when no boats were out because of high winds. We explained that the estimates are a combination of creel surveys and boat counts, and that they change each week based on these two factors.

Staff Recommendation: No rule changes are proposed for these fisheries.

#29. Upper Columbia River and Lower Snake River Sturgeon Seasons

Proposal: 1) The Columbia River: from McNary Dam to Priest Rapids Dam is currently open to retention of sturgeon year-round. This proposal would limit sturgeon retention in this part of the river to February 1 - July 31; EXCEPT open to retention February 1 – April 30 from the trolley cableway 2.5 miles downstream from Priest Rapids Dam to Priest Rapids Dam. 2) The Snake River: from its mouth to Ice Harbor Dam is currently open to retention of sturgeon year-round. This proposal would limit sturgeon retention in this area of the Snake River to February 1 - July 31; EXCEPT open to retention February 1 – April 30 from the downstream end of Goose Island to Ice Harbor Dam (1.5 miles).

Explanation: White sturgeon harvest in all Columbia River reservoirs downstream of McNary Dam, and in the lower river below Bonneville Dam, is managed on a quota system to prevent over-harvest and maintain healthy populations. All upper Columbia R. reservoirs above Priest Rapids Dam are closed to the retention of sturgeon due to low legal-size adult abundance and/or poor juvenile recruitment from natural spawning. McNary Reservoir (i.e. Lake Wallula) and the lower Snake River reservoirs remain open year-round for retention and are not monitored in-season for harvest. Only fall "Young-of-the-Year" (YOY) juvenile surveys are presently conducted in Lake Wallula to assess natural reproduction/juvenile recruitment. These annual surveys indicate that young sturgeon recruit to the population during most years, but in relatively low numbers. Natural production was particularly strong during 1997-99 (high flow years) in some of the reservoirs, but reservoir conditions have not been suitable to produce large recruitments since that time. In 2007 and 2008, WDFW creel staff increased efforts to record incidental catch/harvest of sturgeon associated with the fall Chinook fishery. Consequently, we estimated that 46 percent of the total sturgeon harvest in Lake Wallula occurs during the Hanford Reach fall Chinook fishery from Aug. 16 – Oct. 22

Based on the limited information from the YOY surveys in Lake Wallula, the apparent decline in recruitment to legal size based on Catch Record Card-reported harvest, and the incidental catch and harvest of white sturgeon during the fall Chinook fishery, we are proposing the sturgeon harvest fishery in the Columbia R. between McNary Dam and Priest Rapids Dam be shortened from year-round to a 6-month season. Retention of legal sturgeon would be open from February 1 to July 31, but be restricted to "catch and release only" from August 1 to January 31. A more restrictive 3-month harvest season (Feb. 1 – Apr. 30) is proposed for a "sturgeon spawning sanctuary" area extending 2.5 miles downstream from Priest Rapids Dam. All sturgeon fishing would be closed in the spawning sanctuary during the May 1 – July 31 spawning season, but would be re-open for "catch and release only" from August 1 to January 31. This addresses a conservation need for "oversize" broodstock sturgeon staging just downstream from the dam to spawn in the spring. These rare and valuable brood fish require increased protection from adverse impacts resulting from excess handling in the recreational fishery, including stress induced reproductive failure and mortality.

We also propose a similar reduction in the retention season in the Snake R. from the mouth to Ice Harbor Dam be shortened from year-round to a 6-month season. Retention of legal sturgeon would be open from February 1 to July 31, but be restricted to "catch and release only" from August 1 to January 31. A more restrictive 3-month harvest season (Feb. 1 – Apr. 30) is proposed for a "sturgeon spawning sanctuary" area extending from Ice Harbor Dam downstream 1.5 miles to the downstream end of Goose Island. All sturgeon fishing would be closed in the spawning sanctuary during the May 1 – July 31 spawning season, but would be re-open for "catch and release only" from August 1 to January 31. This addresses a conservation need for "oversize" broodstock sturgeon staging in the spring to spawn in the Ice Harbor Dam tailwater area.

These reductions in the "retention season" would reduce the overall harvest roughly 50%, while still allowing the fishery to be open during some of the months that generate the highest effort (May-September). Prohibiting sturgeon retention during the fall Chinook fishery would reduce legal size harvest. It may also help reduce illegal retention of sub-legal or over-size fish during the fall Chinook fishery by making enforcement easier when angler effort for salmon is very high.

Testimony:

I think our sturgeon resource would benefit greatly from reducing the annual limits in all areas on the Columbia River above Bonneville Dam to 2 or 3 fish annually. I also think it would be advisable to create a sanctuary area below Priest Rapids Dam, like the areas below McNary and John Day dams.

From what the area biologist tells me there should be "NO Keeping of Sturgeon on the Snake River due to poor spawning success and few juvenile fish in the system. This should be a 5 to 10 year moratorium until either reproduction improves or WDFW begins to plant juvenile fish regularly. I do not fish the Snake River with clients for this reason.

I am also in favor of the proposed harvest restrictions for sturgeon above McNary dam to Priest Rapids dam.

Comments from Public Meetings:

At the Yakima meeting, we talked about closing the sanctuary areas completely during the spawning season, similar to those in the lower river, instead of allowing a catch-and-release fishery in these areas, as originally proposed. People at this meeting agreed with this strategy.

Modification: Completely close sanctuary areas to sturgeon fishing May 1 – July 31 rather than just closing retention. This will make the season in the Columbia River from Priest Rapids Dam to the trolley cableway and in the Snake River from Ice Harbor Dam to the end of Goose Island open to sturgeon retention February 1 through April 30, closed to fishing for sturgeon May 1 through July 31, and open to catch-and-release fishing season from August 1 to January 31

Staff Recommendation: Adopt as modified.

#30. Shad as Sturgeon Bait

Proposal: This proposal would make it unlawful to use shad as bait while fishing for sturgeon.

Explanation: The intent of this proposal is to provide additional protection for adult broodstock white sturgeon. The key to sustaining a healthy lower Columbia River white sturgeon population is to protect and maintain an adequate broodstock population to ensure continued productivity for long-term sustainability of the entire population. Harvest management is focused on maintaining and protecting the broodstock population through a number of regulatory measures, including harvestable size limits and fishing sanctuaries. Adult white sturgeon congregate in the Columbia River downstream from most of the dams, especially from late spring through the summer. Many of these fish are broodstock sized adults that move to these areas to spawn. The timing of these concentrations coincides with the American shad run. Sturgeon feed on shad and anglers have learned to use whole shad as bait in targeting over legal-size fish to catch and release. Large adult sturgeon inhale whole shad and often end up getting hooked so far down the throat that the hook cannot be removed. Staff conducting weekly surveys for dead sturgeon found that up to 40% of oversize sturgeon carcasses contained hooks in the gut.

Previously enacted conservation measures, including the 2006 expansion of the May-July no-sturgeon-fishing spawning sanctuary downstream from Bonneville Dam 6 miles to Navigation Marker 85, have contributed to an apparent decline in mortality, as borne out by a reduction in the number of carcasses observed during surveys since 2006. However, over 25% of carcasses continue to contain hooks.

Incidental handle of broodstock sized sturgeon does occur in fisheries targeting legal-sized fish through-out the year. However, the use of whole shad is a method that is specifically targeting broodstock sized fish during a biological sensitive time period and is not associated with fishing aimed at the harvestable component of the population. This method of exclusively targeting large broodstock sized sturgeon is especially popular with guides that widely advertise over-sized target fishing trips in late spring and early summer.

The lower Columbia white sturgeon population has likely experienced reduced productivity in recent years due to significant loss of sturgeon (including large adults) to predation by Steller and California sea lions. The magnitude of this additional impact to the broodstock population is unknown. However, it would be prudent to err on the side of caution in managing for sustainability of a viable broodstock population. A prohibition on shad as bait would reduce impacts to broodstock by eliminating a fishing method that is exclusively focused on handling over-sized sturgeon. Sport fishery opportunity can be maintained as focused on legal-sized fish with over-sized as incidental handle as opposed to an advertised exploitable resource.

Testimony:

I support but needs to go farther, why not just prohibit sturgeon fishing entirely in the areas where oversize fish congregate below Bonneville during the shad run. There is more than enough effort during the rest of the year to take the quota of any harvestable size fish, so a couple month shutdown at this time shouldn't be a big deal.

The oversize sturgeon issue can be addressed partly by gear restriction rules. All hooks shall be barbless, all hooks shall measure no more than $\frac{3}{4}$ inch point to shank, only one single point hook may be used for sturgeon and hook leader length shall measure no more than 6 inches swivel eye to hook eye.

Leader length is what determines how deep into the mouth a sturgeon takes the bait before being hooked. Short leaders promote hooking in the mouth area and long leaders can promote hooking in the throat or gut.

Since the 1960's my brothers, friends and I have landed thousands of sturgeon using airboats, casting devices and hand casted gear and all were hooked in the mouth area promoting simple hook removal even when barbed hooks were legal. Short leaders 6 inches or less were used exclusively with all types of line setting gear.

This suggestion does not require that the weight be attached below the bait but this is the practice in place today.

Nothing can be devised to eliminate the hooking of oversize sturgeon except a total closure of the sturgeon fishery, sport and commercial, until stocks rebound and sea lions are eliminated.

In the 2010-2012 regulation period it is probably best to take a few simple steps and see how they work. All hooks shall be barbless. All hooks shall measure no more than $\frac{3}{4}$ inch point to shank. Sturgeon gear is limited to one single point barbless hook measuring no more than $\frac{3}{4}$ in point to shank and a hook leader length measuring no more than 6 inches from swivel eye to hook eye.

I would be agreeable to give a demonstration to any interested parties in Vancouver, set it up.

Before going to a single hook gear rule you should waste your time and our money on a ten year study of the issue similar to your joke of a study on other commercial gear. The old days and the old ways are over and it is time to hang up the gillnets and barbed hooks on the Columbia River below Bonneville Dam.

I do not support this rule. Shad is very good sturgeon bait. When using shad it is very easy the release the fish if you wish to. And there is no by catch of salmon or steelhead. if people started using more salmon eggs, or sand shrimp for bait the by catch of salmon and steelhead would go way up It would also be very hard to know if someone was fishing for salmon, steelhead. Or sturgeon Shad is a great bait for sturgeon. (6 e-mails)

BIG NOTE! Shad for sturgeon Bait, I don not support the change. Shad is very good as sturgeon bait. When using shad it is easy the release the fish and there is no by catch of salmon or steelhead. If people started using more salmon eggs,

or sand shrimp for bait the by catch of salmon and steelhead would go way up. It would also be very hard to know if someone was fishing for salmon, steelhead or sturgeon. Shad is a great bait for sturgeon.

I do not believe using shad as sturgeon bait increases mortality. In the proposal it says that over 25% of the sturgeon carcasses contained hooks. My question would be were these hooks picked up off the bottom or did the fish break off someone's smaller gear downstream in the estuary? My point is the people that are using shad as bait are geared-up to catch and release these fish quickly. I don't believe the catch and release with shad as bait is the problem.

I support this proposal but would add a requirement for circle hooks (or other less harmful hooks) to be used in order to reduce deep hooking, especially as anglers learn to use other fish for bait once shad are outlawed.

Comments from Public Meetings:

Although the anglers present at the Yakima meeting all agreed with the need to protect oversized sturgeon, they would still like to use small pieces of shad as bait. They see the problem as guides who take out inexperienced fishers to specifically target these fish. They allow them to totally swallow the bait, and end up leaving hooks in the guts of the large fish. The consensus at the meeting was that if the sturgeon sanctuaries in Proposal #29 are implemented, the rule to make it unlawful to fish for sturgeon with shad would be unnecessary. They also pointed out that if shad is banned, anglers will find another large bait to use for the large fish (rainbows from Safeway?).

Vancouver

One person stated that the Vancouver Wildlife League does not support an oversize fishery. It should be eliminated. Fishing on spawning fish is bad. He has seen dead fish with several hooks all over them. The fishery should be eliminated. Period.

One person asked; Shad – are you going to take away our smelt next? I don't use shad but the oversize fishery should be closed from I-5 up.

Another fisherman noted: Shad – the only reason there is an oversize fishery is guide pressure.

One angler stated: I think fishing with barbless hooks and shad is okay. It doesn't hurt the fish. Netting is not right though. You have too many limits on us. You are taking too much away. It's not fair.

Another noted: I don't use the whole shad. Cut up and use a fillet size to target legal sturgeon. Lots of us fish this way. The proposal is totally incorrect.

One person asked - Sturgeon – you're going to tell a sturgeon when he can and can't eat a shad? Shad,, nightcrawlers, smelt all catch oversized sturgeon. Fishing isn't a sport anymore. I need a lawyer for the regulations. Don't understand the regs. It's getting to the point we don't know what is going on. And input isn't going where it should go. I want to know what's going on. I'm getting disgusted with it. Our input will not get where it needs to go. Does this info go to the people who made up the regs? We are hassled so much. Enforcement would rather hassle sportsmen and take gear than go after gill netters. It's time for WDFW to buy up licenses from gill netters instead of putting the money into something else.

Staff Recommendation: Do not adopt. Protection of large broodstock will be addressed with area closures – see above proposal.

Freshwater Gear Rules

#31. Columbia River Salmon and Steelhead– Single-Point Barbless Hooks

Proposal: This proposal would retain the anti-snagging rule but would also require anglers to use single-pointed barbless hooks (regardless of gear type) when fishing for salmon and steelhead in the Columbia River from the mouth (Buoy 10) to McNary Dam.

Explanation: Neither the current anti-snagging rule, in effect for anglers fishing for salmon or steelhead in the Columbia River from Bonneville Dam to McNary Dam, nor the proposed revision of the anti-snagging rule require the use of barbless hooks, and both rules also allow the use of multiple-point hooks in some instances. This proposal would require

single point barbless hooks whenever fishing for salmon or steelhead in the Columbia River, from the mouth to McNary Dam, allowing easier release of any fish not retained.

Testimony:

Why use barbless hooks at all? More fish die from being released, that it makes more sense to just make them part of the catch limits.

Good idea. Again, mandate it for all salmon fishing and eliminate proposed rule #1. It's effective and simple.

I fished lodges at Rivers Inlet twice and Prince Rupert once and was required to use barbless hooks with no negative results. I have fished the mouth of the Cowlitz for years and keep telling friends I wish those rules were in force here. I was pleased to see that subject is going to be considered soon. Please push hard for that end result. I have seen too many bleeding fish released. What a waste. Those treble hooks are worse yet and should never be used. It seems like a no brainer. Thank you and good luck with that effort.

Agree

Salmon catches do not substantiate the need to restrict the Columbia River angler to barb-less hooks. I may be a lousy fisherman but have only caught one salmon in two seasons and lost that when it spit the barbed hook. Looking around on a typical day I don't exactly see salmon jumping into the other boats.

I am against requiring the single point barbless hook in the Columbia. I have released many fish "carefully" with trebles as long as the gills are not involved and a single hook has as much of a chance to injure the gill. A blood vessel in the mouth is also not immune to a barbless hook. A very small percentage of fish are mortally injured by sport methods. Ban gill nets! The real killers.

I've been fishing the Columbia River for over 50 years and the single hook proposal is just another dumb thing the non fishing people have come up with. The gillnetters are the PROBLEM and my dad never lived to see them out of there and it's looking bad for me too! We sport fisherman keep getting jerked around and I hope my grand kids will get to fish with treble hooks, if they choose so!

Please put me on the list against barbless single hooks for both salmon and steelhead in the Columbia River.

It will make it impossible to keep steelhead on the hooks and get them close enough to the boat to release or keep. As it is we only hang on to one in five on trouble hooks. If they are released properly, they will usually survive.

If any thing, people need to be taught how to release fish. I have seen un-clipped fish caught, netted and brought into the boat, fumbled around with in the boat then thrown back into the water, with out any regard to the survival of the fish. If this is still done with the use of barbless hooks, you will have the same bad results.

If you want to save fish, get the nets out of the river. Netting cleans the river out when ever they go in and throwing back a fish after they have been caught in a gill net will probably not survive, not even with the revival tanks. I am sure they turn loose steel head with a fin, right?

If we go to barbless hooks, we will save fish allright, we will save them for the gill netters as they will get a larger share of the quota allotted to the non indian fishery.

I would like to address the current rule change proposal requiring single point barbless hooks for salmon and steelhead in the Columbia River up to McNary Dam. In addition, the decision to change the definition of the anti-snagging rule.

I have been an avid salmon and steelhead angler for over 30 years. First I would like to convey my opinion on the anti-snagging rule that is currently in effect on the Columbia River. I started fishing the Columbia and Drano Lake in the early 1980's and have spent hundreds of hours trolling and jigging for salmon. My question is why have an anti-snagging rule at all? We anglers spend grueling hours a day jigging. The salmon are attracted to the jig and either strike it or attempt to hit it. Sometimes they miss and get snagged.

If they are hooked in front of the gill plate they are legal. If they miss and get snagged behind the gill plate they are illegal. The limit is still two salmon no matter what. It should not matter where they are hooked.

Try explaining to a 14 year old angler who has been fishing since 4 a.m. that they must release a 20 pound salmon because it is foul hooked. That is probably the only fish they have caught and jigging is not easy! It sucks. They ask me why the nets across the river kill all salmon and steelhead while we have to release this one salmon.

I know the rules for commercial and tribal fisherman are different. Sport anglers have a limit of 2 salmon or steelhead. It should not matter where they get hooked. On a good day I will hook and release over 20 salmon to get my limit of 2 legal fish. This battle has a negative impact on the fishery as a whole. The fish now pass the dam, commercial and tribal fisheries and then get hooked by sport anglers which stressed them more. If we could keep the first 2 fish hooked, it would solve these problems. There really is no difference in the number of fish I snag whether I use single, double or treble hooks because the fish are attracted to the jig and try to hit it.

The WDFW enforcement department would gain hours of free time that could be used to catch real poachers instead of spending the time watching us jig. Really- they watch us from the hill every year. We are not the people they should be targeting, we are just an easy target. I get checked once or twice a year and the fish police are just looking for some reason to write a ticket. The young men with me wonder why they are so rude. The WDFW needs to focus on real criminals and leave us sports anglers to catch our 2 fish no matter where they are hooked.

My other point is why barbless hooks at all? The studies I remember have shown no difference in survival rates with barbed versus barbless hooks. Unless there are some new scientific studies showing an adverse impact to the fisheries it makes no sense at all from a sports fisherman's point of view.

Please do not make it harder for the sport fisherman to put fish on the table. I use the salmon I catch to supplement my food budget in these hard times. All barbless hooks do is make it harder to net a fish.

I want to voice my strong support for the new fishing regulations for the Columbia and Snake river Salmon/Steelhead fishery that will require barbless, single hooks to be used. This is a long overdo and need regulation that will protect native steelhead. The use of barbed treble hooks is ridiculous when we are trying to protect native stocks. Again, excellent decision that I strongly support.

So the new proposals concerning Columbia River Fishery are being considered by Oregon??

Last I was aware the Columbia was a Co managed fishery.

Does this mean that WDFW will be applying new regulations without ODFW input or will the river be managed by each Fishery with respect to each state border?

Maybe its time Washington sports fishermen not buy a license for a couple of years and see how long the WDFW can make it without revenues.

This proposal is inconsistent with the wording of the anti-snagging rule which permits use of multi-point hooks when fishing from a floating device.

Do Not Adopt. The stated purpose of the rules is to facilitate the release of fish that will not be retained. The solution to the problem is not to limit the tackle used by anglers but to eliminate the need to release fish entirely. Remove all net fishing from the Columbia and you have solved 98% of all issues regarding Columbia River salmon and steelhead survival. Hence, there is no need to modify fishing regulations.

Vancouver Wildlife does not support this proposed rule change. What is the purpose of the proposal? This change will not reduce the number of wild or endangered species killed in the fishery. Quotas are established by the various wildlife agencies both federal and state. When these predetermined numbers are met, the fishery is terminated. Everyone, over time, has adjusted to this reality. Also, it is the sport persons fishery. How the fish are harvested and how quickly should be the priority of those participating in the activity.

It is the policy of both Oregon and Washington to have concurrent regulations. To our knowledge, Oregon had no intention of imposing this proposal on the fishers in that state.

Many of our members have invested considerable amounts of money on their fishing equipment including the lures they use. Retooling would be expensive to some.

Again, we urge the Commission to not pass this regulation into law.

Thank you for your consideration.

Larry Snyder, President Vancouver Wildlife

1) I am opposed to the requirement to use single point barbless hooks in the Columbia River.

2) the rule proposal is inconsistent with regulations from Oregon, which will cause confusion and enforcement issues on the Columbia river.

3) there is no selective fishing requirement for coho salmon above the Hood River bridge, or for fall chinook in the Columbia river. As such it makes no sense to force anglers to use less effective gear when the fish aren't going to be released anyways.

4) Plugs equipped with treble hooks are rarely, if ever, taken deeply into the throat by salmon or steelhead. If barbless hooks are required, I'd like the option of using barbless treble hooks. Allow this option on floating lures only if necessary. I used single point barbless hooks in the ocean while salmon fishing and they are significantly less effective than a barbed hook. If the need for single point barbless hooks is that great, why isn't Oregon requiring them as well?

I am not alone in being 100% against the mandated use of only a single point barbless hook for Salmon on the Columbia. Lets address the real issue with the gillnets by-catch.

Get some checking done on the guys with the recovery boxes that don't work and in use. cut soak time. and get some observers on the boats and then if they refuse, jerk their license, and then talk Barbless hooks to me. Also get out of bed with Oregon fisheries and get them to post their catch numbers. You can get more info out of the pentagon.

I am in favor of barbless single point hooks on the lower river.

I am writing in regard to the proposed single point barbless hook recommendation from the mouth of the Columbia River to McNary Dam.

This proposal is nothing more than another 'Feel Good' regulation to make us think we're doing something for the fish. These silly Feel Good regulations only serve to pull our attention away from the real issues impacting our fish such as commercial in-river harvest, and over-harvest. I don't know how your agency can even put a proposal like this together while at the same time turn a blind eye to commercial fishing. Your asking a fisherman with a single hook on the end of a fishing line to bend down a tiny barb while at the same time allowing commercial harvest to continue? If fish are so important that sport fisherman need to bend down barbs then get rid of the nets.

This is an unnecessary rule change that will not improve survival of released fish.

There have been studies showing that there is no increased survival of fish hooked and released with barbless hooks compared to barbed hooks and treble hooks. The Toman study is one of those that focused strictly on salmon. I've heard of other studies that indicated fish caught with barbless hooks experienced higher mortality than those caught with barbed hooks.

This rule will also create an economic hardship on sportfishers in the Columbia River. I have spent many hundreds of dollars on spinners, kwikfish, flatfish, wiggle warts, Brad's Wigglers, Simons, Clanceys and assorted other lures in dozens of color combinations. All have barbed hooks and almost all of these have treble hooks with barbs. Replacing these lures would cost me nearly a thousand dollars. Modifying the lures I already own would cost me about \$200 and a lot of time.

This rule will create an unnecessary economic hardship on tackle manufacturers and on retailers who make and sell lures with barbed hooks and treble hooks. Their inventory of lures with barbed hooks would become worthless overnight.

The sportfishers already go the extra mile and are required to release fish that are legal for gillnetters to capture and kill. Sportfishers must release unclipped coho salmon that are perfectly legal for gillnetters to keep, kill and sell. For other fish like unclipped Spring Chinook and steelhead Sportfishers are required to keep unclipped wild fish in the water while unhooking and releasing them, but gillnetters remove them from the water for a considerable time during which the fish struggles for oxygen and is subjected to rough handling as the gillnetter wrestles the fish loose, all the while attempting to avoid damaging his net (nevermind damaging the fish).

Here's an idea for you to help make it easier for gillnetters to release the unclipped fish they catch (and PLEASE make them release ALL unclipped coho).

Fish in daylight using non-monofilament nets manufactured with cotton twine in 24 inch square mesh.

I am a longtime fisherman on the Lower Columbia and Cowlitz River and I wanted to comment on the single point barbless rule that the WDFW was thinking about putting in place. I have caught and released hundreds of salmon and steelhead in my 20 years on these waterways with barbed hooks. I can tell you from an honest anglers experience that not a single fish that I have intended to release has been harmed because of a tiny barb. What that tiny barb does ensure is that people with a minimal amount of fishing experience have a better opportunity or odds in putting that fish in the boat or on the bank. You won't be penalizing the experienced fisherman, but you will be penalizing the young and inexperienced, hurting their chances of landing the fish they have sometimes waited hours to hook, which will keep a lot of them from wanting to continue fishing in the future. That's where this rule is really going to hurt your department. You are going to keep a lot of young people from wanting to take up or continue fishing, which is going to hurt your bottom line in lost license sales. This coincides with lost revenue for local town businesses in the form of hotels, gas, and groceries for the fishermen.

I hope that you consider not putting this idea into affect. The amount of fish that this proposal might save is going to cost your department and many thousands of people down the road. I would hope that your department, if you are concerned about fish stocks, would consider taking a harder stand against the drift fisheries on the Columbia River and seal populations, that are two of the main culprits plaguing our fish runs.

I appreciate your time in this matter and I hope this letter in some way sways you to not put this proposal into action, as you will only be penalizing your department in the long run.

Hopefully this will make sense.

Item #31, this regards the proposed single point barbless hook ideal. I lived in Oregon when they tried this for steelhead--after a few years they discarded the idea. I can understand the rule idea when you apply it to people who jig for salmon--would be good. I use lures that float and the ideal stinks--it makes no sense. However, if you really want to put it to a test, apply the rule below Bonneville Dam to the mouth. This area most likely kills more wild fish because they get to fish for them more than we do once they start over the dams.

Any change like this needs to be coordinated with Oregon, as most of us that live in the Gorge fish both sides of the river for steelhead/salmon---it makes no sense to have two different rules to fish for salmon or steelhead depending on where you fish in the Columbia.

Now we're talking, I support, and make sure you go after the Oregonians who fish the Columbia with barbed hooks also!

I am really opposed to this proposed rule change:

You allow commercial gill net fishing below Bonneville with a false premise that they can release will fish unharmed. Give me a break. Then the Indians are allowed to gill net above Bonneville and keep everything. Please! If this rule is enacted I am seriously considering giving up fishing. You guys are really screwing the sports fishermen!

My name is Bob Stroup and I am a member of the Icicle Valley Chapter of Trout Unlimited and on the advisory committee for Steelhead and Cutthroat in the state of Washington.

I am very much in favor of this proposed change dealing with the use of barbless hooks for salmon and steelhead in the Columbia River from the mouth of the river to McNary Dam. I would also hope that you consider making this rule for the complete Columbia River Basin including the Snake River in Washington State. Our organization along with others who are interested in selective fishery regulations on our rivers are in favor of single-barbless hooks that decrease the mortality factor on select fish.

We need to encourage the sports merchandise industry to display selective fishery gear for the public to purchase when fishing under select fishery regulations. It is clear to us who fish that many people who fish are not familiar with what is legal and what is not. Most people are not into reading the regulations even though it is their responsibility. Better communication through the media and from the sports merchandizing industry would sure help in assuring the survival of these fish.

After this year's robust hatchery return, this rule makes it more difficult to remove hatchery fish that are a greater danger to native salmon and steelhead than barbed hooks are. If you are going to allow non-selective gill netting in that same stretch of river, WDFW has no business restricting sport fishermen's gear. This rule will hurt native salmon and steelhead by allowing more hatchery fish to not be harvested. I do not support this change and the dept should not enact it.

Barbless Hooks - I find this to be the most ludicrous idea that I have seen in my seventy five years of fishing. For the past four years, I have not a keeper in my boat and you wish to eliminate all sport fishing for the sportsman. I am sure that the Willamette River will not have barbless hooks and the sporting good shops are ready to sell and eliminate all the tackle that we have for a price. Those of us on fixed income will suffer the most.

NO NO NO NO to barbless hooks

I don't believe this will help. why does dfw regulate clipped or not clipped fish to the fisherman, but not commercial nets or Indian nets? This is a bad law for the fisherman as it is for wild fish (not clipped) or clipped fish. Regulate the number of fish not if a fish is wild or not wild and save more fish.

First you want to charge us extra to fish in the Columbia River and now you are proposing we change our gear to barbless hooks. Let's not even get me started on hunting regulations! What is happening to this department and their regulations on the recreational fisher, focus on the Commercial fishing and maybe we can conserve our salmon and steelhead. If you truly want my comments I say no barbless hooks, fishing in WA state is becoming unaffordable to the average person, it will become a rich mans sport.

Hello- I usually don't give much input into the making of rules but I would like to give my humble opinion. It seems that in the Columbia Gorge area of the Columbia River that the fishery is being overmanaged. I see the WDFG is proposing to use barbless hooks for salmon to facilitate release of wild salmon- usually coho at the mouth of the Wind River and White Salmon River. Why are we releasing these fish anyway? There is an abundance of fish that stray into these areas and then they end up at one of the Hatcheries where they have too many fish and are given to Native Americans or sold for dogfood. Why not allow at least one unclipped coho per day so the fisherman can keep something. Many fished for days releasing 10-15 fish before catching a hatchery(clipped fin) silver. Let's be reasonable- all these fishermen want is to be able to keep a few fish per season. Many of my friends only keep 7 or 8 fish a year anyway but they would like to be able to keep one that was of premium quality(bright) rather than have to wait until they get up the river further and enter the Klickitat in a dark condition. I say reduce the limit perday or per season but allow some of these beautiful fish to be retained. I am for management and conservation ,but not to just allow them to go to some hatchery surplus and die anyway- with no benefit to anyone! To me when a hatchery receives it's quota those surplus fish should be allowed to be fished for when they are in a prime condition. Just my thoughts---

What studies have been done to show that changing to single barbless hooks will result in fewer fish mortality? I have seen fish hooked mortally both ways. Treble hooks don't usually get buried as deep in the mouth as a single hook. Singles are much more likely to get into the gill of the fish than a treble. Trebles are very hard to swallow. I do believe that barbless would make the fish easier to release but I am not so sure the single is an improvement. Why do we pretend to be concerned about easier release of wild fish when we have completely unselective harvest methods being employed by nets in the Columbia. You are asking one group to not remove fish from the water to unhook them, use single barbless hooks and then the fish swims upriver into a net. Requiring single barbless hooks is like hiding in a garbage can when a nuclear bomb is being dropped. It is not going to change the outcome it just makes us feel better that we are doing something while these fish are being devastated in the river and the ocean by nets.

This is absolutely absurd to even be considering this proposal and is a slap in the face to the sport fishing public that spends their time on the Columbia River.

It also goes against current thinking that taking more hatchery fish out of the river is a good thing. Why would you want to make it harder for sport fishers to harvest hatchery fish? Aren't we still concerned about hatchery fish spawning with wild fish and also straying to other rivers?

Sport fishermen aren't just looking for sport fishing opportunity, they want opportunity with the likelihood of hooking and landing the fish. You are significantly decreasing the amount of landed fish when you throw barbless hooks into the equation.

Why is it that over and over again the sport fishing public is made to justify themselves for wanting increased opportunity while at the same time the Gillnet fleet goes in and has no qualms about directly targeting and killing wild Coho in the fall, netting and releasing sturgeon in 70+ degree water, back door sales of spring Chinook all up and down the river that don't make it onto a fish ticket and the list goes on and on.

And now to top it all off you want sport fishers to use barbless hooks? You've got to be kidding right?

I am definitely opposed to this rule. As a sportsfisherwoman, the feeling I am getting from the WDFW is more and more opportunity is being taken away and yet more and more rules are being added. I feel like at this point we are over-regulated. I didn't buy a WA fishing license this year until October and the reason was because I had an Oregon license that would allow me access to the Columbia River. This possible rule is just another example of why I will hold off as long as possible to buying a WA license. I do not feel this department is supportive of the sportsfishermen.

Of all the harvesting methods out there, hook and line has the lowest mortality. It would make more sense to me to get the gillnetters of the river, you'd save a lot more fish with that and you'd gain a lot more respect and support from folks buying licenses. I may get out for two or three spring Chinook trips all season, I would like to have the best possibility possible to land one of these beautiful fish. They are hard enough to catch as it is, why make it harder by requiring a barbless hook? What studies have been shown to show that barbless hooks would decrease mortality? Does it really matter when a sea lion just snatches up the tired fish and gobbles it down anyways? Or that the same fish swims into a gillnet later on that evening? I just feel that in light of all the things working against wild fish, barbed hooks are pretty low on the list.

If your plans are to replace 3 prong and barbed hooks with barbless hooks, DON'T! It's a senseless endeavor and it would make less sense to restrict only fishing in the Columbia River and not include the Willamette River.

The Conservation Committee of the Washington Fly Fishing Club supports.

I support this proposal.

no on barbless hooks hard enough ta catch any now

My Comment – Have you ever participated in a fishery where you have to use single point barbless hooks? Its REALLY tough to hook and land fish! This will greatly decrease the success of our trips and thus decreasing my bookings in the future. Work more on improving commercial fishing gear so that the impacts they create on wild fish stocks are reduced.

It is my opinion and "Written Public Comment on the Proposed sport fishing rule changes for 2010,

The "Require the use of single-point, barbless hooks for salmon and steelhead in the Columbia River from the mouth of the river to McNary Dam. Requiring the use of single-point, barbless hooks would make it easier for anglers to release fish that cannot be retained." Is a "ludicrous" and "Malicious" attempt by the Washington Department of Fish and Wildlife to decrease the harvest number caught and retained by licensed legal fishermen along this designated and specific stretch of water. Why else would this be proposed for just a "portion" of the Columbia from the mouth to the McNary Dam and not all waters and all species? Clearly this is NOT an attempt to "make it easier for anglers to release fish that cannot be retained.", but an excuse to limit catch and retention along this designated and specific stretch of river. If the WDFW was

concerned with "making it easier for anglers to release fish that cannot be retained." They would either enact it statewide as a "General Rule" or they would manage the fishery so that there was less need for "un-retained" fish being caught, i.e., concurrent seasons for both steelhead and salmon.

I have fished for over 40 years and the mortality rate of fish caught and release with multiple hooks and barbed hooks is "INSIGNIFICANT" to the amount of "incidental" fish caught and killed by the Native American Nets along the lower and middle stretch of the Columbia river, yet we do not see such "Ludicrous and Malicious" attempts by WDFW to challenge either the Federal Government and/or the Native Americans to limit the use of nets to harvest massive amounts of steelhead, salmon and sturgeon for the sale/profit by these select Native American groups/families/co-ops under the pretense of "subsistence" or "ceremonial" and laughingly enough "treaty-rights". **Where is the WDFW's concern for the "fish that cannot be retained" when it comes to being caught in these nets?**

This single barbless hook strategy was adopted for a short measure of time by the WDFW this past fishing season (2009) in an attempt to see if it would solicit a large amount of negative public comment; and is now trying to be implemented under the false pretense of "making it easier for anglers to release fish that cannot be retained," and in a limited area so that it can later be expanded to larger areas. The attempt to hold these rule changes to smaller areas in an attempt to limit the amount of "Public Comment and Public Outrage" at these types of heavy handed rule changes with such ridiculous excuses such as "barbless hooks would make it easier for anglers to release fish that cannot be retained." What type of "Arthritic Senior Citizens, or physically handicapped or challenged individuals" do you think are out there fishing for Steelhead and Salmon, that they need "barbless hooks to make it easier for them (anglers), to release fish?...Do you have any kind of supportive information from the Medical community to support the statement "barbless hooks would make it easier for anglers to release fish that cannot be retained? Or was this just some "wild statement" thought up by an over zealous newly promoted administrator or physically challenged staff member that's had trouble removing a treble hook from a fish's mouth in the past?

Furthermore it's my Public Opinion, that WDFW continues to be administered by individuals that have no idea of how to "effectively manage a natural resource", let alone manage fishing regulations or conduct effective public input meetings or public comment periods.

The "Knot head" that came up with the proposed rule change ;" Require the use of single-point, barbless hooks for salmon and steelhead in the Columbia River from the mouth of the river to McNary Dam. Requiring the use of single-point, barbless hooks would make it easier for anglers to release fish that cannot be retained" and their supervisor, should be "horse whipped, tar and feathered and rode out of the state on a rail". What a pack of "Chowderheads", in charge of managing our fish and game, "tsk tsk"....."shame".....at the very least you could have come up with a better excuse than that pile of literary garbage.

And members of government agencies continue to wonder why citizens despise government and the people that comprise these types of agencies?.....Yes, that means you pack of "Chowderheads!"

I may support this reg at some point, but ONLY when gillnets are eliminated as a method for commercial fishing. Once commercial fishers have changed to a selective method technique for harvest, then I am willing to talk about this. Until then, there is no way this reg for single point barbless can be supported.

In regard to your proposed change on the Columbia River to single-point don;t feel it is necessary to change Kwikfish to single-point hooks.

They are a buoyant lure and the change would greatly effect their performance.

Please do not change the rules on hooks for Salmon fishing on the Columbia river system. Oregon has already done many studies on this and realized that there not much benefit going to barbless hooks. A large single barbless hook will decrease the catch rate because fishermen will loose more fish. Also a large single hook will usually turn and go up through the eye socket thus hurting these wild fish more than a treble hook. I have been salmon fishing for years and never had a Salmon die because of a barbed hook. The wild fish I have caught have all swam away. I think this is a terrible rule change and smells of politics trying to get concessions from another group. If you impose this sort of rule on sports fishermen how about getting rid of the nets that don't care about wild fish. Not a good start for this new administration. I would hate to start buying only Oregon fishing License's. We do have a choice...

heres an idea how about shutting down all gill netting on the columbia river and tributaries thats a start. they rape all of our fish runs they are allowaed to keep oversized sturegon which is complete bullshit and barbless hooks what a joke do you understand how much money wdfw is going to lose i mean seriously you guys do nothing but screw over sport anglers take a better look at sport anglers and how much more money the generate instead of favoring the damn gillnetters i dont think you understand how many people didnt buy licences this year because of all the bullshit regs put on sport fishing i sure if you too a legit survey and asked all sport anglers how they felt about barbless hooks ththey wouldnt be happy its a joke.... not only that so is wdfw in general how bout talking to more hunters as well and ask them how they feel about the late hunting seasons its a joke the bow hunters only get certain units for but no rifle hunters get every damn unit in the

state maybe talk to more hunters and people who fish instead of just talking to people who dont hunt or fish and do nothing but push paper.

The barbless hook rule considered for the lower Columbia river from Buoy 10 up is ludicrous. Get rid of the gillnets, then the barbless hook idea may have merit. The whole adipose fin release prgram is rediculous. Every summer I shutter at the numbers of dead nose up floating finned fish. Regardless of hooks used, when these fish strike and that hook embeds either in the gills or tongue, that fish is destined to death. Every summer I watch as I hook and land 10+ fish so I can retain 4. Of the 6 released, 2 die. The time to retain the first two coho caught is now. We are told the tribes clip only 10% of the hatchery fish they release from the hatcheries they have taken over on the Columbia system. So the whole fin program has nothing to do with more fish for anyone except the tribes.

I own a second home at Chinook and I know the lower river and Area 1 well. This year was a bountiful return, I would hope that your dept would be trying to understand what went right with the oceans and eco system over the last 4 years to give us such a great year.

I am still angry at your dept allowing the gillnet fishery clear to Buoy 10, the week of August 7, 2009. That fishery wiped out the lower Columbia Chinook run. Thankfully the cohos showed up in great numbers so a great year resulted.

As you can see I am sick and tired of the sports guys getting the shaft with more gear restrictions and gillnet fisheries. I look forward to your response to this email. It should be entertaining.

I am a sport fisherman in Southwest Washington and have been following the proposed barbless hook issue for Spring salmon in the Columbia River. I disagree with the proposal for a number of reasons. Last year, sport fisherman could only fish Wednesday through Saturday leaving me personally only one day to fish because of my work schedule and that was on Saturday. As is the case with all of my co-workers as well as anyone with a 9 - 5 job during the week. Sport fisherman were also limited to one fish per day. It is hard enough to catch a hatchery Spring Salmon let alone trying to catch one with barbless hooks especially given the limited season and days we have to fish. Now we are expected to purchase barbless hooks at a cost of at least \$75, in my case, to change out all of my lures. In some cases, my lures are specifically designed for a treble hook in order for it to function properly. These lures are not cheep either. Most of them cost at least \$6 each. Our license fees are going up our opportunities to fish are going down and our equipment is being changed making more difficult to land fish. It isn't right nor is it fair. In stead of penalizing sport fisherman with new regulations educate them on how to release native fish.

There are other solutions for helping native fish survive being caught. One method that I use is the plastic fish mouth grip. It allows me to grip the fishes mouth and release it in the water leaving it unharmed. They can be purchases at any tackle store for about \$12. Another method that can be done is if a fish is severely hooked, simply cutting the hooks off with wire cutting pliers works well.

I think this rule change is too restricting. I have no problem with this type of rule during the selective harvest seasons. I am against such a rule during the summer Chinook and fall fisheries when there is not a selective hatchery only season. A siwash style hook can do as much harm as a treble hook because of the longer shank and deeper penetration.

One of the fishing regulations that is proposed for change is requiring single barbless hooks on floating lures. It seems you are determined to do this whether it is the anti snagging rule or under some other heading.

It costs about \$150.00 to change a regular inventory of lures over to the single hook system & I really don't see that much improvement when releasing fish properly.

If you're determined to make floating lures single point barbless, & it looks like you certainly are, why not make it from the mouth of the Columbia to the Hood River Bridge as 75% of Salmon & Steelhead are caught between these points.

It appears to me that the change proposals are being done by non-fishermen. You need fishermen included in this process as that is where your income is coming from!

This email is from a very CONCERNED & ACTIVE FISHERMAN.

I am a sports fisherman that fishes from shore. The recent proposal by WDFW of a single barbless hook basically eliminates anyone fishing from shore catching another fish.

Any fisherman that has fished for salmon from shore knows that any loose line means the fish will get off the hook and be lost. I understand that WDFW is attempting to stop the incidental catch of native fish. Sports fisherman can release the incidental catch of native fish without a barbless hook. It would seem that if WDFW is truly concerned about the incidental catch of native fish, more should be done with regard to gill-netters than the sports fisherman.

If the proposal for a single barbless hook is approved, I and many other shore fishermen that I know will no longer be fishing and paying licensing fees. There is no reason for us to pay for a fishing license when it is made virtually impossible for us to catch a fish.

I would like a response explaining why there are no changes for gill netters, only sports fishermen.

Allen Thomas's lengthy article in last week's Columbian supporting barbed hooks, in my opinion, needs to be responded to.

About fishing with barbless hooks

They conserve endangered, wild fish, especially smaller, immature salmon, steelhead and others.

It's simple and cheap to make hooks barbless.

Steps—

- 1) On treble hooks, crimp all barbs
- 2) Trim one hook off your treble and crimp 2 barbs
- 3) Crimp barb on single hooks

The crimped barb forms a hump in the hook that keeps the fish hooked, but it is easy to remove, when releasing fish.

Forward thinking Alberta, Canada went barbless on all waters years ago. Isn't it time Washington stte did some forward thinking----starting now---- and become a really fish conservation advocate.

11/17/09

RECEIVED

NOV 12 2009

Fish and Wildlife
Enforcement Program

To: Lori Preuss (DFW)
From: Ross P Benkhurst
Subject: Columbia River Barbless Proposal

This rule should definitely not be adopted. It would be the last straw in the string of despicable restrictions that have accumulated over the years. Lower river fishermen already have to do things like release chinooks after August 31, knowing they will be heavily netted, along with released unmarked COHO, not much later. Few chinooks are ever caught below Cathlamet by sports before Sep. 1. Chinooks and large silvers fight long and hard and will more frequently come off barbless hooks.

The wild COHO concept lacks some credibility as they frequently outnumber hatchery marked fish as it is. Again you have been quick to adjust rules on an emergency basis to optimize the commercial catch, and slow to do so for sports. Even under current rules few sports would buy a new boat and fish the lower Columbia going forward. This bodes poorly for our economy and the future of the sport. Sports are eager to help if given the chance. A rule requiring all boats to carry a dehooking device may be in order. PR ~~is~~ encouraging sports to use these devices over the side when safe and feasible, combined with an honest effort to reduce commercial kill of unmarked fish, along

- 2 -

with P R on a regular basis showing positive results could make a difference. More command and control at this time may be the beginning of the end or the end of the end, of a valuable activity on this great stretch of river.

Sincerely,

Ross P Barkhurst

ROSS P. BARKHURST

The idea of barbless hooks for salmon and steelhead in the Columbia River appears to me to be more about government control, than saving wild fish. What a stupid plan. I think it is just another attempt at "social engineering". I also understand that one of the commission members that determine when the commercial nets go into the river, Cindy LaFleur, is married to a commercial fisherman. In the real world this is called a conflict of interest. What do you people call it?

Let me introduce myself. I'm Phil Rabideau, author of "The Master Angler". I was born in Portland, OR in the twenties. I was fishing for salmon in the Columbia in the early 30s. I am a lure designer and consultant for a world famous tackle company. In the past 20 years I have fished only with single hooks and my research has shown there is NO reduction in catch rate. Only with smaller fish are single, barbless hooks required when the hook is swallowed. With salmon, due to their large, thick jaws, single hooks have larger gaps and hook the salmon better, and are not as easily thrown, as with trebles! I see no need for barbless hooks on salmon caught with lures. Single hooks can be far more easily removed, with a dehooker.

Lures are easily converted to single hooks with spit rings. The expense and time is bogus! In fact, if done right on KwikFish, you can achieve bet hook ups!

The best way to for harmless release is single hooks. I see no downside. You can use a "dehooker" and flip off the salmon easily. Also, knotless nets should be used.

I would be glad to speak at any forum you have in Vancouver on the subject. Perhaps Allen can write an article on the opposing view. We need to think of improving the salmon run and not get hung with emotions not based on objective research. If the salmon do not come first, you will never solve the problem. Single hooks is the least we can do for the salmon run.

I strongly support WDFW's Proposed Rule 31. Simple logic dictates that a single-point hook is easier to remove than a multiple-point hook. That same logic means the release takes less time, imposes less stress on the fish and a healthier fish once released. Hooks are easy to change and impose no material burden on the angler.

What are you people thinking of??? Ways to harass fishermen?? The laws and restrictions are so complicated now that we don't know what we are doing and I don't believe you do either. I vote NO on the single barbless hooks...

Please do not enact a rule requiring single barbless hooks for the Columbia fisheries this up coming year or any other. Instead please enact a rule that makes the release of wild Steelhead and Silver salmon from the Columbia river gillnets as humane as my current treble hook use. But I guess that is not possible is it.

How can you police through tools one user groups release while grossly ignoring a major harvesters indiscriminant methods. I am embarrassed to live and fish in my home state.

Lori: Allan Thomas of the Columbian newspaper had your email in his report last week to give input on this hook proposal. I live in Vancouver on the Columbia River.

I agree with Larry Snyder of the Vancouver Wildlife League. Shut the fishery down until the quotas are reached. Then let us fish the way we want to. I also agree with a statement that "Someone made this proposal that does not fish." I am the retired (1998) Captain from Region 5. It always bothered me that the agency focuses so much on making the sportsmen pay the price of protecting wild fish when tribal fisheries above Bonneville Dam do not. WDFW is putting too much effort to protect wild fish in the lower Columbia while tribal fisheries harvest a lot of those "saved wild ones." This is not a good proposal and it is not logical. Like Larry said, shut it down until the quotas are reached. Then the only thing going above Bonneville is the "subsistence" dip net fisheries which, of course, still take wild fish, but not so many.

In response to Allen Thomas' article of September 24 in the Vancouver Columbian and my strong support of barbless---only---to protect wild and endangered salmon and steelhead.

I am opposed to barbless hooks when there is a fishery where we do not have to release wild fish. Also, I would like some clarification on the statement, "would also require anglers to use single-pointed barbless hooks" Does this mean you can fish a double hook setup (herring rig) but the hooks would have to be barbless?

With this rule it we will have to use single pint barbless hooks on everything, including wobblers, and other lures, which are designed and manufactured to use treble hooks. If these lures did in fact work with single hooks, the cost at changing the hooks out is quite high.

As a Wash. State fisherman I am against the single barbless hook proposal in the Columbia River sa suggested. However I am in favor of treble barbless hooks on artificial lures. This would make it easier to remove hooks on fish to be released and not damage the fish. Also it would give a better survival rate of released fish. I would also suggest single barbless when using herring or anchovies as bait.

I believe this proposal should not be included in it's entirety.

WDFW staff has proposed that anglers fishing for salmon and steelhead in the Columbia River from the estuary to McNary Dam will be required to use single barbless hooks on all lures.

This proposal is almost unbelievable.

Point one: the Commission continues to allow the commercial fleet to gill net the lower river. The treaty tribes during the fall fishery distribute between 600-700 nets per day in zone six. Last time I checked, gill nets are not selective. Until the nets are gone, why should the Commission expect the sports fishermen to go along with this proposal?

Point two: if the nets eventually come out, the commercial nets in the lower river will be the first to go. The lower river sport fisheries account for the vast majority of the take and handle of salmon and steelhead. Should the commercial nets come out, this proposal should be implemented only from the estuary to Bonneville where it would be the most effective.

Point three: It makes no sense to implement this proposal in zone six while the treaty tribes continue to resist any efforts toward selective harvest methods, such as tangle nets, to reduce their take of wild fish. The current allocation method for Spring Chinook already freezes out the zone six sports fishermen. The fall fish are typically poor biters above Bonneville. During the fall fishery, the tribes take upwards of 50,000 fish. Sport fishermen take a fraction of that amount. The proposal is tantamount to another penalty to these fishermen, and a slap in the face when you have to literally weave your way through the nets.

The last point is a statement of fact. This proposal was recently tried in zone 6 and was an enforcement nightmare. This rule was amended shortly after being implemented because of issues with enforcement. Local enforcement officers were coming up to boats and asking if people were fishing for walleye or steelhead to determine if they should check the lures. In certain areas, it was obvious. In others, it was just harassment. In the John Day Pool, they soon figured out the vast majority of fishermen were fishing for walleye and those fishing for steelhead were totally confused by the rule. Any future attempt to implement this proposal above Bonneville will run into the same enforcement issues.

I am more than willing to pay for the privilege to fish the Columbia system including the recent enhancement stamp. I am not willing to put up with a proposed rule that makes no sense for the sports fishermen. It should be obvious from the outcry and comments you have received that the vast majority of sports fishermen share my view.

Not in favor of this. I was never in favor of the anti-snagging rule last year for bouyant plugs, especially in the Columbia River System. I have fished all my life and have never snagged a salmon/steelhead in the Columbia with a bouyant plug while it is being trolled. I cannot even buy a "legal plug" in the stores to meet the anti-snagging requirement, therefore I

am out the additional cost of barrel swivels and single hooks to change them over. The sports fishermen have enough cost in this sport without making new regulations that continue to add more expenses.

I support this proposals. Where ever wild fish are required to be released (selective fishing) it should be a standard that barbless hooks are required.

I am writing with regards to the proposed rulings for the Columbia River and Willapa Bay. Currently, we sportsman are being allowed the benefit of a barbed hook to help us take our catch. It's been brought to my attention that the WDFW wants that changed to barbless hooks. Why?

In the case of Willapa Bay, there are no restrictions for the purpose of protection of its salmon runs. Hatchery, as well as wild fish, are allowed to be harvested. After August 15th we are even given a bonus of one extra fish. Why should the ability to harvest these salmon be handicapped with the advent of a barbless hook? Barbless hooks were designed and introduced for the conservation of protected runs.

After September 15th you will find that most of the recreational fisherman stop fishing the area. Why? It is because the commercial fleet begins their season. Believe me, I would give up any type of hook for a gill net that is thousands of times more effective in catching salmon.

It appears that the recreational fisherman is being limited more and more to harvesting take-able salmon. Neighboring Grays Harbor had one of the best Coho runs in recent memory. Yet, the barbless hook and hatchery-only rules, limited the harvest of this available resource. However, the commercials did well and the Indian fishery is still slaughtering the salmon. Here again, give me a gillnet and you will never hear me complain about using a barbless hook or returning a Wild salmon! (Are all hatchery fish marked?)

Why is it the sportsman pays the band while the commercials and Indians do the dancing?

WDFW, we, the sportsman, need your help before it is too late. Restricting barbed hooks on the Columbia River and Willapa Bay are again prime examples of the sportsman being limited to their take of available salmon. Help recreational salmon fishing on the Willapa and all over the state by being less restrictive in taking away an available resource. If the resource is endangered STOP ALL FISHING!

Remember, recreational fishing is the most economical fishery in the State of Washington and without it there a possibility of an end to all fishing and the disappearance of a wonderful resource.

Please consider my request of NOT banning barbless hooks on the Columbia River and the Willapa Bay. I submit this on behalf of the many sports fisherman in the State of Washington.

I Support

I have no problem with a barbless hook regulation for the columbia river. I fish the snake river alot and the grand rounde. The limit proposed is also easy to live with. What i have a problem with is the nets in the columbia river. They are none selective in what fish are caught and once caught cannot or are not returned to the river alive. If we are to help all species of fish, untargated species must be returned unharmed and alive. If nets are to remain all species will be lost for future anglers.

My name is Gordon Malella. I am 65 years old and have made fishing trips on my own in the State of Washington since I was eight years old. Since 1977 I have fished the mid Columbia and all of its tributaries extensively. I will limit my comments to this area. First,I want to recognize the complexity of your job. You have many masters some of which are not only not on the same page but are sometimes not in the same book. I have spoken with hatchery managers together with their personnel. I have communicated at length with your biologists,area managers and enforcement personnel.In short,I work diligently to stay informed. My comments should be taken only as constructive and not as critical because that is my intent.

Let me start out with the negative viewpoint. On your 2010-2012 proposed rule changes is the single barbless hook requirement for salmon and steelhead in the Columbia River. This is a mistake and represents another heavy handed rule change that limits the sport fishers chance of taking a fish. The barb is on there for a reason. Those who are new to the sport often times do not have the skills to land fish and would be additionally handicapped by this proposed rule change. I have personally taken my share of salmon and steelhead from these waters and rarely have I ,if ever, had a problem removing a hook with a common large needle nose pliers. This proposed rule change adds to the discontent already felt by the angler.This is important. All of the additional rules"piled on" the sport fisher only further angers them and I am convinced that the cumulative effect can be seen in license sales. Together with the tag fees for next year (which I support as a necessity) ,the proposed rule change will not be well received even if presented under the guise of being better for the fish. Sometimes it seems that new restrictions target the sport angler disproportionately. Are we the easiest mark?

I am writing to ask you to leave our current hook regulations as they are now for salmon and steelhead. A drastic change to single barbless would be very costly both financially and emotionally (i.e. as in lost fish), When I use bait and intend to

release, I regularly clip the leader to lessen the chance of causing bleeding and injury to the fish being released. But over the years since the early 70's I have definitely found I land more fish with trebles vs. singles.

The Snake River Salmon Recovery Board strongly supports this proposal because it will allow for easier release of any fish not retained thereby reducing hooking in injuries and mortalities to any ESA listed salmonid caught by a recreational sport fisherman. This rule should also include the Snake River and its tributaries.

I am at a loss as to where to start this letter.

I strongly oppose the rule change requiring the use of barbless hooks on the Columbia River for Salmon and Steelhead. Why are you screwing with the Hook and Line people? They are not the cause of the problem, and Hook and Line people have never been the cause of the problem.

The decline of fish stock for the most part has been the environment and nets, nets and more nets. All you have to do is look at the Redfish for example. Someone was smart enough to figure that nets were depleting the Redfish population so they took the net out of the water and five years later the Redfish were back. A lesson well learned. It would be nice if you could learn from the Redfish story.

I have noticed that more and more Indian nets are being put in the river every year. Do you think that might have something to do with the problem????

I am only allowed to catch hatchery fish as it is. As a Hook and Line Fisherman I am happy to do my part to help save the fish stock, but don't put more of the responsibility on my back. I am already doing my part. Put the responsibility where it belongs. ON THE NETS.

Statement from the Wild Steelhead Coalition (plus 1 letter in support):

We support this proposal to help eliminate snagging and promote higher survival rate of released wild fish.

I strongly support this proposal.

Northwest Sportfishing Industry Association opposes. The recreational industry supports barbless hooks when needed. On the Columbia River, specifically in Oregon, the 1995-barbless ban was rescinded 1997. Not a biological issue – Oregon is committed to keeping barbed hooks – until it is resolved between the states, recommend no change.

Randy Pringle – Vision Hooks and Tackle pres – supports comments above.

See Appendix 3 for more testimony on this proposal.

Comments from Public Meetings:

Yakima

One person meeting stated that he didn't mind this proposal, but allowing jigging to continue makes no sense. People will jig even with single barbless hooks, and hook salmon in the belly, for instance – then release them when enforcement officers are around – this creates a huge amount of hooking mortality. Especially bad near the mouth of the Klickitat – have notified the local enforcement officer. Huge rafts of boats drift downstream with 4-5 lines per boat jigging. Jigging should be completely abolished.

Another noted that all the proposals are limiting hook and line anglers on the Columbia – what about commercials? Tangle nets are a negative way to fish.

It was noted that barbless hooks don't work for steelhead – they jump a lot and barbless hooks would mean the loss of many of these fish. The question came up as to why the proposal stops at McNary Dam – Hanford Reach fish are listed. And what about Drano Lake and other dip-in fisheries – this proposal does not require barbless hooks in these areas. One angler thought we should try this specifically for the spring Chinook seasons. Others noted that it gets expensive changing out your gear for different rules all the time. One angler asked "what is the mortality rate for wild fish in gillnets?"

Mill Creek

One angler stated that summer and fall Chinook fisheries allow you to keep marked or unmarked fish, and asked "what is the purpose of the rule for these fisheries?" He stated that it would be OK for selective fisheries, but not for these fisheries.

Another supported the proposal. He noted that you may encounter ESA listed fish of another species that need to be released.

One person noted that treble hooks are nasty.

Vancouver

One angler read a position statement from the Southwest Washington Chapter of CCA (See Appendix 3 for full text). He stated that barbless hooks are not a significant way to reduce mortality of steelhead and salmon in the river. This is another ploy to scare anglers in to believing it's a problem. Gill netting causes more mortality than hooking. He has personally witnessed gill netting sessions where there were dead fish floating even a day after.

The President of the Vancouver Wildlife League asked if there has ever been or is there now a study of mortality rates between treble and barbless hooks? If so what was the finding? VWL are opposed to #31. Disagree with it completely. What is its purpose? Is it a feel good thing because of endangered species or that this might prolong a season for a few days?

He stated that it is our responsibility to determine the numbers that sport and commercial can go after. When the numbers are reached we are up the river. Trebles are not an issue. It's our fishery. Would like to fish how we think best.

When steel shot was first implemented, if we had lead shot and got caught then we would be busted. So if tackle boxes have even one treble hook, will a person be busted for illegally fishing on the Columbia River? Some people have thousands of dollars in fishing gear that all have trebles. Will they all have to be converted? How will it be enforced? He doesn't see how this can occur. How many more restrictions? Our seasons are reduced, we are imposed with additional money to fish on the Columbia River, now this pops up. It's not a good proposal. Who proposed it? Where did it come from? An environmental group? Department staff that believe it's an issue? A guide proposal so they can have a few more days to fish?

Another person wanted to know - Who brought this proposal up?

Another stated - "I classify this as stupidity."

Another angler stated "I have lots of gear in my tackle box. All my gear has treble hooks. The gear is manufactured to work in the water a certain way with treble hooks. Single hooks will affect how they work in the water. Was the proposal submitted by someone who doesn't fish?"

One person stated that there is no snagging in the main river. No reason to have treble hooks removed from the main river. Snagging happens by accident only.

Another angler said that this is a blunt instrument that will wipe out bank fishing. It's difficult to get fish one fish in three hours, now we're not going to have a chance. Before we are going to tell guys they are out of luck, who is going to benefit from this?

Another commented that he fishes the East Fork Lewis River, it's impossible to get a fish into the bank using barbless. Fishing the Columbia is going to be the same way. Trebles do not snag on the Columbia.

Another angler stated: Barbless – you want to take away the trebles but you want us to catch the hatchery fish. Now you put the cuffs on us. Does this make sense? Does the government listen to us? Does this input do any good? You want us to take hatchery fish out and you take our tools away. What are we supposed to do?

One person wanted to know: Is this rule being share with Oregon? Do we just go buy an Oregon license and fish trebles?

One person commented: I am overloaded with fishing gear over the last 35 years. I have more money invested in gear than in my first house. Changing hooks is too much.

Another angler said: I went on a fishing trip back east and caught steelhead and salmon in abundance in the 21", 23" but not the 24", 26" or 28". They had been sorted by size. Only small fish got through. Because of the nets we are only going to have smaller fish if this sorting process continues to take place – both with tribal and commercial. Nets destroy the reproduction of larger fish. Who is breeding? How many? Where? Need to wise up in general management of the Columbia. Barbless is minutia. Need to think bigger. You miss the big issue. Need distribution of all sizes of fish from Idaho to Cathlamet or we won't have viable numbers of any species.

One angler thought we should postpone the barbless proposal until a conclusion is reached on the alternative gear study.

Another angler noted that the Columbia River isn't a snagging river. About the only place is Tanner Creek on the Oregon side. On the local rivers I agree 100%.

One person asked why McNary is the cut off? Is the proposal (#31) tribal influenced? Why only go to McNary?

One person noted that on the back of the proposal document the names of those submitting proposals and why they were not accepted is shown but the ones in front don't list who proposed them. Anglers particularly wanted to know the person behind this proposal.

Another person wanted to know: Do these people fish? Do they just get out of college and don't fish?

Another person noted that the barbless hooks lose a lot of fish. They are running at the boat and you lose them. The day after gill nets – there are a lot of dead fish floating everywhere. But the focus is on the sportsmen hurting the fish, not the commercials.

One person said: I'd like to quote a biologist who is still working for the Department. "Sportsmen are an ineffective way of harvesting fish". I'd like to thank you guys for being here and putting up with us.

Modification: Allow the use of treble hooks, but ban the use of barbed hooks for salmon and steelhead effective January 1, 2011. This will allow time for Oregon to consider adoption of a similar rule in concurrent waters.

Staff Recommendation: Adopt as modified.

#32. Lead-Tackle on Lakes Where Loons Breed

Proposal: This proposal would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 ½" in the following freshwater lakes: Ferry Lake, Swan Lake, and Long Lake (Ferry County), Pierre Lake (Stevens County), Big Meadow Lake, Yocum Lake and South Skookum Lake (Pend Oreille County), Lost Lake, Blue Lake and Bonaparte Lake (Okanogan County), Calligan Lake, Hancock Lake (King County), and Lake Hozomeen (Whatcom County).

Explanation: Common loons are currently state listed as a sensitive species with significant questions as to the species' population status. Washington has both breeding populations and wintering populations of common loons. Ingestion of small lead fishing gear has been identified as one of the major causes of loon mortality in WA. Lead toxicosis from fishing tackle was responsible for mortalities in 39% of common loon carcasses recovered in Washington from 1996-2008 (Poleschook & Gumm 2008). Over the past few years, an increasing number of manufacturers have begun offering for sale lead-free sinkers and jigs. This is an incremental step in reducing the availability of lead to loons and the proposal is restricted to lakes in Washington where we have documented common loon breeding.

Testimony:

Do you plan to put up signs telling the Loons, Herons, Swans, etc. which lakes are safe for them to use and which are not? Just prohibiting lead sinkers on breeding lakes does not make any sense. The ban must be Statewide on all water bodies to be of any effect. Loons and other wildlife use of water bodies are not restricted to just Loon breeding lakes.

The lead ban must apply to all bodies of water in Washington. To do otherwise would be down right Loony!

The minimum allowable size for lead sinkers should be greater than 1 ounce and greater than 1 inch. This is what all the peer reviewed research shows. To do less than this is bad science and not supported by the research. Please provide the research supporting your decision to set the ban at 1/2 ounce.

How will the State enforce the lead sinker ban on selected lakes? Do you think fishermen will clean out their creels and tackle boxes to fish at different lakes? An outright ban on lead sinkers less than an ounce and less than an inch is the only way to halt the lead poisoning of wildlife.

The State should ban the sale of all lead sinkers less than an ounce and less than an inch. There are many non-toxic, comparably priced alternatives to lead sinkers.

You have not addressed the problem with lead exposure to children. Lead has been linked to human health problems, including brain damage, mental retardation, behavior problems, anemia, liver and kidney damage, hearing loss, hyperactivity, developmental delays, other physical and mental problems, and in extreme cases, death. Lower IQ scores, slower, development, and more attention problems have been observed in children exposed lead.

Thank you for your consideration of my comments banning the recreational use of lead.

I terribly disagree with the lead weight ban. Here is some interesting information concerning the lead weights that are referenced in an article from the Canadian Provincial Parks lead weight ban:

This year's fishing season could be the last time Canadian anglers are allowed to use those ubiquitous lead fishing sinkers. That's because the federal government is proposing to ban lead tackle and force fishermen to find more expensive alternatives. But even non-anglers should be concerned with how and why the government is making this decision.

The circumstances surrounding the proposed lead-sinker ban reveal that whimsy and fabrication have replaced science in setting environmental policies. The government and the environmental group that has spearheaded this crusade, the World Wildlife Fund (WWF), claim the move is necessary to save Canadian loons from lead poisoning. Yet the actual evidence suggests the size and danger of the lead-sinker issue has been grotesquely exaggerated. And if the Liberals are prepared to pervert scientific evidence in order to justify new laws for picayune issues such as fishing tackle, what does this suggest for bigger and more significant policies?

Now urban folk might require a bit of background on the lead debate. In 1991, the U.S. banned lead shotgun pellets because of evidence that they found their way into lakes and rivers and were then ingested by water birds, causing lead poisoning in loons. Canada followed suit in 1997 with its own ban on lead shot.

But success on lead shot prompted a broader and bolder agenda, one that appears to be part lead hysteria and part antifishing campaign. Today the WWF and the federal government's Canadian Wildlife Service (CWS) argue that if banning lead shot makes sense, then it must also make sense to ban lead fishing tackle, since those small sinkers could get snagged or lost and end up on lake bottoms as well.

The WWF and CWS even came up with a catchy factoid — they claim 500 tonnes of lead sinkers are deposited in Canadian waterways annually. "That's the equivalent weight of dropping 500 cars into our lakes, rivers and streams each year," said former Environment Minister David Anderson last year in announcing the proposal to ban lead sinkers. And this is where policy parts ways with logic and science.

There's a fundamental difference between firing a shotgun shell over water and watching the pellets fall into the lake, and fishing with a sinker. Shotgun pellets are not designed to be reused. Sinkers are. In fact there is no reason why a careful fisherman couldn't use a handful of sinkers his entire life. That famous 500-tonne figure — and the image of an endless parade of cars being driven off piers into our lakes — assumes that every fisherman in Canada manages to lose his entire collection of sinkers at the end of every season. Selling a sinker is, in the government's mind, the same as ramming it down the throat of an unsuspecting loon.

Then there is the fact that a sizeable portion, perhaps even a majority by weight, of lead sinkers sold in Canada are not the tiny bits of metal you squeeze on your line, but what are called downrigger balls. These are five to 10-pound weights used for trolling for Great Lake salmon and other deep-water fish. And if there are loons out there swallowing 10-pound balls of lead, the environment has bigger problems than sinker ingestion.

But of course all this is just speculation. If there really is a credible danger to waterbirds from lead sinkers, then there should be a scientific process to determine the extent of the havoc being wreaked.

In fact, ingestion of lead sinkers has been studied extensively on both sides of the border. When environmentalists first began moving against lead sinkers, the U.S. National Wildlife Health Center in Madison, Wisc., was asked to study the issue. Scientists there examined 2,240 individual waterbirds over four years and found only 23 birds (including 11 loons) that had lead sinkers in their stomachs. A larger study in Illinois found one bird out of 16,651 was carrying a lead sinker. As a result of these findings, the U.S. government abandoned plans for a nation-wide lead-sinker ban.

Canadian research reveals the same basic level of lead-sinker mortality north of the border. Between 1964 and 1999, the CWS was able to identify 71 birds and one turtle that had died from swallowing lead sinkers. A more recent study shows much the same thing. A 2003 CWS publication says: "An average of six cases of wildlife mortality from sinker ingestion have been documented annually in Canada between 1987 and 1998." Six dead birds. Per year. It's not exactly a bird holocaust out there.

Now this might be compared with the thousands of loons that have died over the past three years on Lake Erie due to botulism. Or the fact that virtually the entire loon nesting habitat was wiped out in 2004 on Lake of the Woods when the water table rose precipitously. Or that the North American loon population is estimated at 700,000 birds.

Six dead birds nationwide due to lead sinker ingestion is insignificant to the point of amusing. Or it would be, if not for the fact that the federal government has seen fit to ignore its own scientific evidence when making policy. Brochures from Environment Canada call lead-sinker ingestion "the leading cause of death reported in adult common loons." The WWF for its part has claimed that the lead-based loonie death toll "could be as high as 30,000 birds per year" in Ontario alone. It is pure fantasy.

This winter, Environment Minister Stephane Dion claimed to hold a consultation on the lead-sinker debate. But with his department working hand in glove (or worm on hook) with the WWF and a ban already unveiled as the preferred policy of the government, the fishing community is bracing for an inevitable end to lead sinkers some time this year.

Lack of evidence that lead fishing weights were the cause of death.

Recommend that lead sinkers one ounce or less and lures or jigs w inches or less be banned statewide. This would also include lead core line, keel trolling weights, and weighted flies.

Other states have adopted bans on smaller-sized gear and are now looking to change to a larger size. This rule would be easy to enforce, being applied statewide.

Lead toxicosis is the leading cause of death for common loons, primarily from ingesting fish with attached line and lead tackle, secondarily from mistakenly picking up lead sinkers to use as grit. Washington's common loon population is declining. There are many alternatives to lead fishing tackle currently available.

Read this, and linked articles, and learn the truth, then eliminate the LIES about needing a ban on fishing lead;
<http://www.wafish.com/group/bassfishing/forum/topics/proposed-lead-ban-for-select> (See Appendix 3 for posting)
The info source of this report is false and made up to pull the wool over those in higher office;
<http://wdfw.wa.gov/wlm/diversty/soc/status/commloon/fnlloon.pdf> (Washington State Status Report for the Common Loon
STATE OF WASHINGTON February 2000)

Info in this article proves a lead ban is not needed and the environmentalists are LYING AGAIN! ;

<http://www.mwf.mb.ca/mwf/pdfs/sinkers.pdf> (See Appendix 3 for article)

The main reason for this lead ban is the peta type people who want to ban fishing, and hunting, altogether and they are trying to do it one step at a time. 5 or 6 loons in 10 years and ban lead? One of the dumbest ideas in the history of the WDFW. Yes I sent this info to the Washington State Governor.

I would like to add my comment on the proposed lead ban on lakes with loons. I have reviewed the reports and data submitted by the fisheries and wildlife biologists. While I highly applaud their work and dedication, I can not back a proposal with such incomplete science. There is truly no concrete findings that associate the supposed lead toxicity to fishing tackle and related gear. Myself and others will be attending public meetings to ensure that all of our comments are heard and to bring some more complete science to the table. Once again I am pleased that the department is working hard to protect our wildlife, but this is simply not substantiated nor merit worthy.

I am also sending letters to my state representatives regarding this proposal.

The Conservation Committee of the Washington Fly Fishing Club supports - We don't see this impacting any fly fishing opportunities. We also love the cry of the loon, so we may be a bit biased.

I support this proposal.

I am the owner and operator of a fishing community in Washington state www.wafish.com

I disagree with the proposed lead ban for a number of reasons. Please take the effects of the local economy and fishing community into consideration with the ridiculous accusations by the proposers.

This letter is to serve as my official Testimony In regards to the Possible Lead Ban Proposal , I ask you to consider the following .

This data claims they have found 9 loons that have died from lead toxicosis.

This is only 9 loons in 13 years! Hardly statistically significant.

Nowhere is there anything but anecdotal evidence that any of these birds actually died from the lead toxicosis; they were merely found dead and assumed it was from the lead because lead sinkers were found with the carcass. What was the lead level in the blood, and was it above the minimum that causes death? Were there other complications or underlying health conditions that actually caused the death? How many of these loons may have died of natural causes like other diseases before the lead toxicosis caused death?

Nowhere does this document state how many loons die each year in Washington State of natural causes, old age, predation, disease, loss of habitat, nest destruction, poor water quality, environmental changes, etc. Instead, this document claims lead toxicosis and fishing tackle is the primary cause of deaths. This information alone, presented as evidence of how significant a lead ban would be to improving populations, is reason enough to ignore the report as not being scientific or significant.

Again, less than one bird per year has been found with "suspected" lead toxicosis.

Yet when you look at the references and others you will find that populations of loons has been steadily declining for many years, and primarily due to the loss of suitable breeding habitat. Loons are documented to not being tolerant of human activity, especially of building of homes near breeding grounds. One could make a more reasoned argument that the very people who watch loons are more responsible for their population decline than those who use lead fishing sinkers.

Do you really believe that a total ban on lead will result in increasing loon populations?

This report also slips in other snippets to support its position of totally banning lead by stating that lead sinkers also harm other waterfowl, yet it ignores that many waterfowl populations are steadily increasing in numbers without a lead fishing tackle ban. Most reasonable scientists would state that the key to wildlife is "habitat". Organizations like Ducks Unlimited get it; they provide breeding habitat and duck populations have increased (despite lead sinkers). The Loonies should do the same and buy prime Loon breeding habitat; they could start by selling their homes on the lakefronts of the waters where they watch the loons.

I am a member of the Puyallup HawgHunters Bass club , each year we always provide Conservation efforts across the state (Our way of taking care of the land & water) .

I ask you to take the points that i have outlined into consideration please ! THANK YOU IN ADVANCE FOR YOUR CONSIDERATION .

I am a University of Washington business student and I would like to voice my opinion on the matter of the proposed lead ban. I am an avid outdoorsman and primarily take part in recreational fishing particularly for bass. I can understand the vitality of monitoring the Loon population of Washington. Also as a Ducks Unlimited member I have taken part in several projects to maintain waterfowl habitat. I feel like the science behind this matter and the facts are what we really need to look at.

The provided documentation states that they studied 9 dead Loons that they say died of Lead Toxicosis. Some questions I have are; What was the lead level in the blood of those Loons, and was it high enough to cause mortality? Were there other complications or underlying health conditions that actually caused the death besides the ingestion of Lead? How many of these Loons may have died of natural causes like other diseases before the Lead Toxicosis caused their unfortunate death? Another question I have is how many Loons have died in total in the past year? I have no doubt that there were more deaths than 9. Was Lead Toxicosis the leading cause of mortality in Loons in Washington, or is it just the easiest thing to ban? There is no doubt that there are ways to increase the population of waterfowl species and it is not banning lead fishing tackle. Many studies have proved that the best way to increase numbers is to provide crucial habitat and particularly habitat fit for!

nesting.

Another thing I fear from watching the WA Fish and Wildlife Commission hearing video is that if this does get passed then there will be an undeniable flooding of uninformed people saying "there are Loons on this lake why isn't it on the list there are Loons on this reservoir they shouldn't allow lead there either", and clearly by the way Ginger expressed her interest in adding Lake Wenatchee to "the list" just because the Commissioner at the meeting said he lives there and sees them frequently. What are the Commissioner's qualifications to say that the Loons are nesting there and that there is a Lead problem at that particular lake? He also mentions an Eagle killing a male loon that was supposed to be trying to mate on Lake Wenatchee, so I am curious to know if Ginger would be for adding an Eagle hunting season to the 2010-2012 proposal because they are responsible for at least 1 Loon Death that we know of.

I am not trying to be hostile I just want to know that there is truly investigation being put into the scientific findings and research that has gone into this matter. Banning Lead fishing tackle is something that the proposers of this ban say will not impact anglers in a negative fashion, but if there is true deep research and investigation done to evaluate this claim you will find that the availability of tungsten sinkers and tackle is very small, and tungsten lures and sinkers are nearly 5x more costly than lead.

The only thing that I would note, as a lake resident, is that we see Common Loons on Eloika Lake during the spring and fall, and sometimes a pair that "lingers" long enough that one suspects they could be nesting. That said, I think there are many more lakes that should fall in to this proposal prohibiting lead fishing products. The Common Loon is an amazing sight on our lake and an amazing sound to hear...I hope we can try to give them a brighter tomorrow.

Regarding the following proposal: Prohibit anglers from using lead weights weighing less than half an ounce or lead jigs measuring less than 1.5 inches while fishing at 13 lakes where common loons breed. The intent of the proposal is to protect common loons from ingesting small lead fishing gear lost by anglers – a major cause of loon mortality in Washington.

I support this proposal. However, I am concerned that the proposal does not go far enough. I live on a lake in NE Washington State where Common Loons spend weeks every year, primarily on their migration in spring and late fall. We have witnessed the Loons attempt to nest here as well. Loons can ingest lead weights anywhere. Therefore I would encourage the Washington Department of Fish and Wildlife to expand this proposal in the near future to include all lakes. Thank you for your time and consideration.

In regards to the WDFW's recommendation to ban the use of lead fishing tackle in Washington State, I have the following things for the agency to consider: Not only does the recommendation fail to pass the scientific data test, it also fails the common sense test. The document that proposes this ban is an emotionally based document, fraught with flaws.

Some things to consider:

This data claims they have found 9 loons that have died from lead toxicosis. This is only 9 loons in 13 years! Hardly statistically significant. Nowhere is there anything but anecdotal evidence that any of these birds actually died from the lead toxicosis; they were merely found dead and assumed it was from the lead because lead sinkers were found with the carcass. What was the lead level in the blood, and was it above the minimum that causes death? Were there other complications or underlying health conditions that actually caused the death? How many of these loons may have died of natural causes like other diseases before the lead toxicosis caused death?

Nowhere does this document state how many loons die each year in Washington State of natural causes, old age, predation, disease, loss of habitat, nest destruction, poor water quality, environmental changes, etc. Instead, this document claims lead toxicosis and fishing tackle is the primary cause of deaths. This information alone, presented as evidence of how significant a lead ban would be to improving populations, is reason enough to ignore the report as not being scientific or significant.

Again, less than one bird per year has been found with "suspected" lead toxicosis.

Yet when you look at the references and others you will find that populations of loons has been steadily declining for many years, and primarily due to the loss of suitable breeding habitat. Loons are documented to not being tolerant of human activity, especially of building of homes near breeding grounds. One could make a more reasoned argument that the very people who watch loons are more responsible for their population decline than those who use lead fishing sinkers.

Does anyone really believe that a total ban on lead will result in increasing loon populations?

This report also slips in other snippets to support its position of totally banning lead by stating that lead sinkers also harm other waterfowl, yet it ignores that many waterfowl populations are steadily increasing in numbers without a lead fishing tackle ban. Most reasonable scientists would state that the key to wildlife is "habitat". Organizations like Ducks Unlimited get it; they provide breeding habitat and duck populations have increased (despite lead sinkers). The Loonies should do the same and buy prime Loon breeding habitat; they could start by selling their homes on the lakefronts of the waters where they watch the loons.

Make no mistake; this document advocates a complete ban in Washington State. It specifically states that a partial ban will not work, yet the rule change is for a partial ban. If your "study" states a full ban is the goal and is necessary, then we can certainly expect that this year's partial ban will blossom into a full ban next year.

The study cites documents that make the outlandish claim that lead alternatives only add \$5 per angler per year in additional cost, and that is a small price to pay if it so much as saves a single life. This, again, is a lame and dangerous position that is not rooted in reality. I know that a single lead dropshot weight costs \$0.30 each, yet a tungsten version (if you can find one) costs \$1.30 each! A single tungsten bullet sinker for flipping costs more than \$5 each. Tungsten spinnerbaits cost \$18. Very few tungsten football or flipping jigs even exist.

Worse yet, tungsten weights and jigs are all made overseas, using tremendous amounts of energy and creating extremely large carbon footprints, and have other implications concerning loss of US jobs.

Anglers have provided more than \$5 billion to fishery conservation (through excise taxes paid on equipment purchases), and recreational fishing generates a \$125 billion annual economy in America. This revenue will be lost when a lead ban is imposed, and I think more loons will be lost without the ability to fund biologists. This report to the Commission fails to mention these contributions made by the angling community, or the potential impact this new policy could have on the future of sport fishing in Washington. Make no mistake, incremental steps that limit fishing and hunting opportunity have a direct result in the available revenue streams that pay for habitat and biologists. Bird watcher's pay no license fees, or Federal Excise Tax, and hence do not generate the funds that anglers and hunters generate.

This proposal to ban lead by one outdoor user group (Loon watchers) at the expense of a much larger user group (anglers) is the most toxic problem WDFW and the public are facing. Hopefully more reasonable minds will prevail.

As an avid bass angler, conservationist, and hunter, I am aware of the impact of human activities upon our environment and its effect upon the quality of our natural resources including lakes. I am also aware of the environmental problems associated with lead and other toxic materials. I have voluntarily switched to some non-lead fishing weights such as steel and tungsten at my own expense. Unfortunately, the manufacturers of non-lead fishing weights have capitalized on this environmental trend; non-lead weights have become significantly more expensive. As an example a ¼ oz lead weight costs about \$.23 each while a ¼ oz tungsten weight costs about \$2.12 each. It should also be noted that non-lead weights are not currently available in many of the proposed lead ban sizes for Bass fishing as stated in the report. Much of the report is based on trout fishing and from states that do not have a warm water fishery.

This ban is not based in science, but in "observations" and "first hand accounts" of Loon advocates. The authors of the report have found a sympathetic ear in the Department and are pushing a personnel agenda. The report claims that they have found 9 loons that have died from lead toxicities over a 13 year period. That is less than one Loon per year. The report states "Common loons acquire lead mainly by ingesting fish on an active or broken line with lead tackle, and to a lesser amount by mistakenly selecting lead sinkers for grit." From this statement a case could be made that fishing line is more to blame than the lead weight. Are we going to ban fishing in lakes with known Loon populations?

If you look at the references you will find that the population of loons has been steadily declining for many years, primarily due to the loss of suitable breeding habitat. Loons are documented to not being tolerant of human activity; they are especially intolerant of homes near breeding grounds. "Habitat is the key to wildlife survival." Organizations like Ducks Unlimited provide breeding habitat and duck populations have increased. Maybe it is time that the Loon advocates take a page from the sportsmen and women and provide the much needed habitat and quite blaming the sportsmen and women who support the wildlife through license, taxes and donations for habitat improvement.

The report specifically states that a partial ban will not work, yet the rule change is for a partial ban. If their "study" states a full ban is the goal and is necessary. It is clear by the report that they do not like fishing. Is fishing line next? Or preservation where no one is allowed on the lake when a Loon is present?

Again, less than one bird per year has been found with "suspected" lead toxicities, because of this we are going to affect virtually all sportspersons in the State of Washington?

I am against a lead ban for fishing related products. This is another way of hurting the local sportsman, businesses and manufactures of products for fishing that contain lead. I have not seen enough documentation to justify this change based on the information provided by the people wanting the lead ban.

This will be a big mistake for this state; if fisherman, businesses and manufactures aren't involved to help make an intelligent decision.

Good morning Lori. I am a business owner in the fishing industry and a fisherman in the state of Washington and would like you to consider rejecting the ban on lead products that are used in our waters. The findings of this group are very minimal and do not show very much harm caused by lead products. I feel there should be much more information presented regarding this subject before a decision can be made.

I have read the proposal of banning lead for fishing in the State of Washington. There are many reasons why i disagree with the proposal...so i will just be quick and tell you that i disagree with the proposal and would hope you would say "NO" as i too would say "NO" to this item. Thank You

Please note the record with one more email in opposition to the proposal to ban lead sinkers in some, or any, Washington State lakes. As a person who enjoys recreational fishing and many other recreational outdoor activities, including bird watching and photography, I am completely opposed to any misguided attempts at imposing unenforceable regulations on Washington lakes.

In my personal opinion, and from a non-scientific viewpoint, I see more Loons, Pelicans, Terns, Grebes, and Mergansers on Washington lakes that I frequent than ever before. While Loons are the least common, their numbers, like other fish eater species, appear to be increasing. As for the other species, DFW should be considering regulations to maintain these bird populations at levels that are not detrimental to the State's fisheries. By doing so, DFW could enhance outdoor fishing opportunities and participation in valued American outdoor activities.

I am writing to you today to express my opposition to the proposed ban on lead fishing tackle. My first point has to do with the incredibly shoddy "scientific" basis for proposing the ban as listed in the study presented by the Loon Lake Loon Association. This document (1) fails to prove in any way how lead toxicosis has actually affected the overall population of Loons in WA. To merely state that nine birds in a twelve year period appear to have died from lead ingestion does nothing to show an imminent threat to the species. In fact the WDFW's own report on Loons (2) clearly states that Loons are NOT endangered and that there is no evidence to show any decline in population. A proposal of such magnitude as a total ban on lead use in fishing gear deserves much more thoughtful research and actual scientific consensus. According to a US Fish and Wildlife study of a much larger sample of birds the actual rate of lead ingestion appears to be closer to 3.5% (3), obviously much different than the Loon Lake Association's claim of an unbelievable and unsubstantiated 39%.

As an avid outdoors man and angler I would consider supporting reasonable restrictions to protect a truly threatened species, but at this time I see no clear cause for alarm. It seems quite clear from available information that human encroachment on Loon breeding grounds is a far bigger threat to the species than lead, and that tighter rules on access, construction, and harassment would be more appropriate at this time.

As to the quoted availability of lead free alternatives for fishing tackle, again I would observe the Loon Lake Association's assertions to be shoddy and ill informed. Yes there are lead free weights available for many typical fishing applications, however these are of a lower quality and higher cost. The increased size of most lead alternative sinkers actually make it much more likely that an angler will snag up their gear and break it off leaving weights, line and hooks in larger quantities than if using lead. I personally am primarily a bass angler and can ensure the commission that lead free alternatives are not readily available for the more specialized lures and sinkers that we regularly use. Bass jigs, spinners, and sinkers are already incredibly costly in lead and would be prohibitively costly at this time with lead alternatives. The primary lead alternative for bass anglers is tungsten. Tungsten is far more expensive to manufacture, uses much more energy, and creates more pollution to produce than lead. In comparison most lead used in production fishing gear is a recycled product that is well regulated and easy for company's to produce. In time I believe the fishing industry will provide lead free alternatives that will actually be user and environmentally friendly, but we are not there yet.

I too wish to ensure Loons a safe environment for their breeding and migration purposes, and will look forward to further studies and education on all sides of the issue, but at this time I do not believe a case has been made that a ban on lead is called for or would even have any measurable affect on the greater Loon population. However it is quite clear that a lead ban would have a very negative affect on anglers, small businesses, the environment, license sales, tourism, etc. More emphasis on land use rules, construction, and access would seem a better course at this time.

I am opposed to the lead weight ban proposal, as an avid fisherman who relies on lead weights, I would like to see more studies down on this subject before weights are banned.

Freshwater fishing contributes directly to the economy of the state of Washington, outlawing lead weights will in essence eliminate many classes of fishing on our lakes and thus hurt our economy even more at a time that it needs all the help it can get.

Alternatives to lead weights are very dirty to produce, they do tremendous damage to the environment just in the manufacturing process.

I urge the DFW to do additional studies in an open and scientific way to determine if lead weights usage needs to be curbed.

Greetings Lori, I am writing this as a recreational angler in opposition to the proposed ban on lead in the state of Washington or any of its counties or lakes. After reading and re-reading the report(s) being submitted by the biologists, it is apparent that there are some serious flaws in or lack of accurate data or scientific proof that lead toxicosis is the threat to these loons. The ban on lead will have real consequences and the ramifications on this state's economy won't need biased or inaccurate scientific data to prove the effects. I thank you for your time.

I am an avid fisherman and I am extremely concerned about the proposed rule banning lead fishing equipment. WDFW is proposing this ban on select lakes currently, however, as you know, these things have a way of expanding over the years, once they are entrenched. This ban is not based in science, but in "observations" and "first hand accounts" of (for lack of a better description) bird watchers. The authors of the report have found a sympathetic ear in the Department and it has gained traction. The report claims that they have found 9 loons that have died from lead toxicosis over a 13 year period. I would say that those numbers are statistically insignificant.

Nowhere is there anything but anecdotal evidence that any of these birds actually died from the lead toxicosis; they were merely found dead and assumed it was from the lead because lead sinkers were found with the carcass. What was the lead level in the blood, and was it above the minimum that causes death? Were there other complications or underlying health conditions that actually caused the death? How many of these loons may have died of natural causes like other diseases before the lead toxicosis caused death?

Nowhere does this document state how many loons die each year in Washington State of natural causes, old age, predation, disease, loss of habitat, nest destruction, poor water quality, environmental changes, etc. Instead, this document claims lead toxicosis and fishing tackle is the primary cause of Loon deaths. By omitting the above information, casts doubt to the objectivity and reliability of this report. And also, does nothing to prove that a lead ban would help to improve Loon populations. This is reason enough to ignore the report as not being scientific or significant.

Again, less than one bird per year has been found with "suspected" lead toxicosis, because of this we are going to affect virtually all sportsmen in the State of Washington? If you look at the references you will find that the population of loons has been steadily declining for many years, primarily due to the loss of suitable breeding habitat. Loons are documented to not being tolerant of human activity, they are especially intolerant of homes near breeding grounds. One could make a more reasoned argument that the very people who watch loons are more responsible for their population decline than those who use lead fishing sinkers.

Does anyone really believe that a total ban on lead will result in increasing loon populations? I don't, and neither should someone who looks at the presented data without prejudice.

This report also slips in other snippets to support its position of totally banning lead by stating that lead sinkers also harm other waterfowl, however, it ignores that many waterfowl populations are steadily increasing in numbers without a lead fishing tackle ban. Most reasonable scientists would state that the key to wildlife is "habitat". Organizations like Ducks Unlimited get it; they provide breeding habitat and duck populations have increased, without a lead ban. Senator make no mistake; this document advocates a complete ban in Washington State. It specifically states that a partial ban will not work, yet the rule change is for a partial ban. If their "study" states a full ban is the goal and is necessary. It won't stop with sinkers, it will move to any item that has lead in its composition.

My reason for writing to you is that WDFW is not accountable as they are not elected, however, they are accountable to the people who control their funding.

Please send confirmation that my e-mail has been received and read. My name is Aaron Christel, and I am an avid tournament bass fisherman in Washington State. I recently became aware of the proposed lead ban and feel it very necessary to express my opinion on the matter and how I believe it will effect me and fellow fisherman.

First, I need to explain the importance fishing has to my life. When I was a young child, I fished many times per year with my parents and grand parents. Some of my earliest memories are of Banks Lake and Potholes when I was a child catching perch and crappie. Later in life, I began to bass fish. Once I was old enough to drive, I had a small boat that I could take to many of the Pierce and King county lakes. I developed some of the best friendships of my life on these days. Today, I fish competitively with and against what I believe are some of the best people I have ever met. We pick up garbage at the lakes and donate time and effort to make sure that our favorite resources are taken as good of care of as possible. As a member of the Puyallup Hawg Hunters fishing club, we also partake in charity and education. In the last 10 years, we have donated over \$30,000 to Mary Bridge Children's Hospital and thousands of toys. I can't imagine my life without my passion.

As far as how the lead ban would effect fishermen:

First, Cost. Although it was bought up at the meeting that a substitute for lead split shot is inexpensive, this is not true for most applications. , it is untrue for all other lead tackle products including specialty sinkers like dropshot weights, worm

weights, flipping and pitching sinkers, egg sinkers, pyramid sinkers, flipping jigs, football head jigs, ball head jigs, tube jigs and weights, nail weights, weighted hooks like swimbait and wacky hooks, even spinnerbaits and in-line spinners, weighted nymphs/flyes, and on and on. As you can see, fishing requires many techniques and many different styles of tackle. As a cost comparison, a pack of 1/4 oz lead drop shot weights sells at Cabella's for \$6.99 be 18. For tungsten, the cost is \$5.29 for a pack of 3! Not even close to the same price! The cost per weight is \$0.39 for lead and \$1.76 for tungsten. That is a HUGE difference!

Second, Ease of manufacture: Almost anyone can purchase inexpensive hobby grade equipment and can begin poring their own lead weights and jigs. Again using drop shot weights as an example, it would cost a person about \$8.00 to produce 50 weights in their own garage. For someone like me who is on the lakes more than 80 days a year, this is a huge cost advantage. Other types of metal melt at much higher temperatures and are much more difficult to melt. It would take serious equipment to produce tungsten weights at home, and would be much more dangerous because of the heat required. Lead will melt at under 1000 degrees while other metals can require heat of over 2000 degrees.

Third, actual effects of lead: In the study used to propose this ban, it clearly states that the reason that Loon populations are on the decline is because of over development of nesting areas and because of activity in areas that Loons nest. As a fisherman, I am also on the sides of the loons here. Homes on lakes, while providing habitat for some species, does damage habitat for many others. Also, jet skiers and some boaters also create lots of noise and wakes on lakes that may not be able to support these activities. Fishermen on the other hand are almost always as quiet as possible and attempt not to disturb wildlife that may disturb fish. It's just common sense not to make noise and commotion when you are attempting to catch fish. Also, of the 9 birds found, none where proven through blood test or autopsies that the cause of death was lead toxicosis.

The proposed ban on lead is misguided and an emotional response to a made up problem. During the meeting, one councilman stated that the lake he lived on, Lake Wenatchee, had a pair of nesting Loons until and Eagle killed one of them. Should we ban eagles from our lakes? Also, the person proposing the ban said that we should add Lake Wenatchee to the list because of that information. THE LAKE NO LONGER HAS A PAIR!!!! WHY WOULD WE ADD IT???? A few weeks ago, I was on Lake Washington and saw what I believed was a loon. When my boat had drifted closer, I saw that the object was actually a piece of wood drifting on the surface of the lake. Should we add Lake Washington to the list because I thought I saw a loon? I don't want to be silly, but this whole ban is silly.

I want to be on record as opposing the proposed Washington State Lead Ban proposal; it is based on manipulated data being passed off as real science. If the commission is seriously considering such an action please ensure that unbiased science is the basis such a decision would be considered. Washington State is working to pass a bill that will harm the rights of everyone who enjoys recreational fishing. The Commission has stated that they are proposing a limited ban as a first step toward a complete lead fishing tackle ban in Washington state. The Commission has been told by the ban proposers that lead fishing tackle substitutes are readily available and only cost pennies more which is completely false. While lead substitutes may be available for lead split shot, it is untrue for all other lead tackle products including specialty sinkers like dropshot weights, worm weights, flipping and pitching sinkers, egg sinkers, pyramid sinkers, flipping jigs, football head jigs, ball head jigs, tube jigs and weights, nail weights, weighted hooks like swimbait and wacky hooks, even spinnerbaits and in-line spinners, weighted nymphs/flyes, and on and on.

Loons spend half their life in salt water, and a lead ban affects salt water use too, including trout, steelhead, salmon, sturgeon, bottomfish, etc. Think about all the lead products on your store shelves.

How many jobs will this cost? How many fishing tackle businesses can hang on in this economy without these products? How much Federal Excise Tax and sales tax will be lost to Washington that could be used to help loons far more than the nine loons they suspect (it is not confirmed) have died from lead toxicosis over a 13 year period by the report submitted to the commission?

The Fisheries Commission has only heard from the ban proponents to date in the public hearings. The fishing community is just now learning of this outlandish proposal. This ban is not even proposed by WDFW Fish Biologists nor has the commission even asked their own biologists for scientific data. It is being proposed by Common Loon advocate groups who don't want anglers on "their" lakes!

Their report can be read at this link: <http://www.tw.org/media/mediaplayer.cfm?evid=2009110009C&TYPE=...>

This report grossly distorts their own data that in no way is scientific. If a loon carcass was found and fishing line, hooks, or weights were nearby, they concluded the loon died of lead toxicosis without doing blood or liver tests. They claimed to the Commission (and in this report) that 39% of Common Loon mortalities in Washington are caused by lead toxicosis, and nothing else would help populations more than a complete lead ban! The 39% is based on 9 of the 23 carcasses they found over a 13 year "study" having lead nearby. I believe more loons in Washington have died in 13 years than 23! Natural causes take many more lives, predators including eagles and varmints take many more, as does disease and habitat loss. What percentage of this much larger number is 9 suspected deaths? How many of these 9 actually died of other reasons than the lead tackle?

In fact, Loons are well documented to not tolerate the presence of humans well, and the number one reason for population declines is loss of nesting habitat (primarily due to shoreline development and human recreational activity). All of this talk of a lead ban is about 9 carcasses they suspect had lead toxicosis that took them 13 years to find!

I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes.

As an avid angler, I am deeply concerned about the ban's potential impact on an activity that my friends, family and I enjoy very much. Not to mention the income it generates for the state.

The Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented in the proposal says that 39 percent of loon deaths result from lead toxicosis. However, this estimate was determined by examining only 27 loon carcasses collected from 1996-2008 of which only nine loons were found to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. This just isn't true. Products made from alternative materials can cost 20 times more than lead products, are not as available and do not perform as well.

According to the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures. Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers who have a significant impact on the state's economy.

Please reject this proposed ban on lead fishing tackle. Ultimately, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose. (114 identical e-mails, 2 letters)

I am completely opposed to the proposal to ban lead in the use of fishing. Any ban must be based completely on accurate science data, not emotion.

Dear Ms Preuss - I am appalled that you allow yourself to be duped by unscientific data as it applies to lead in the fishing industry. I suggest that you read the research that has been done on lead as well as that on loons. Even though you are proposing a ban on just a few lakes, I believe, as many others do, that this is just a smokescreen for much wider legislation that will lead to a total ban on lead in salt water. I suggest you do the research on what the economic effects will be. If you don't do the research and get the correct facts, then there will be thousands of others who will do the research for you. Please get your facts straight before you pursue this any further.

I support the ban on lead for all fishing. It's a bandaid that we just need to rip off.

I am an avid fisherman and I am extremely concerned about the proposed rule banning lead fishing equipment. WDFW is proposing this ban on select lakes currently. This ban is not based in science, but in "observations" and "first hand accounts." The report claims that they have found 9 loons that have died from lead toxicosis over a 13 year period. I would say that those numbers are statistically insignificant.

Nowhere is there anything but anecdotal evidence that any of these birds actually died from the lead toxicosis; they were merely found dead and assumed it was from the lead because lead sinkers were found with the carcass. What was the lead level in the blood, and was it above the minimum that causes death? Were there other complications or underlying health conditions that actually caused the death? How many of these loons may have died of natural causes like other diseases before the lead toxicosis caused death?

Again, less than one bird per year has been found with "suspected" lead toxicosis, because of this we are going to affect virtually all sportsmen in the State of Washington? Loons are documented to not being tolerant of human activity, they are especially intolerant of homes near breeding grounds. One could make a more reasoned argument that the very people who watch loons are more responsible for their population decline than those who use lead fishing sinkers.

No evidence exists that concludes that lead fishing tackle is threatening loon populations. A study of common loons by the Washington Department of Fish and Wildlife found "no evidence of a declining population or a substantial change in distribution" in the state, and loon populations are stable or increasing throughout their range. Advocates for the proposed ban are using as evidence a finding that says over the past 13 years, nine loons are found to have died from ingesting lead fishing tackle. Loons are migratory. Even if loons have been found dead with lead toxicity, it doesn't mean the lead was ingested in Washington State unless there is evidence of that. Usually this occurs in waterfowl when feeding on mud flats where gravel is unavailable to waterfowl, but where lead shot has fallen during waterfowl hunting activities. Sure, there are some mud flats in Washington, but not many, and not where the ban is being proposed. Use the common sense

test here; if an angler loses a 1/4 oz lead sinker on one of these proposed lakes, what is the likelihood of a migratory loon finding and eating it? Our lakes have no shortage of gravel/pebbles, and of a size that a loon would prefer over a 1/4 oz size...and it would be easier to find a needle in a haystack since at least a needle looks different than a piece of hay! will continue to study this document, but I am thoroughly unimpressed with its findings and conclusions. The WDFW should be embarrassed to accept this as the basis for a ban, and for suggesting this is a science-based reason to propose any form of a ban. Not only does the conclusion fail to pass the scientific data test, it also fails the common sense test.

I wanted to contact you again on the lead ban issue. This is a very serious matter and a number of fisherman across the state are getting involved. I and many others agree with the statement and information put out by the American Sportfishing Association attached.

The Practical Biological Impacts of Banning Lead Sinkers for Fishing

Position of the American Sportfishing Association

December 4, 2002

Issue

Mortality in some waterfowl species has been linked to ingestion of lead fishing sinkers and has prompted several states to impose bans on the sale or use of lead sinkers. In response, the American Sportfishing Association has reviewed the existing science on the effects of lead on waterfowl populations to ensure further regulatory action is based upon the best available information.

Background

The most publicized instance of lead poisoning (toxicosis) in wildlife is the well-documented death of significant numbers of dabbling ducks from ingestion of spent lead shotgun pellets expended over water. Lead shot was shown to cause at least two million waterfowl deaths each year, and significantly affected duck populations nationwide, before lead shot restrictions were enacted and alternatives developed.

Deliberations on the science, economic, and social impacts of a possible lead shot ban were thorough and involved all possible stakeholders including industry, sportsmen, environmentalists, and scientists. Key for the shooting sports industry was finding a substitute that had comparable ballistics to lead and did not cause an unacceptable crippling rate. In the end, the protracted discussion and depth of research stemming from that issue ultimately resulted in federal regulations that prohibited use of lead shot for waterfowl hunting in all 50 states (enacted in 1986 for phased implementation by 1991).

As early as 1988, some loon advocacy groups expressed concern about the death of waterfowl, especially common loons (*Gavia immer*), from the ingestion of lead fishing sinkers. However, it was not until 1994 when the Environmental Protection Agency (EPA) offered a proposed rule banning the nationwide use of lead and zinc sinkers for fishing that the issue gained national attention. The final rule would have prohibited .all persons from: 1) manufacturing, 2) processing, 3) distributing (selling), and 4) importing any lead or zinc-containing fishing sinker (including brass) that is one inch or under in any dimension.. The proposal caused immediate public opposition and was in fact responsible for eliciting the largest number of comments on an EPA draft rule to date. The EPA subsequently withdrew the rule because of insufficient data to support its supposition that lead sinkers were adversely affecting water bird populations. The enactment of new federal regulations banning the use of lead shotgun pellets had set the stage for further investigations into the effects of lead fishing tackle on wildlife, especially common loons (*Gavia immer*) in New England. In 2 1992, a study released by Tufts University School of Veterinary Medicine professor Mark Pokrus indicated approximately 50 percent of loons brought to the school for necropsy had likely died from ingestion of lead sinkers.¹ This study became the driving force behind the effort to ban lead fishing sinkers. Ever since the Pokrus assertion that loons are at risk from lead sinkers, states within the summer breeding range of common loons have experienced increasing pressure from loon advocacy groups to ban lead sinkers, especially small split shot under ½ ounce in weight. Smaller lead sinkers are targeted because they may approximate the size of gravels ingested by loons to aid in their digestive process. Indeed, citing the Pokrus study as evidence, the state of New Hampshire in 1998 (effective in 2000) became the first state to ban the use of lead sinkers. New Hampshire was soon followed by Maine in 2001 (effective January 1, 2002) and most recently New York in 2002 (effective May 2004). In general these states have banned the sale of lead sinkers ½ ounce or less, with the exception of New Hampshire that prohibits the use of lead sinkers up to one ounce and lead jigs up to one inch in length. While each state has taken a different legislative approach, the background material furnished to legislators to substantiate the ban has generally been the same study by Pokrus.

Different Cases: Lead Shot vs. Fishing Sinkers

Although the shotgun pellet and fishing sinker issues may appear similar, the quality and scope of the scientific data make each case remarkably different. In determining the impact of spent shotgun shells on waterfowl, a nationwide effort covering several years and samples from millions of waterfowl was conducted. Evidence from the research was scrutinized closely by hunters and the general public and ultimately proved, under close scientific review, that lead toxicosis from spent shotgun pellets shot over shallow water was a significant mortality factor affecting waterfowl populations. Meanwhile, the most commonly cited evidence for sinker bans remains Pokrus. decade-old paper dealing with loon mortality from lead fishing sinkers. Despite data for this paper being limited in sample and geographic scope, its

sweeping conclusion is that lead sinkers have the same potential to cause lead poisoning in aquatic species as shotgun pellets spent over water. To fully understand the inherent difference between the two cases, one must contrast the number of lead sinkers introduced to a body of water versus the number of spent shotgun pellets. One single shell shot over water expends approximately 225 to 430 small lead pellets into the water, depending on the load, gun gauge, and shot size chosen by the hunter. Over the course of a waterfowl season, millions of lead pellets may be introduced to a body of water. This in turn leads to an increased chance of dabbling ducks, and other water birds, mistakenly ingesting the lead pellets as they select small rocks or grit to assist with their digestive process. In contrast, it is not predetermined that any lead fishing sinkers will be left in the water, although it is likely that some will be lost over the course of a season. Fishing sinkers are reusable and unless the line snags on an obstruction or is broken by a fish, the lead is typically not left in the body of water. As a result, the opportunity for ingestion of lead sinkers by water birds is greatly lessened by virtue of there being far fewer lead sinkers introduced to the body of water. This is supported by research conducted during the shotgun pellet debate. Thousands of birds were examined and except for a very few hot spots, where a concentrated fishing effort occurred in waters frequented by bottom feeding birds, the incidence of ingested lead sinkers by waterfowl was incidental to nonexistent.²

A Note On Management

A central tenant of fish and wildlife management is management for the optimal overall *population* level, not for the well being of any one *individual*. Simply put, sustaining populations is the goal of fisheries and wildlife management, not sustaining individuals. Mortality caused by human factors certainly can and should be controlled where necessary to benefit the health of a population. In populations of all living organisms there are known causes of mortality that contribute to the dynamics of the population. Some types are compensatory while others are supplemental. When a specific mortality level that is caused by man and can be controlled is a demonstrated threat to the sustainability of that species or group of species (an example of supplemental mortality), then action is taken to minimize that threat. The prohibition of lead shot shells for hunting waterfowl over water is an example of such an action.

Lead Sinker Impact on Loons

It is not disputed that lead toxicosis may harm or kill loons and other water birds. This fact is well documented. The pivotal question is: are loon populations, and populations of other water birds, significantly reduced by lead sinker ingestion? Or phrased in a more comprehensive fashion: is mortality from lead toxicosis in loons and other water birds high enough to threaten self-sustaining loon populations? Based on available research the answer to both of these questions is no. This determination is based on a comprehensive 1999 study requested by the U.S. Fish and Wildlife Service, Division of Federal Aid and conducted by the National Wildlife Health Research Center in Madison, Wisconsin. In this underreported study, liver, blood, stomach, and radiograph samples were taken from 2,749 individual birds of 30 species, a significantly greater sample size than Pokrus studied. In addition, necropsy records of 36,671 waterbirds and bald eagles (*Haliaeetus leucocephalus*) from the files of the National Wildlife Health Center from the years 1975 through 1999 were examined. The results showed that only 3.5% of common loons (from a sample of 313) had ingested lead sinkers and just 27 of 36,671 waterbird and bald eagle carcasses (0.007%) contained ingested lead sinkers.³ The Fish and Wildlife Service study went on to reexamine the results of the Pokrus research on loons and lead sinker ingestion as well as five other related studies. The determination was that [t]hese data are insufficient to evaluate the role of lead poisoning as a proportional cause of mortality in this species, or its role in population dynamics. Likewise, there is insufficient data to understand the importance of this form of lead poisoning in other species in which it has been documented in the U.S. Lead poisoning, when occurring in larger birds, causes the bird to be more noticeable, more vulnerable to capture, and more likely to be brought forward for examination, thus causing examination in a disproportionate frequency in relation to the actual mortality of the population.² Samples collected over a wide geographic area and involving many specimens, such as occurred in the National Wildlife Health Center report, provide a more accurate profile of the actual occurrences in the wild. An examination of the proceedings of a symposium given at the 115th meeting of the American Ornithologists' Union in August of 1997 further bolsters the conclusion that lead sinker ingestion is not a significant factor in the health of common loon populations.⁴

- The largest U.S. breeding populations are found in Minnesota (over 4,600 pairs) and range to just over 100 territorial pairs in New York, Michigan, and New Hampshire.
- Canada (being the core of the breeding range) has the largest number of pairs (213,400).
- The population trend of common loons in the U.S. is stable to increasing in 12 of the 14 states where pairs occur.
- The two states where the population is decreasing are Michigan and Montana.
- In the United States loon populations are increasing in areas where they were extirpated and recolonizing in the New England states. In the two states where decreasing populations were noted there are significant points to consider. In Michigan non-breeding pairs congregate from the entire Great Lakes region and this results in a larger number of adult loons summering in Michigan as unpaired, therefore not counted in the Michigan data of territorial pairs. Within the breeding range of the common loon, Montana's population is disjunctive and most loon habitat is in valleys subject to development and habitat disturbance.⁴ This evidence does not support the proposition that lead sinker ingestion is placing loon populations at risk. In a separate request, the National Wildlife Health Center asked the Arizona Cooperative Fish and Wildlife Research Unit at the University of Arizona to estimate the impact of lost or discarded terminal fishing tackle

on waterbirds. This limited and smaller scale study examined 15 sites to assess the availability of lead sinkers, other fishing tackle and potentially harmful trash (e.g. plastics) to waterbirds at selected geographic areas. It concluded because of the general lack of evidence of ingestion of sinkers by waterbirds across the United States, there may be little obvious justification for a nationwide ban on lead sinkers. 3

Conclusion

Based on a review of the impact of lead sinkers on water bird populations, the American Sportfishing Association has found that insufficient data exists to warrant statewide bans on lead sinkers used for fishing. Further, the American Sportfishing Association has found that loon populations in the lower 48 states are stable and increasing in most cases, but that loon populations are subjected to substantial threats such as habitat loss through shoreline development. The American Sportfishing Association acknowledges that lead toxicosis can kill water birds and lead fishing sinkers may contribute to this mortality. The American Sportfishing Association recommends that before further laws are enacted to restrict lead sinkers for fishing on a statewide basis, sufficient data must exist to demonstrate discarded lead sinkers are an actual threat to the sustainability of loons or other water bird populations. The American Sportfishing Association realizes that certain waters may be hot spots for ingestion of sinkers by water birds and encourages any restrictions of lead sinkers in those waters to be based on sound science that supports the appropriate action for that water body. Furthermore, the American Sportfishing Association continues to encourage and supports voluntary angler education programs for the use and proper disposal of lead sinkers and urges state and federal fish and wildlife agencies to do the same. The American Sportfishing Association would be pleased to work with any federal or state agency, or the International Association of Fish and Wildlife Agencies, that wishes to address this issue.

¹ Pokras, M.A. and Chafel. 1992. Lead toxicosis from ingested fishing sinkers in common loons (*Gavia immer*) in New England Journal of Zoology and Wildlife Medicine 23(1):92-97.

² Peterson, R. M., International Association of Fish and Wildlife Agencies in comments to the U.S. Environmental Protection Agency on the proposed rule on lead fishing sinkers. December 1, 1994.

³ U.S. Geological Survey, National Wildlife Health Research Center. December 1999. Prevalence and effects of lead poisoning resulting from ingestion of lead fishing sinkers and other fishing tackle on selected avian species.

⁴ McIntyre, JW and DC Evers (eds). 2000. Loons: Old history and new findings. Proceedings of a Symposium from the 1997 meeting, American Ornithologists. Union. North American Loon Fund, Holderness, N.H.

While I prefer to remain anonymous, I would like you to know that not every member of the American Sportfishing Association is for the lead ban. Regardless of whether or not loons are impacted by lead, lead has adverse effects on our environment and children.

Yes, lead-free alternatives are a little more expensive but they are available. And with increased demand, the variety of products will increase as well. ASA's claim that lead-free products have reduced performance is off base as some companies, like Tru-Tungsten, market their product on its increased performance.

I hope that the Washington Fish and Wildlife Commission will not cave to the political pressure of organizations like ASA and will do what is in the best interest of the environment.

I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes.

Mr Gordon Robertson,

Back in my duck hunting days, I was involved with the experiment and implementation of the BAN of lead shot at Bear River Migratory Bird Refuge near Brigham City, Utah in the late 60's and early 70's. There was at that time, sufficient evidence that the lead shot exposed to the salt water (close proximity to the Great Salt Lake) and surface oxidation could be readily ingested by waterfowl. That being said, scientifically you must demonstrate that lead weighs are in fact being exposed to salt water and atmospheric Oxidation.

Generally speaking,

Most lead utilized for sport fishing is retrieved numerous occasions at use and then stored in the anglers private tackle box for future use.

Therefore the exposure is generally NOT continuous (as was the case described above). Decisions of whether or not the use of lead for angling is hazardous to the loons etc. must be proven scientifically rather than by conjecture.

I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes.

As an avid angler and concerned member of the fishing industry, I am amazed to hear that you would actually consider, let alone apply a ban on lead based on such inadequate information. The potential impact on an activity that my friends,

family and I enjoy would be far reaching, not to mention disastrous for the industry and the revenue it creates. We've experienced Loons as well as other wildlife that have not only survived, but flourished during and following more than a century of anglers using lead.

The Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented in the proposal says that 39 percent of loon deaths result from lead toxicosis. However, this estimate was determined by examining only 27 loon carcasses collected from 1996-2008 of which only nine loons were found to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population. I would be willing to bet that if these same birds had ingested a rock of equal size/proportion that they would have died as well.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. This just isn't true. Products made from alternative materials can cost 20 times more than lead products, are not as available and do not perform as well. According to the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures. Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration. Washington's 736,000 anglers spent 1.04 billion in 2006, generating \$210 million in state and local tax revenue.

Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers who have a significant impact on the state's economy.

Please reject this proposed ban on lead fishing tackle. Ultimately, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose.

As an avid angler and sportsman I am deeply troubled by the issue of a lead sinker ban for the sake of loon populations. From the dept's own report there is no scientific evidence that loons are dying from lead toxicosis, only speculation that they might be, or they were found dead with lead in their stomachs, but no blood or liver tests were completed to verify that this was the cause. While I am all for saving loons, knee jerk reactions like this proposal do nothing but frustrate sportsmen, drive away prospective anglers from the sport, increase an already bulging list of rules, and worst of all the loon population will decline because the real issues are not being addressed. When I say real issues I mean, loss of wetland habitat to housing and commercial development, and pressure from humans harassing them with photography and bird watching. Perhaps some of these user groups need to be held accountable for their contribution to the demise of the loons. It is documented that habitat loss is the single most important factor in declining loon populations. By ignoring the real issues, and focusing on passing "feel good" regulations, loon populations will decline, and anglers will become more frustrated and leave the sport of fishing all together, resulting in fewer license sales and less money for the WDFW to use to study and monitor wildlife populations. I think sometimes the WDFW forgets the greatest financial contributors and most concerned user group, sportsmen and women. I urge you to use science and common sense and vote down this ban.

As a sportsman in Washington, I want to let it be known that I disagree with the idea of banning lead weights weighing less than one half ounce or lead of less than 1 1/2 inches in many freshwater lakes throughout the state.

The evidence that lead is causing serious harm to the population is sketchy and based on the examination of less than 30 loon carcasses, a sample size far too low to justify such a dramatic policy decision.

Further, the proposal's statement that alternatives to lead sinkers and jigs are widely available and no more expensive is highly questionable. While there are alternatives, many of them are several times as expensive.

Given that the U.S. Fish and Wildlife Service has indicated that Washington is the fifteenth largest state in terms of annual sportfishing expenditures and generates around \$210 million in state and local tax revenue, any policy that adversely impacts angling will have budgetary impact. I hope that you will consider rejecting this proposed ban as it is simply not proven to be warranted and could well create undue problems for conservation funding paid for through the activities of sportsmen. (12 e-mails/faxes, 1 letter)

I do not support this change. I spend a lot of time trout fishing and this is a very bad rule. When fishing in lakes I usually use jigs that way 1/80 of an ounce the idea of having to use a lead that is an ounce and 1/2 is crazy. (7 e-mails)

I spend thousands of dollars a year at tackle shops and I am even prostaff for one. I have never seen any other types of weights that I could use. (2 e-mails)

As a sportsman in Washington, I want to let it be known that I disagree with the idea of banning lead weights weighing less than one half ounce or lead of less than 1 1/2 inches in many freshwater lakes throughout the state.

The evidence that lead is causing serious harm to the population is sketchy and based on the examination of less than 30 loon carcasses, a sample size far too low to justify such a dramatic policy decision. Further, the proposals statement that alternatives to lead sinkers and jigs are widely available and no more expensive is highly questionable. While there are alternatives, many of them are several times as expensive. Given that the U.S. Fish and Wildlife Service has indicated that Washington is the fifteenth largest state in terms of annual sportfishing expenditures and generates around \$210 million in state and local tax revenue, a ny policy that adversely impacts angling will have budgetary impact. I hope that you will consider rejecting this proposed ban as it is simply not proven to be warranted and could well create undue problems for conservation funding paid for through the activities of sportsmen.

In regards to the elimination of using lead in Washington lakes, I feel that part of our State Tax money goes to biologists. If a small group of people can pass a bill that will eliminate the use of lead in the lakes in our state, What is the point in paying for a Biologist? Lead weights have been around forever, and I have personally seen no impact. I feel it would be a great injustice to fisherman to ban the use of lead for fishing. It would be very costly for fisherman to try to replace there tackle with a substitute material. Almost to the point of just giving up, What more can this state take from us. I ask you to please give this matter some serious thought.

The Capital City Bass Club appreciates the opportunity to comment on the 2010-2012 sportfishing rule change proposals. Our comments focus on one proposal: #32, Lead-Tackle on Lakes Where Loons Breed on page 19.

The Capital City Bass Club fully supports regulation changes that are clearly necessary and are justified by sound science. However, we believe that is not the case in this instance. This rule change should not be adopted.

The *Recommendation to Ban the Use of Lead Fishing Tackle in Washington* document, with references from *Washington Common Loon Reference Records (Poleschook & Gumm 2008)* appears to be the primary source documentation for this rule proposal. It makes claims that are scientifically unsupported and overstated. There is no conclusive proof or statistically sound analysis to show that such a regulation would stabilize or increase loon populations, improve their geographic distribution, or slow, halt or reduce the loon's breeding range in Washington. Nor is there any presented and scientifically supportable evidence that lead fishing tackle significantly affects loon populations. Stating that this is an incremental step indicates the proposed change is a "foot-in-the-door" effort masking an unknown, longer-term regulatory goal. If the Department of Fish and Wildlife or the Fish and Wildlife Commission thinks there is a need to ban lead tackle on a widespread basis, then let's have that discussion, based on sound science – not misleading efforts such as this.

The "Recommendation to Ban" document claims that 9 loons (out of 27 examined carcasses) died from lead toxins over a 13-year period – less than one a year average. Nowhere is there anything but anecdotal evidence that any of these birds actually died from lead toxins; they were merely found dead and assumed it was from the lead because lead sinkers were found with the carcass. What was the lead level in the blood and was it above the minimum that causes death? Were there other complications or underlying health conditions that actually caused the 9 deaths – even though lead was present? How were the dead carcasses examined and were these examinations uniform in all 27 cases?

Nowhere does this document state how many loons die each year in Washington State from natural causes, old age, predation, disease, loss of habitat, nest destruction, poor water quality, environmental changes, etc. Was a scientifically sound sampling model used to find the 27 carcasses or were they just random discoveries? There is no data presented for reliable statewide loon populations or total annual deaths in order to establish a base for sound statistical analysis. It is hard to believe that 9 deaths (especially given the fact that they were not conclusively proven to result from lead toxicosis) over a 13-year period represent a significant impact on statewide loon populations and their breeding range. The lack of sound, conclusive data, nonuse of statistical sampling models, and obvious analytic omissions cast serious doubt on the objectivity and reliability of this document.

In reading this document, there is an obvious attempt to infer that analysis from 27 carcasses found over a 13-year period are directly transferrable to the entire, statewide loon population. An example is language from Map 6, page 14, "...Lead toxicosis from the use of lead fishing tackle has been shown to be the largest cause of death of common loons in Washington and elsewhere. Therefore, if lead toxicosis mortalities are reduced by a ban on the use of lead fishing tackle, the northward contraction of the common loon breeding range in Washington would be slowed, halted or reversed." As stated above, there is no scientific evidence or analysis to support such claims. One can easily make the argument that the 27 carcasses analysis is deliberately skewed to support a desired outcome. Four of the deaths were listed as unknown, but since there was no evidence to support lead toxicosis, it likely was not a factor. Thus, you can also state that at least 67% (and possibly more) of the loon deaths were caused by something other than lead toxicosis.

This rule change proposal appears targeted to improve loon survival rates in breeding areas. The source document makes the claim, considering a ban on lead tackle, that "No other waterbird conservation action would provide greater benefit in Washington." We would submit that loss of habitat is the overwhelming cause of loon population decline. If we are serious about loon and other aquatic species survival, we suggest that better long-term solutions are habitat protection, acquisition, and enhancement projects and enforcement of existing laws. Fishing water bodies across Washington State, we have observed many examples of Shoreline Management Act violations (illegal retaining walls,

shoreline vegetation and in-water habitat removal, etc.) and questionably allowed shoreline development. These are the likely causes for the northward contraction of the common loon breeding range. The use of lead tackle should not be made a scapegoat for society's failure to confront the real problem.

The impact of a ban on lead tackle must also be considered. A claim is made that non-lead tackle alternatives are now much more available. These alternatives are sold but not as widely available as indicated. Consider Cabela's, one of the country's largest retailers of fishing tackle. A quick review of their fishing catalog finds no jigs made from anything but lead. Our club members are not aware of alternative material jigs for sale in any other local stores. For most people not accustomed to non-traditional retail sources, this would effectively ban the use of jigs in the proposed rule size class, which are a very popular fishing method for panfish such as crappie and perch. The Commission should consider that panfishing is very popular with families who are introducing their young children to fishing.

The Cabela's catalog weight and sinker section, while predominantly lead, does reveal six sources of alternative choices of weights and sinkers - made from tungsten, tin, steel, and brass. However, rubber core sinkers are only available in lead, bass casting sinkers are only available in steel from one kit (limiting selection size), and splitshot (used by many anglers) is available only in various tin sizes (limited steel sizes are also included in the before mentioned kit) from one source. The most available alternatives are dropshot and worm weights – not widely used by trout fishermen. Local, independent store stocks are not as varied and will likely not carry as many types or brands of alternative weights or sinkers; many will not stock any alternative weights.

Alternative choices also cost a lot more at Cabela's and everywhere else. BB-sized lead splitshot are \$.01 each, while the tin BB costs \$.048 each – almost five times as much. A ¼ oz. lead dropshot weight costs \$.39 each, while the cheapest tungsten alternative (in a different shape) costs \$1.00 each – buying 20 would cost an additional \$12.20 in just one type of weight. This would get very expensive for anglers when using alternative weights and sinkers for a variety of fishing methods.

The end result of such a lead tackle ban would effectively restrict certain fishing opportunities and greatly increase the cost of fishing. Is this what we want to do in these tough economic times? Young families and those of limited economic means need continued access to quality, enjoyable, and affordable recreation opportunities such as fishing. Any reduction or limitation of these opportunities should be considered very carefully.

As I stated earlier, the Capital City Bass Club will support fishing regulations based on sound science. Careful consideration and analysis of all options to solve problems should be done before adopting any regulation. It is our opinion that the proposed lead ban is not based on sound science, and that other causes of loon mortality and potential solutions have not been properly evaluated or considered. We appreciate your consideration of our comments.

Sincerely,

Randy KlemonsVP, Capital City Bass Club

I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes.

As an avid angler, I am deeply concerned about the lack of true study the government does on anything these days.

The proposed ban on lead tackle is meritless as the basis is the death of a very FEW birds. BUT, if anyone really did any true research, it would be on the effects of lead in the marine environment and what dangers it may or may not cause. Until this study is performed and completed, the government should have NO OPINION on the use of lead tackle in any US State.

I may actually support an eventual ban on lead tackle if it is proven that there is real danger to its continued use, and I am a tackle manufacturer.

Please see below a statement by a major fishing group....

The Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented in the proposal says that 39 percent of loon deaths result from lead toxicosis. However, this estimate was determined by examining only 27 loon carcasses collected from 1996-2008 of which only nine loons were found to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population. The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. This just isn't true. Products made from alternative materials can cost 20 times more than lead products, are not as available and do not perform as well.

According to the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures. Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers who have a significant impact on the state's economy.

Please reject this proposed ban on lead fishing tackle. Ultimately, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose.

I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes.

The Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented in the proposal says that 39 percent of loon deaths result from lead toxicosis. However, this estimate was determined by examining only 27 loon carcasses collected from 1996-2008 of which only nine loons were found to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. This just isn't true. Products made from alternative materials can cost 20 times more than lead products, are not as available and do not perform as well. According to the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures. Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers who have a significant impact on the state's economy. Please reject this proposed ban on lead fishing tackle. Ultimately, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose. (2 e-mails)

I oppose the Ban on Lead in Washington because of lack of scientific studies and also because I am the owner of Adkinson's Guide Service and I cannot afford to replace all of my inventory of lure, jigs, sinkers, etc. This will have an extreme impact on the tackle shores, guide business's and the recreational anglers which will cost the state of Washington millions of dollars in sales tax and jobs.

The information that I have for banning lead. On 13 Washington lakes. Is not supported with enough facts. That proves lead is a factor in Loons dying in the State of Washington.

So I say no to banning of lead!!!! If there is ever a ban? We should get a 5 year notice. To find lead alternatives. As for now there aren't enough alternatives.

I am writing to let you know I oppose the proposed rule that would ban the use of lead fishing tackle in lakes where loons are known to breed in Washington State. There are several reasons the Commission should not enact this rule which include:

1. The economic impact this rule (and further lead tackle bans throughout the state discussed by commissioners at a recent meeting) will have on manufacturers, retailers and consumers.
2. The lack of available alternatives, particularly environmentally friendly, cost effective alternatives, to lead tackle.
3. The WDFW is supposed to act on "best science" to make decisions. I have reviewed the study presented to the Commission and see it is small in scope and sketchy in terms of scientific value. It is my understanding that only nine loons were found dead of lead poisoning over a 13 year period. It does not make sense to enact a rule change based on such little scientific evidence.
4. It is my understanding that similar proposals have been made in other states and to the Federal Government, most of which declined to enact the rules because of a lack of scientific evidence.

I would urge the WDFW to study this issue (and other lead ban proposal issues) further, and not give in to emotional arguments fueled by political correctness.

Before a decision is made on banning lead weights for fishing across the state, a thorough scientific study needs to be made. From all the literature that I have read lead fishing weights are not harming waterfowl in any significant numbers. In fact loon populations are increasing in all but two states. Loss of habitat is the greatest threat to the loons. The people that wish to protect the loon should buy and develop habitat such as ducks unlimited has done. Eliminating lead weights for fishing is only going to add additional expense to the the fisherman and cost the fishing industry a lot of money.

Again, before a ban on lead weights is made a thorough scientific study needs to be done. Decisions should not be made on feelings and assumptions. I support the ban on lead shot over water because that was based on strong and undisputed scientific studies. I am a strong advocate of protecting and managing wildlife.

I would like to voice my objection to the proposal to ban certain sizes of lead-based equipment within the waters of the State of Washington. Based on what I have read, the basis for the proposed ban is some fairly shakey statistics. With only a limited sample number on which to make this recommendation. It is my impression that far more common Loons die of old age, than those that die from ingested lead sinkers. It is far more likely that any lead ingested is from remnant lead shot from the days of legal use of that element in shells used for waterfowl hunting (the commission, and the US Fish and Wildlife Service have already responded to that potential source). My recommendation is to not take the proposed action.

This rule would greatly hurt my fishing seasons because I fish most of the 13 lakes selected and I depend on lead head lures that are less than half an ounce and less than 1.5 inches. I rarely lose lures and have a hard time believing that a loon will go to the bottom of the lake to retrieve a lure. I think there is not enough scientific evidence proving this theory.

I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes.

As an avid angler as well as the Fishing Sales mManager for the Lacey Cabelas store, I am deeply concerned about the ban's potential impact on an activity that my friends, family and I enjoy very much. Not to mention the income it generates for the state and the jobs that this industry supports for the local area .

The Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented in the proposal says that 39 percent of loon deaths result from lead toxicosis. However, this estimate was determined by examining only 27 loon carcasses collected from 1996-2008 of which only nine loons were found to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. This just isn't true.

Products made from alternative materials can cost 20 times more than lead products, are not as available and do not perform as well. You can also verify this with sales of these materials from Shotgun Ammo.

According to the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures.

Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers who have a significant impact on the state's economy.

The Lacey Cabela's is proof as to the business that this fishery provides.

Please reject this proposed ban on lead fishing tackle. Ultimately, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose.

My name is Mike Schlueter and I am the president of the Columbia Basin Walleye Club based out of Moses Lake. I would like to comment on behalf of the 100 members and their families for a total of more than 250 Washington anglers. Club members are made up of people from both East and Western Washington.

Rule change #38 Lead Tackle in lakes were Loons breed

Many lures that contain less than one and one half oz. of lead such as bottom bouncers, Jigs, blade baits, Wild eye, and some crank baits are impossible for a loon to ingest and are extremely popular in the proposed lakes for the ban. This proposal is unnecessary and seems to be a knee jerk reaction to some information that needs much more thought and evaluation.

I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes.

As a manufacturer of trolling equipment, I am deeply concerned about the ban's potential impact on an activity that my customers enjoy very much; not to mention the income it generates for fishing tackle manufactures and the USA. The Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented in the proposal says that 39 percent of loon deaths result from lead toxicosis. However, this estimate was determined by examining only 27 loon carcasses collected from 1996-2008 of which only nine loons were found to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. This just isn't true.

Products made from alternative materials can cost 20 times more than lead products, are not as available and do not perform as well. To be able to build and price our products competitively we must be open to all forms of raw materials, unless there is an absolute reason to avoid such materials.

According to the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures.

Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers who have a significant impact on the state's economy.

Please reject this proposed ban on lead fishing tackle. Ultimately, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose.

Several questions come to mind while I watched the replay of a recent Commission meeting on PBS.

Has anyone with the WDFW checked on the "scientific facts" stated by the pro ban folks on mortality, other states actions, etc. that were thrown out as fact and/or truth? It's easy to come up with all kinds of facts and figures that taken out of original context can support your agenda. The validity of the studies and other materials referenced by the pro ban folks need to be treated as suspect until verified by WDFW. I'm sure that the pro ban folks have the welfare of the Loons in their hearts and not putting the screws to the sport fisherman as their agenda but lets check these facts and figures out.

Second point, at first the pro ban folks were talking about all the metric tons of lead lost in the state waters every year and it's loss being the main contributor to the lead mortality of loons and then shortly there after they stated that really it was not the lost lead so much as the live fish with lead lures and/or sinkers attached that were lost by the fisherman and then eaten by the loons that was causing the most mortality? I'm confused on this point. Which is the real problem and how is it being determined.

The statement of "many fishing tackle manufactures are now producing alternative nontoxic lures and weights so the impact on the sport fisherman will be minimal" needs to be researched by the Commission or WDFW. I have checked for alternatives to my lead lures of choice and found that none exist at this time. There are some weights and small jigs being produced at approximately 5 times the cost of lead on average. There seems to be a big void in the manufacture of many lures and weights in the larger but commonly used sizes by sport fisherman in fresh water. The non-tox products are coming but are not necessarily here yet.

I'm some what familiar with the lead problems when it comes to waterfowl and so I know that it takes lots of people and time to survey losses in waterfowl due to lead. That said, I'm wondering again about the facts and figures listed as fact regarding the numbers of loons lost and causes. Percentage figures (that's all I remember being given) need to be supported by numbers to have more validity. If 40% of mortality is cause by lead but that is 4 out of 10 birds over 10 years it doesn't have much weight. My point being, what is the actual impact on the population? A case in point... the swan study in NW Washington showed that several hundred swans were dying of lead poisoning each year. While a terrible thing the population of the swans was still growing so while a problem was found that needed to be corrected it wasn't the end of the world as far as the population of swans were concerned.

I like most other sportsman like seeing all wildlife (including Loons) while we are out and about in our state so if there really is a problem with the loss of Loons to lead in this state then it needs to be addressed but lets make sure that the WDFW approaches this with a over all sensible approach and not a knee jerk reaction.

As one who has thrilled to the call of the loon (who doesn't get "goose bumps" from this recognized call of the wild?) I have long been a fan of the common loon and concern about its future. With that said I urge all the commissioners to read WDFW's status report on the common loon -

<http://wdfw.wa.gov/wlm/diversity/soc/status/commloon/commloon.htm>

The information presented in that report at times is at odds with that which has been presented those that advocating the banning of lead on waters of Washington. Specifically in the information provided by those support this ban includes the Christmas bird counts of common loons in the Sequim-Dungeness area showing a declining trend as an apparent illustration that the winter loons in Puget Sound has been declining. However the information presented in the Department's status report indicated that based on the estimates of over-wintering loon numbers in Puget Sound from the Puget Sound ambient monitoring program showing increasing numbers (at least for the period reported -1993 to 1999) at during the same period of decline in the Sequim/Dungeness area. It is not uncommon to see local population changes in small areas that are not reflective of the overall status in a larger area.

From the status report it seem clear to me that the problems with loon populations has been habitat changes caused by human development of lake shorelines and use of the waters. Fishing represent just a tiny portion of those impacts. Further while it is true that there has been a huge decline in loon numbers over the last century due to those habitat impacts it appears that over the last several decades the Washington loon breeding population has been stable (even increasing though the data is too sparse to note trends with certainty). While this ban change the status of the birds? No one knows however it is certain that it will not restore what has limited the populations in the past.

Of the 15 lakes listed for this ban at least one (Hancock in King county) according to WDFW's status report does not have breeding loons. Why is that included?

It is clear that loons have died and continue to die in this state due to the ingestion of lead sinkers. It is equally clear that the majority (all?) of the lead sinkers found in those loons were the result of the loons attempting to steal fish off angler's lines. When successful they sometimes end up ingesting the hook, line, and sinker while consuming the fish. It seems to me that this problem could just as easily be dealt with by require that for those anglers using lead sinkers that those sinkers be free sliding. Further that those sinkers be free sliding towards to the rod tip. If a loon takes the angler's fish and eventually breaks the angler's fishing line to get the fish the sinker will fall harmless to the lake bottom.

And yes I did say harmless to the lake bottom. In spite of the emotional appeal about the human health threats from lead sinkers and search found that other than the obvious threat to those melting lead to make lead fishing sinkers are carelessly handling those sinkers fishing sinkers do not show up on any list that I found showing the sources of major threats of human lead poisoning.

In deciding I hope the commission takes the time to base their decisions on the best available information and sound science rather than emotion and incomplete information.

I would also urge that the state not pass this proposal. The stated goal of the organization pushing this proposal is to ban lead weights in all waters. The study that they are using is seriously flawed. This study would not stand up to any independant scientific review. 9 birds in 13 years without any toxocology reports of proof of cause of death is hardly a reason for such drastic action. Tungsten, the replacement for lead is much more harmful on the environment and much more expensive for the American consumer. It is made overseas and would cost jobs for Americans as well.

I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes.

As a business owner that depends on the logical management of our fisheries resource, I am deeply concerned not only about the ban's potential impact on my business, but also on a family-oriented activity with significant social, cultural, and economic value to the state.

As a member of the Inland Fish Policy Advisory Group, I would like to make clear my position. It is my charge, along with the other IFPAG members, to review all proposed regulations and determine if in the words of a WDFW employee, is it "a good rule or a bad rule". During the process of these reviews I do not attempt to apply political considerations or socially emotional sensitivities that could potentially influence my decision. Instead I consider all proposals as written and consider only the relevant information used to validate the premises in the language of the proposal. In this case, I strongly feel that the rule to ban lead on select lakes in our state based on the threat to loon populations is poorly written and the science used to support such a rule change is completely without merit.

In its 2000 study, the Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins, all of which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented by supporters of the restriction claim that 39 percent of loon deaths result from lead toxicosis. However, this estimate was based on only 27 loon carcasses collected from 1996-2008 of which only nine loons were said to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. While some alternatives on the market are approximately the same cost as lead, most products cost from six to twenty times more than lead (depending on the alternative metal and current prevailing raw material costs) and are not as readily

available nor do they perform as well. Mandatory transitioning to non-lead fishing tackle would require significant changes from both the industry and anglers, and therefore must be strongly justified. Given the scarcity of evidence supporting a lead fishing tackle ban at this time, this proposal is clearly unwarranted and ignores our Nation's history of managing fish and wildlife for resource population, not the individual animal.

According to the Census Bureau and the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sport fishing expenditures. Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration in Washington. Our state's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers and have a significant impact on the state's economy. At a time when jobs are threatened and the economy is suffering, it is important for industry and government to work together to find ways of supporting jobs, not eliminating them. Through my business (Northwest Bass) and our trade association, the American Sportfishing Association, I would be pleased to work with the Commission and the Department toward a better understanding of lead in recreational fishing tackle and how to achieve practical solutions that minimize resource impact and maintain a healthy economy.

Additionally, if the WDFW does determine that the data used on the "lead ban loon proposal" is not sufficient and agrees with my position stated here, but still has concerns relative to the loon mortality or other lead based issues, I recommend that they commission a scientific study using appropriate funding methods in an attempt to clarify the science. Furthermore, as opposed to a ban on lead sinkers and jigs, I suggest the department work with the industry to better understand the products available and their costs and performance. I also suggest the Department include information in its media meant to educate anglers about angling techniques on lakes where nesting loons occur. This could range from encouraging anglers to use non-lead terminal tackle to tips on how to minimize the loss of tackle. In the past the department has managed our resource based on science and best practices. In my opinion they must continue this practice even when faced with issues that are highly energized and that receive attention outside of the state borders.

I am concerned with how our fisheries resource will be managed into the future. Again, as a business owner, member of the Inland Fish Policy Advisory Group and avid angler, I oppose this rule. The rule by itself is poorly written and has no scientific merit to its foundation.

As stated by one WDFW management representative, "is it a good rule or a bad rule?" Clearly this is a "bad rule."

I urge the department to reject this proposal.

Sincerely,

Gary Stiles, Northwest Bass

On behalf of our 5,839 BASS members in the state of Washington, I would like to extend our sincerest appreciation for your efforts in protecting Washington's aquatic resources and the enhancement of opportunities to continue the angling heritage. The state natural resource agencies are the critical link to the highly successful model of fish and wildlife management in North America. However, we are concerned that a lead ban proposal currently before you would undermine that model and unnecessarily impact thousands of anglers and tackle retailers.

Your decisions, and those of natural resource agencies in other states, must be founded on sound science to continue our success at managing fish and wildlife populations. The lead ban proposal for certain lakes that harbor loons is not grounded in good science. A total of 9 loons have died following the ingestion of lead sinkers over a course of 13 years. One loon death per year as a result of lead fishing tackle is not having an impact at the population level, and therefore does not justify the regulation biologically. If the regulation is implemented, the Washington Department of Fish and Wildlife (WDFW) would be making a transition from population level management to management at the individual level based largely on public perception rather than biological information. Doing so would set a dangerous precedence for the future of fish and wildlife management in Washington.

Advocates arguing for the ban are misleading when they say that alternatives to lead are readily available. Although several products are becoming more common, they are much more costly and often less effective. Implementation of this regulation will likely discourage some anglers from participating in the sport, resulting in a loss of license revenue and Sport Fish Restoration funds for the WDFW.

We urge you to vote "no" on the current lead ban proposal. If at some point in the future, lead fishing tackle is scientifically determined to be a threat to loon populations in Washington, we would support actions to mitigate those threats. However, at this time that is not the case, and we cannot support the lead ban regulation.

Sincerely,

Chris Horton

Conservation Director

BASS

I oppose this proposal. The stated goal of the organization pushing this proposal is to ban lead weights in all waters. The study that they are using is seriously flawed. This study would not stand up to any independent scientific review.

I am the founder of a website which sells environmentally friendly fishing tackle and we are based out of Portland, OR. We heard from the ASA that Washington is recommending a state-wide ban on lead fishing tackle. While we may not support a state wide, broad based ban, we do support education and outreach campaigns designed to get our fellow anglers away from using lead and all of the sinkers at Green Tackle are lead free.

I am hoping I could get in contact with somebody in the WDFW who knows about the department's direction on lead fishing tackle may be interested in what we do and perhaps collaborate with us on an education.

Someone needs to wake up and realize who pays the bills and salary for your team! Keep penalizing the sportsman and keep on implementing these take aways just add to the frustration we already have as sportsman with Indian treaties and your agreements with the commercial gill netting groups. Why don't you stand up for who puts more into our state budget. Lead is not the only issue causing the decline of these birds.

As a sport fisherman, I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes. I am deeply concerned about the ban's potential impact on this family-oriented activity with significant social, cultural, and economic value to the state.

In its 2000 study, the Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins, all of which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented by supporters of the restriction on lead products claim that 39 percent of loon deaths result from lead toxicities. However, this estimate was based on only 27 loon carcasses collected from 1996-2008 of which only nine loons were said to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. While some alternatives on the market are at approximately the same cost of lead, most of these products can cost from six to 20 times more than lead products (depending on the alternative metal and current prevailing raw material costs), are not as available and do not perform as well. Mandatory, transitioning to non-lead fishing tackle would require significant changes from both the industry and anglers, and therefore must be strongly justified. Given the scarcity of evidence supporting a lead fishing tackle ban at this time, this proposal is clearly unwarranted and ignores that in this Nation fish and wildlife are managed for populations, not individual animals.

As opposed to a ban on lead sinkers and jigs, we suggest the Department work with the industry to better understand the products available and their costs and performance. In addition, we suggest the Department include information in its media meant to educate anglers about angling techniques on lakes where nesting loons occur. This can range from encouraging anglers to use non-lead terminal tackle to tips on how to minimize the loss of tackle.

According to the Census Bureau and the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sport fishing expenditures. Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration in Washington. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers and have a significant impact on the state's economy. At a time when jobs are threatened and the economy is suffering, it is important for industry and government to work together to find ways of supporting jobs, not eliminating them. Please reject this proposed ban on lead fishing tackle. An unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose. (2)

This is to address the issue of the banning of lead fishing tackle in Washington; I was appalled to hear the commission members talking about a "buy back" program for lead tackle.

- 1, I am curious as to where the funds would come from for a very expensive program?
- 2, Are you planning on buying back everyone's lead, manufacturer, retailer and consumers?
- 3, What will happen to all that recently purchased "buy back" lead?

How are you as an agency planning on retaining your base of current anglers and to grow that number? The alternative products on the market today are very much more expensive than the lead products, currently for sale.

Most families cannot afford to stock their youngster's tackle boxes with non-lead tackle and these will be anglers lost forever. I cannot predict the loss of funds/income to the Washington Department of Fish and Wildlife but I am sure it will be substantial.

All the arguments for banning lead tackle are based on junk science and numbers that are preset to only show one side of the story.

I represent the 5225 B.A.S.S. members who live in Washington State; we are against this proposed rule change.

Thank you for your time.

Mark Byrne, Conservation Director

BASS of Washington (See Appendix 3 for another letter from BASS)

My name is Tom Hester and I own and operate a fishing tackle manufacturing facility in Clackamas Oregon that makes lures and components geared to the sport fishing markets of the Pacific Northwest. We employ a couple of folks directly and outsource some of our production to Washington businesses as well as in Oregon. The products we sell generate federal excise taxes pursuant to Dingal-Johnson/Wallup-Breaux, such taxes earmarked to enhance sport fisheries and fishing opportunities.

Lately I am hearing about possible bans on certain lead products in some of Washington's sport fisheries but cannot seem to get any clarification as to the particulars of such action. As lead is a component item of some of our products it is important for me to understand how my business could be affected. From our perspective, inventory planning, marketing, production scheduling, purchasing, and other aspects of operating a fishing tackle manufacturing firm are directly impacted by decisions made by government authorities concerning the regulation of use of the materials that go into our products. The last thing we need in this already fragile economy is to discover we have inventory made un-saleable by new regulations catching us unawares.

While I can understand that sometimes the word 'lead' can be enough all by itself to cause concern, it seems to me that before some or all of it is regulated out of the Washington sport fishing industry the stake-holders ought to be brought together by WDFW to hear each other out and examine alternative solutions. Such decisions ought to be made on the basis of facts and empirical science rather than symbolism and rhetoric. While I know it is all too easy for both sides of a lead/environment issue to become strident it is possible that reasonable heads can reason well together.

From my perspective it would be helpful to know all the details regarding any proposed bans of lead products in Washington's waterways. Prudence implies that regulatory decisions having significant potential to adversely affect an industry involve the inputs of that industry's participants.

I guess what I am asking is that the commission keep the sport fishing industry informed with the details of any lead-ban proposals and that you include folks from our industry in discussions concerning lead regulation decisions.

Honorable Commission Members,

I'd like to start my testimony by thanking you for your continued efforts to support and improve sport fishing opportunities in the state of Washington. As a buyer for All Sports a sporting goods distributor with 27 road salesmen including seven in the state of Washington, your decisions have a direct impact on the success of my company and my livelihood. I appreciate the fact that your choices are well considered and made by reflecting on the best information presented to you.

At the December 4-5 meeting, you will be considering issue #32 a proposed lead ban on a number of Washington lakes. There is a fear in our industry that this will quickly lead to a total ban on lead fishing products. I know that you can be counted on to refrain from knee-jerk reactions and study precedent set by other state departments or commissions. I'd particularly like to call your attention to an excerpt I have cut and pasted from

<http://www.pca.state.mn.us/oea/reduce/sinkers.cfm>.

During the 2002-03 session in Minnesota, the state Legislature considered banning the sale and use of lead tackle. But after a series of stakeholder discussions, the groups involved agreed that a better approach was to educate anglers about the alternatives to lead tackle and to offer opportunities to try out non-lead sinkers and jigs. This effort is supported by the cooperation of tackle manufacturers, retailers, lake associations, conservation organizations, sports enthusiasts, and government.

I'd like to volunteer my time to create and/or join a stakeholder group to devise Washington's Angler Education program. I can be counted on to enlist manufacturer support promoting the use of non-lead products. The website I have referred you to has links to how other states have handled potential lead sinker problems. Many started with a ban in mind but found a compromise position. I believe that legislation or even commission fiat, robs anglers, the original and best conservationists of the opportunity to make the right choices on their own without specific requirement. Let's build on good decisions like those made by the state of Minnesota. Swap an immediate ban for time to study, educate and measure our results.

Best Regards,

Trenton "Scott" Harden

All Sports LLC a Division of Big Rock Sports

I strongly support this proposal especially as non-toxic alternatives are readily available.

Washington Bass Federation - opposed to proposed lead ban – concerned it will lead to a total statewide ban on lead fishing gear. Concerned about contradictory information on loon deaths – should look at entire ecosystem. Lead melts at a low temperature – using something else may add to global warming because other metals require more heat to melt. Federation is mainly a catch-and-release organization. Concerned that the Commission might be driven by misrepresentation of scientific facts – are loons really dying from lead?

American Sportfishing Association – reject #32. There is a significant lack of evidence of risk to loon populations. This is the 1st stage in a sweeping ban. WDG in 2000 found no evidence of decline. Loon populations are stable across the country. Anglers rely on sound science. Bans on lead tackle are not warranted. USFWS found only 3.5% of birds examined had lead tackle. Alternative tackles are too expensive. Work with the industry, encourage non-lead terminal tackle, provide tips on how not to lose tackle.

Against proposal #32 - switching to environmentally better bait. Steel doesn't work – too big, so then anglers might use tungsten, which is ok alone but when in an alloy may be toxic. We have no history on tungsten carbide. We know what lead does. Too much conflicting information on loons. We are the problem – loons need privacy.

Ginger and Dan – Biodiversity Research Institute – submitted recommendation to ban lead fishing gear in WA. There are any stressors on loons – 15 miles a year contraction of breeding range – northward. Cause is lead toxicosis. CDC states that a grain of sand size lead can poison a child. Lakes with nesting pairs are usually bordered by USFS lands the Forest Service has helping with lead brochure for 10 years. This has made no difference. Anglers will not change unless it is mandated. Fishers in other states are using non-toxic alternatives successfully. Steel is competitively priced. More information in Appendix 3 – also gave commissioners copies of “Fish and Wildlife Issues Related to the Use of Lead Fishing Gear” (not copied as testimony).

Northwest Sportfishing Industry Association – Too much conflicting information on loons and lead. Should work together with industry and other stakeholders to come to an agreement we can all live with. Entire letter in Appendix 3.

Yakima Bait Co – fishing tackle manufacturer- To switch from lead to tin the industry needs time – 4 -5 years. Need expensive new equipment (tin extruder is ¼ million dollars) – if this is a mandate, state should help fund it. Proposed rule would make tackle more expensive – we have inventories of lead gear that will be worthless. Federal excise taxes receipts will suffer. Same with change on hooks – need a couple of years to change and not hurt people in the industry.

Randy Pringle – Vision Hooks and Tackle pres – supports comments above.

See Appendix 3 for more testimony on this proposal.

Comments from Public Meetings:

The proposal to restrict the use of lead fishing gear in lakes where loons nest was discussed at the Spokane meeting. Ginger Gumm and Daniel Poleschook Jr. have been collecting data lead toxicity from fishing gear in loons and other waterbirds in Washington since 1996. They submitted a proposal to restrict the use of lead fishing gear and have been working with our Wildlife folks on these issues. They are hoping to be able to make a presentation to the Fish and Wildlife Commission at their November meeting when sportfishing rules are presented. Their recommendation is to modify the current proposal and limit sinkers to one inch or less in diameter, because this would be much easier to enforce than the current proposal for a weight restriction. Artificial lures two inches or less in length should also be restricted, and lead core line, keel trolling weights, weighted flies and other gear containing lead should be restricted on all Washington waters. Daniel and Ginger feel that the expansion of the current proposal is warranted by their findings that loons are present throughout the state year-round, during different stages of their lives (breeding, nesting, migrating, over-wintering). They pointed out that Colorado, Montana and Wisconsin are considering similar rules. Other states that have surveyed anglers have found that most are aware of the problems with lead and know that there are alternatives available, but will not change their use of lead unless required to by law. (See Attachment 3 for further details).

At Mill Creek, one person stated that this was proposed for trumpeter swans as well as loons. They have been dying for lead poisoning in urban lakes. This person also wanted to learn about the different user groups that fish with lead gear in lakes. She had pamphlets to pass out about lead, and would like to see a gear exchange (anglers turn in lead gear and get alternative gear back). She wants to change the proposal to apply statewide and to include sinkers 1” or less lures 2” or less, and also include jigs, lead core line, flies with lead, keel trolling weights, etc. She stated that we are losing grebes and ducks as well. The proposal is not restrictive enough.

I understand that there is a drive to remove lead from sport fishing. I just watched the state and wildlife commission on the internet and have a question about the report that says 39% of loon deaths are caused by lead weights, I assume this is lead poisoning? Where can I obtain a copy of the report of **each bird** (of the 39% that died) that shows their blood test with the lead in it and are you doing testing on the other 61% for a controlled experiment?

I and many in my family and many of my friends are recreational fisherman. I am concerned that the Commission is contemplating a limited ban on lead fishing gear. Please vote against such a ban. Many of us believe this is a first step toward a complete lead fishing gear ban in Washington State which would potentially be devastating to our recreational sport and to our local fishing tackle businesses.

I understand the purpose of the ban is to protect the Common Loon, which is important to all Washington State residents. As a bird lover myself, their protection is important. However, the proponents of the lead fishing gear ban refer to a report that supposedly links loon mortality to lead fishing gear. I believe the report grossly distorts their own data and in no way is scientific. If a loon carcass was found and fishing line, hooks, or weights were nearby, they concluded the loon died of lead toxicosis without doing blood or liver tests. The 39% is based on 9 of 23 carcasses they found over a 13 year "study" having lead nearby.

The proposed lead ban was not proposed by WDFW biologists nor has the commission asked their own biologists for scientific data. It is being proposed by Common Loon advocate groups who many believe don't want anglers on "their" lakes! Data validation and more study by our own WDFW biologists is needed before passing such a ban.

The Commission has also been told by the lead ban proposers that lead fishing tackle substitutes are readily available and only cost pennies more. This is far from the truth. While adequate lead substitutes may be available for lead slip sinkers, it is untrue for other lead tackle products including specialty sinkers like dropshot weights, worm weights, flipping and pitching sinkers, egg sinkers, pyramid sinkers, flipping jigs, football head jigs, ball head jigs, tube jigs and weights, nail weights, weighted hooks for swimbaits and wacky hooks, spinnerbaits, in-line spinners, weighted nymphs/flies, and on and on.

Please vote against even a limited ban on fishing gear products. Thank you for your service and consideration.

Regarding the alleged lead poisoning of Loons, I have some basic questions for you to answer.

What is the diet of a Loon?

Where is this food found?

If the food is found in the water, at what depth is the food ingested, i.e., on the bottom of the lake, on the surface, on the shore, five feet below the lake surface, etc.

How many Loons have had their stomachs surgically cut open and found to contain lead jigs, sinkers, etc?

What were the weights of the jigs, sinkers and other weights that may have been found?

Can a Loon swallow a jig head with a hook embedded in it to the extent it will reach its stomach? How many of the Loon stomachs contained lead head jugs with embedded hooks? Did any of the Loons have hook caught in their bills or throats?

I presume that lead weights such as jugs and sinkers fall to the bottom of the lake and either rest on the bed itself or sink into the mud. Of the Loons found to have had lead poisoning what is the nature and composition of the lake bed where they were found, i.e., soft, muddy, gravel, sand, etc.?

I would appreciate your acknowledgment of my e-mail to you as well as answers to my questions.

Staff Recommendation: Do not adopt. Staff has recommended an alternate process for this proposal.

Region 1

#33. Mill Creek (Walla Walla Co)

Proposal: Closed waters from 400 ft below Gose Street Bridge to Bennington Dam.

Explanation: The portion from Roosevelt St upstream to Bennington Dam is a flood control channel with a series of weirs. Fish become stranded in the pool below each of the weirs and the lower portion of this reach dewater. Water temperatures become marginal or critical for ESA listed salmonids. Fish are very vulnerable because of the isolation within pools below weirs. WDFW is working with the USACE and others to improve habitat conditions but to help protect ESA listed fish and improve their survival in poor habitat conditions the fishery should be terminated.

Testimony:

The Snake River Salmon Recovery Board strongly supports this proposal but requests that it be expanded to include all of Mill Creek and its tributaries. The current abundance of steelhead, including hatchery steelhead, in all of Mill Creek is estimated at less than 100 adults (exact counts for the entire Mill Creek watershed are unavailable although video counts at Bennington Dam reveal less than 20 adult steelhead on average over the past few years). Hatchery-marked steelhead smolts are not released into Mill Creek and while some stray hatchery-origin adults ascend Mill Creek the risk of incidental mortality to wild steelhead is too high to allow recreational fishing for a very low number of hatchery-origin adults. We and our partners (WDFW, CTUIR, Conservation District, etc.) are working to restore passage and habitat conditions in Mill Creek so that it can once again support large numbers of steelhead at which time we would endorse re-opening Mill Creek to steelhead fishing. In the meantime, however, we believe that trout fishing (last Saturday in May through October 31) in Mill Creek downstream from Gose Street bridge should be eliminated because (1) habitat conditions are poor in the summer which makes juvenile steelhead vulnerable to exploitation, (2) there are no hatchery trout planted in this reach so the target species is wild juvenile steelhead, (3) there are public fishing access points so angling pressure could be high and (4) the Mill Creek wild steelhead population is severely depressed and harvest of any life stage should be eliminated at this time. The result of this recommendation would be that the only fishery in Mill Creek would be trout fishing (last Saturday in May through October 31) from Bennington Dam diversion upstream to the City of Walla Walla municipal water diversion dam excluding tributaries. (see Appendix 3 for entire letter).

Modification: based on the testimony above, increase the closed area from the mouth to Bennington Dam.

Staff Recommendation: Adopt as modified. The additional protection offered by the closure to juvenile wild steelhead outweighs the opportunity to catch a limited number of hatchery adults in the lower river.

#34. Sherman Creek (Ferry Co)

Proposal: Change from December 1 – August 31 season to standard stream season (1st Saturday in June through October 31)

Explanation: Originally, protection was sought for returning kokanee broodstock collection. The kokanee hatchery program was not successful, partly because the water was too cold. With the discontinuation of this program, the stream should revert to the statewide stream season.

Testimony:

Staff Recommendation: Adopt as proposed.

#35. Dayton Pond (Columbia Co)

Proposal: Allow anglers with reduced fee licenses or Designated Harvester Cards to fish the Dayton Juvenile Pond along with juveniles.

Explanation: Some individuals from the public have made this request because it provides easy fishing access within town.

Testimony:

No. This is a kid's fishing pond. Do not allow adults to fish there.

Staff Recommendation: Adopt as proposed.

#36. Lake Roosevelt Kokanee Limit

Proposal: Change the kokanee daily limit from 2 fish to 6, no more than 2 with intact adipose fins.

Explanation: Hatchery fish are available for harvest. This will allow anglers to harvest a larger number of these fish, while still limiting the harvest of wild fish to a maximum of 2.

Testimony:

Comments from Public Meetings:

At the Spokane meeting, it was clarified that this will continue to be a bonus limit, in addition to the normal 5 trout daily limit. We talked about mark rates for the hatchery fish. The large fish planted in May at about 10 fish to the pound are essentially 100% adipose clipped. They will be 14" by August, and attractive to anglers. Fry plants are otolith marked, not clipped, so anglers would not be able to identify these.

Staff Recommendation: Adopt as proposed.

Region 2

#37. Bonaparte Creek (Okanogan Co)

Proposal: add a CLOSED WATERS section to Bonaparte Creek from the mouth to the falls one mile upstream. Retain standard stream season and daily limits.

Explanation: Juvenile and adult steelhead rear and spawn within the proposed closure area and represent the highest density of steelhead usage within the Okanogan River basin.

Testimony:

Staff Recommendation: Adopt as proposed.

#38. Columbia Basin Hatchery Creek (Grant Co)

Proposal: Remove the 8" minimum size for trout in the section open only to juveniles and anglers with a reduced fee license or designated harvester card. Retain daily limit of 3 trout.

Explanation: No minimum size is warranted or advised on this put-and-take fishery from the hatchery outflow to the confluence with Rocky Coulee Wasteway. No significant natural production occurs. Most fish are caught with bait, so the mortality on released fish is high.

Testimony:

Comments from Public Meetings:

One person at Mill Creek asked why are we not proposing a year-round closure like we do in many other areas with bull trout?

Staff Recommendation: Adopt as proposed.

#39. Icicle River (Chelan Co)

Proposal: This proposal would close the season on the Icicle River above the Leavenworth National Fish Hatchery rack on September 15 rather than October 31.

Explanation: This proposal will provide added protection (in addition to the selective gear rule which is already in place) to the ESA-listed bull trout that have been observed spawning in the Icicle River.

Testimony:

This stream is the only open moving water in Chelan County unless the Wenatchee River is open for steelhead, which rarely happens. It is also readily accessible because of its proximity to the USFS road.

I have fly fished this river for years and feel it is my home waters. I practice catch and release with barbless hooks, and in fact only fish with dry flies. I am protective of this gorgeous stream. Of course, over time, I have seen more and more pressure on the stream, but frankly, mostly fly fishermen seeking a few quiet hours while their significant other is roaming Leavenworth. I have rarely seen bait or gear fishermen on this stream.

While I am very aware of the Wild Fish Conservancy's surveys seeking the existence of bull trout, I have never seen an endangered trout in this stream. Which is not to say they may not be there.

However, the fishing season on this stream realistically starts in mid-July because of the massive run-off from the Stewart Range. While in-stream flows decline in the sections from the USFW hatchery to the confluence with the Wenatchee (mostly as a result of irrigation) and perhaps because of the hydrologic continuity issues with wells, the main portion of the icicle remains quite hydrated throughout the summer and fall. If you reduce the fishing season by a month and a half, there will only be, realistically, a month and a half of a season on the river. (3rd week of July to September 15). I have years of journals which can substantiate this.

Among fly fisherpeople there has been an ongoing discussion on WDFW's management targeting only anadromous species. It's as if trout (except bull trout) do not exist. In the Icicle River, rather than manage a single species it may behoove WDFW to take a more ecosystem approach, looking at restricting takes on the irrigation (thus boosting in-stream flows), pressuring Chelan County on its building permit conditions along the river, and working with the USFS on the location of the roag=d replacement above the Ida Creek Campground.

For those of us who fish only for trout on moving water, the fishing experiences in Chelan are almost nil (other than the Icicle the nearest open rivers are at least a two hour drive). I am beginning to think that I should just save my license dollars and spend them in Montana, Idaho, or Wyoming, rather than buy a license to fish for such a short time.

Perhaps before a rule change is made, there should be more study, after all the surveys by WFC have just begun (as well as an independent study done by WDFW). And in the meantime modify the rule for catch and release only, barbless hooks. Also increased posting about bull trout in the campgrounds along Icicle Creek would be helpful.

I understand the WFC is a powerful lobby to WDFW, but I hope you are able to consider "local" voice in this rule change.

The Conservation Committee of the Washington Fly Fishing Club supports -- Protection of spawning bull trout in Icicle Creek

The Icicle Valley Chapter of Trout Unlimited stand opposed to closing the recreational fishery on September 15 rather than October 31 due to the following reasons:

1. The most recent data collected for recreational fishing in the Icicle River is from Art Viola's, (WDFW regional fishery biologist) "2008 Icicle River Resident Fish Creel Survey", dated March 2009. It states from 5,638 angler trips which translate into 3,894 hours of fishing, 6,471 fish were caught (rainbows, brook trout and cutthroat), only two fish were kept. "None of the anglers interviewed reported having caught and released a bull trout". Random weekdays were chosen but 75% of the weekends were surveyed. "Incidental hooking mortality of bull trout is not a significant problem during the Icicle River trout season".

2. In addition, professional staff members from a US Fish and Wildlife, Mid-Columbia Fisheries Resource Office, spent many hours angling, targeting bull trout in the upper Icicle River this year with very little success. This leads us to believe that recreational anglers under the selective gear regulations are far less apt to encounter and harm a bull trout using a barbless fly than professional folks targeting the species.

3. Angling in the Icicle River is a concern with endangered bull trout, but it is no different than other rivers which contain bull trout such as the Entiat and Methow Rivers. Will you be closing those waters as well? We believe this regulation is premature and without foundation.

In conclusion, to our knowledge there is no supportive data to demonstrate that a recreational fishery from September 15 to October 31 on the upper Icicle harms bull trout.

Unless there is scientifically, documented supportive evidence to demonstrate this recreational fishery harms bull trout, stand opposed to the proposal.

Dennis McMahon
President Icicle Valley Chapter
Trout Unlimited

I do not support this change . hatchery fish are raised so we can catch them. Let us catch them. (7 e-mails)

I want to comments on Item #39 Icicle River closing date. Sept 15th is too harsh. Fall is great fishing on the Icicle. Even if the trout are getting ready for winter, the fall colors are great. I recommend an Oct 15th closing .

The proposed changing of the season on the Icicle River from Oct 31 to Sept 15th to protect the Bull Trout is not an issue worthy of consideration. The population of Bull Trout isn't threatened by the few anglers after Sept. 15th but just the increase in human population and environmental changes due to our existence. There are significant populations of Bull trout in Central Washington and they are probably over regulated to being detrimental to other fish species. The Icicle River isn't a blooming Bull Trout Haven but it is a sustainable and working River with the current regulations, which are restrictive enough. Please consider this rule change.

I support efforts to protect bull trout but as this is one of the few streams open in Chelan County, I would rather see the current Oct 31st closure maintained but switched to C&R for the whole season or at least for the period of Sept 15-Oct. 31. Anyone who has fished the Icicle in recent years knows how extremely rare it is to encounter any trout of harvestable size and even then, it is likely to be a bull trout. Therefore, I would like to see protection increased for bull trout during the whole season and eliminate accidental bull trout harvest by making the whole season C&R while maintaining a closure date of Oct. 31st. This would provide the needed protection for bull trout as well as preserve the genetic reservoir of the native rainbows/(steelhead?) while maintaining much needed opportunity in this county with minimal loss of harvest since there are so few harvestable fish.

Disagree with the proposal to shorten season 1 ½ mo because of a very few bull trout. Creel survey 6/1 – 10/31 shows 5600 angler trips – about an hour per trip – mainly family fishers. Incidental hooking is not a significant problem. Not a biological justification for this rule.

Icicle River info - #39 – Wild Fish Conservancy and USFWS have found many bull trout in this area in later surveys – more migratory bull trout will be coming – passage improved at Leavenworth Hatchery

See Appendix 3 for additional testimony on this proposal.

Modification: Move the end date of the fishery to September 30.

Staff Recommendation: Adopt as modified.

#40. Methow River

Proposal: From County Road 1535 (lower Burma Rd) to Weeman Bridge – add maximum hook size #10 (1/4" gap point to shank) to the catch-and-release fisheries for all game fish. (No change to winter whitefish fishery).

Explanation: Anglers have been targeting steelhead during the trout fishery, which under permit 1554, had to be closed in 2008 early due to approaching steelhead take limits. The small hook size is intended to cut down on this activity and allow the fishery to remain open.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Designed to reduce incidental kill of steelhead during the C&R season.

there is no need for this rule it will not save a single fish (7 e-mails)

I don't believe hook size restrictions is the right thing to do. This proposal will take away too many options of effectively targeting trout. I believe that those who are bending the rules to target steelhead are the same people that will continue to do so regardless of what the rules are. This rule punishes the honest, ethical fisherman.

We live on the Methow River in NC WA. Therefore our comments are in regards to this river.

Suggest fishing of all kind be prohibited from the middle of Sept. until Dec. 1st to protect salmon redd making and spawning activities as well as egg hatching. At a minimum fisher people should be prohibited from entering the river where they almost always walk through salmon redds...sometimes without knowing they are. Some do and don't care. Every year we and others observe this and often comments are exchanged with the fisher people.

Commercial guides and guiding services must be better controlled. There are too many on this river that do NOT observe the rules as written in the Washington State Fishing Regulations booklet. MANY of them catch and release hatchery fish when they should be retaining them. Yes, we KNOW why they do it but what is good for the unguided fishperson must also be good for the guide and those with the guide.

Also, each and every year we repeatedly observe guides and sometimes WDFW employees or contract employees either take native steelhead, or salmon they are not supposed to be targeting, OUT of the water while someone takes photos. This is clearly in "violation" of the regulations and sometimes these fish do not survive. They fought hard and sometimes long and then are lifted from the water for a picture.

Commercial guides and guiding services must be limited. There are too many on this river. Their conduct toward the property owners along the river as well as other fisherpersons is unbecoming and unacceptable. A list of particulars could be provided here but it would be beyond the request for comment on fishing rules. In fact it should be required that guides and guide services should declare what river they want to do business in. It has gotten way too out of hand.

I support this effort to minimize the impact of people targeting steelhead during the trout fishery however, it would be better to simply clarify the rules pamphlet to state that the river is open for "All trout except steelhead" as Permit 1554 only allows incidental take of steelhead during the trout fishery. However, the rules pamphlet has authorized a direct take fishery for steelhead when the state has no authority to do so. By allowing this (illegal) direct take steelhead fishery, anglers are unknowingly violating Federal ESA regulations (as well as state law) when purposely targeting/taking steelhead during the permitted trout fishery. The targeting/taking of steelhead during the trout fishery is widespread and has resulted in the hard-won trout season being closed early for the last 2 years, negatively impacting the local economy. The permitted incidental take limit is so low (only 20 steelhead may be caught and released) that the limit can be quickly reached. This situation is likely to get worse as the word spreads that it's ok to fish for steelhead during the trout fishery and especially as several guides have started advertising steelhead fishing trips during the trout season. Department staff is well aware of this situation but maintains that the lawyers and enforcement say it's too hard to prosecute so they won't change it. Since when do we let lawyers and police/enforcement officers decide what should and should not be a crime based upon the difficulty of them doing their jobs? Plus, there are other examples in the pamphlet of a river having an open C&R fishery for one type of fish (like trout) while there is a closure for all other types of fish (like salmon). Clarify the pamphlet to state that fishing for steelhead during the trout season is not permitted so that responsible anglers will stop targeting steelhead, thereby reducing the incidental catch keeping our trout season open longer and bringing us into compliance with the terms of Permit 1554.

See Appendix 3 for additional testimony on this proposal.

Comments from Public Meetings:

At the Mill Creek meeting, the President of Steelhead Trout club provided written comments and a board with examples of different types of gear. (See Appendix 3 for written comments and picture of board). The proposal to limit anglers to #10 size hooks in the Methow is alarming. Selective gear rules are already in place. The proposal would eliminate the use of traditional streamer flies, normal size trout lures and larger than size 10 dry flies. Limiting the hook size during the entire season may well increase the impact on salmon and steelhead smolts. Larger hook sizes actually decrease the chance of hooking these small fish. There is an enforcement issue with anglers targeting steelhead in the last few days of September. Hook restrictions could be considered for that time period for anglers targeting steelhead, but the proposal as stated is not necessary and could actually be harmful.

Another angler at Mill Creek stated that he currently uses larger hooks in areas where smolts are present to avoid catching them.

Modification: Do not adopt the gear restriction. Address the problem by closing the catch-and-release fishery early (September 15 rather than September 30) from the Lower Burma Road Bridge to McFarland Creek.

Staff Recommendation: Adopt as modified.

#41. Buzzard Lake (Okanogan Co)

Proposal: Last Saturday in April – Oct 31 season. Trout daily limit 1. All species: selective gear rules

Explanation: The proposed rules are intended to produce a quality trout fishery.

Testimony:

I strongly support proposed rule changes #41 Buzzard Lake, #45 Cougar Lakes, #46 Desert Lakes, #74 Merrill Lake and especially #88 Munn & Susan Lakes. I support any increase in opportunities to add selective gear lakes opportunities.

As there is minimal lake opportunity in Okanogan County in the early spring plus hot summers/high lake temps that aren't conducive for responsible fishing, consider a season of March 1 – October 31.

Staff Recommendation: Adopt as proposed.

#42. Lake Chelan Lake Trout Rules

Proposal: Open the northern portion of the lake year round to the harvest of lake trout.

Explanation: The proposed regulation change is primarily designed to assist with controlling numbers of lake trout and to be consistent with lake trout regulations in the southern portion of the lake. It will also be consistent with the proposed year-round season for landlocked salmon. Anglers fishing for salmon will frequently catch lake trout.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#43. Lake Chelan Salmon Rules

Proposal: Open both the northern and southern portions of the lake to salmon fishing (under landlocked salmon rules) year-round with a daily limit of one salmon and a minimum size of 15".

Explanation: Efforts to provide a salmon fishery based on triploid summer Chinook stocking have been successful. Triploid salmon stocked specifically for recreational fishing fish now exist in numbers sufficient to open a year-round fishery. This rule is currently in effect by emergency regulation.

Testimony:

Staff Recommendation: Adopt as proposed.

#44. Cougar Lake (Okanogan Co) Pasayten Wilderness Area

Proposal: add selective gear rules to Cougar Lake.

Explanation: Selective gear rules will help protect larger bull trout that contribute to the downstream population within the Lost River drainage by reducing hook and release mortality. This also makes the rules concurrent with current Black Lake (Pasayten Wilderness Area) to protect bull trout spawning in Lake Creek.

Testimony:

I strongly support this proposal.

Staff Recommendation: Adopt as proposed.

#45. Cougar Lake (Okanogan Co) near Winthrop

Proposal: Add a catch-and release season with selective gear rules April 1- August 31, before the current retention fishery.

Explanation: This would provide additional opportunity, while at the same time providing the current fall/winter catch and keep trout season in Cougar Lake. A regulation similar to Davis, Campbell, Rat, and Green lakes would make for some consistency as well as providing another catch-and-release area. Harvest is usually not enough to impact the spring and summer trout fisheries, since we supplement with additional hatchery trout. Winter harvest is fairly low most years.

Testimony:

I strongly support proposed rule changes #41 Buzzard Lake, #45 Cougar Lakes, #46 Desert Lakes, #74 Merrill Lake and especially #88 Munn & Susan Lakes. I support any increase in opportunities to add selective gear lakes opportunities.

On behalf of Methow Valley Fly Fishers I am sending this email regarding the 2010 rules change proposed at Cougar Lake in Okanogan County. WDFW proposes a catch and release early opening at this lake.

We ask for your approval of the recommendation. Such will enhance lake fishing opportunities as the lake is located in an area with less sunlight thereby removing pressure on other lakes during hotter weather.

I strongly support this proposal. Thank you Bob!

Staff Recommendation: Adopt as proposed.

#46. Desert Lakes (Grant Co) Rules

Proposal: Change the rules for Harris, Sedge, Tern, and Dune lakes (Grant Co) from statewide rules to selective gear rules for all species and a daily limit of one trout.

Explanation: Rehabilitation is planned for fall 2009, and thereafter the waters will return to trout fisheries (this rule, if adopted, would not take effect until May 1, 2010). Selective gear rules would be consistent w/ nearby Beda Lake. The demand for quality waters is high and these walk-in fisheries would be prime candidates as they currently have no other angler-type following.

Testimony:

I strongly support proposed rule changes #41 Buzzard Lake, #45 Cougar Lakes, #46 Desert Lakes, #74 Merrill Lake and especially #88 Munn & Susan Lakes. I support any increase in opportunities to add selective gear lakes opportunities. The Conservation Committee of the Washington Fly Fishing Club supports-- Would change the rules to selective gear and a daily limit to 1 trout

I prefer these lakes be made C&R, SGR.

Staff Recommendation: Adopt as proposed.

#47. Enchantment Park Pond (Chelan Co)

Proposal: Change the name of Enchantment Park Pond to Blackbird Island Pond and change-fishing season from year-round, to July 1 – September 30. Retain "juvenile only" designation.

Explanation: The original Enchantment Park Pond, now named Blackbird Island Pond, has been reconstructed for use as both a hatchery steelhead acclimation pond and juvenile angler pond. From mid March until June 31 the pond will be used for steelhead acclimation. After all steelhead have left the pond, WDFW will stock trout to provide angling opportunity for juvenile anglers (less than 15 years of age). During the month of October any remaining trout will be removed and the ponds will be readied for the next batch of steelhead in the spring.

Testimony:

Staff Recommendation: Adopt as proposed.

#48. Fish Lake (Chelan Co)

Proposal: Add a daily limit of 25 perch (currently no daily limit for perch).

Explanation: Historically, anglers enjoyed excellent perch fishing throughout the year at Fish Lake. In recent years anglers have expressed concerns about declining harvest opportunities for perch. The WDFW Warm Water Team surveyed the lake in 2001. The results of this study suggested that perch numbers may have declined due to a combination of factors: 1) competition for forage between young of the year perch and the abundantly stocked hatchery trout fingerlings; 2) predation of young perch by hatchery stocked catchable size trout; 3) disease; and 4) over-harvest. The proposed rule change is recommended to control over-harvest.

Testimony:

Staff Recommendation: Adopt as proposed.

#49. Rufus Woods Lake

Proposal: On the waters of Rufus Woods Lake or within Designated Fishing Areas, which are located and marked as such on the Colville Reservation shoreline, either a Tribal permit or State License is required. A State License is still required when fishing from the Douglas County shoreline. Year-round season. Trout (includes kokanee) – daily limit 2. Other game fish – statewide rules. Any trout caught using bait must be included as part of daily limit. Only uninjured fish caught using artificial lures or flies with single barbless hooks may be released. Closed to fishing for sturgeon.

Explanation: These rules are necessary to conform to Colville Tribal regulations for boundary waters, and will allow for better enforcement of rules, reduced hook and release mortality, and enhanced cooperation between Colville Tribal and WDFW personnel.

Testimony:

On the few times we have been in that area of Rufus Wood Lake, I have never seen any markers designating Tribal Shoreline. But then we're almost always fishing other portions of the lake for Walleye.

“Only uninjured fish caught using artificial lures or flies with single barbless hooks may be released.” Does this mean that all fish caught with treble hooks or barbed hooks must be retained even if they are uninjured? If so, it would be clearer to say “all fish caught with treble hooks and/or barbed hooks must be retained.” However, since high-grading is such a problem here and catch rates seem to be declining, why not require the use of single barbless, circle hooks or other less harmful hooks?

Staff Recommendation: Adopt as proposed.

#50. Sprague Lake

Proposal: CLOSED WATERS - Year-round: those waters of Cow Creek, the marsh at the SW end of the lake from the lakeside edge of the reeds to Danekas Rd, the small bay at the SE end of the lake, and those waters within 50' of Harper Island. All waters SW of the SW tip of Harper Island are open to fishing from boats with non-combustible motors only. Proposed Restrictions Sept. 1-April 31: those waters SW of the SW tip of Harper Island closed to fishing. (Figure 1) Note: Closed waters and boat motor restrictions will be indicated by sign and displayed at the public boat launches.

Explanation: The proposed rule change is needed to reduce negative impacts associated with recreational disturbance to breeding waterbirds (particularly grebes and terns) and staging migratory waterfowl (particularly small Canada geese). The Western grebe is a state candidate for listing and populations have been plummeting in recent years. Declines of Western Grebes have been documented on their wintering grounds, particularly in the Puget Sound region where the Puget Sound Ambient Monitoring Project (PSAMP) and Washington Sea Grant Program have reported 71–95% declines in abundance indices since the 1990s (Coastal Observation and Seabird Survey Team 2009). Sprague Lake is an important breeding area for this species.

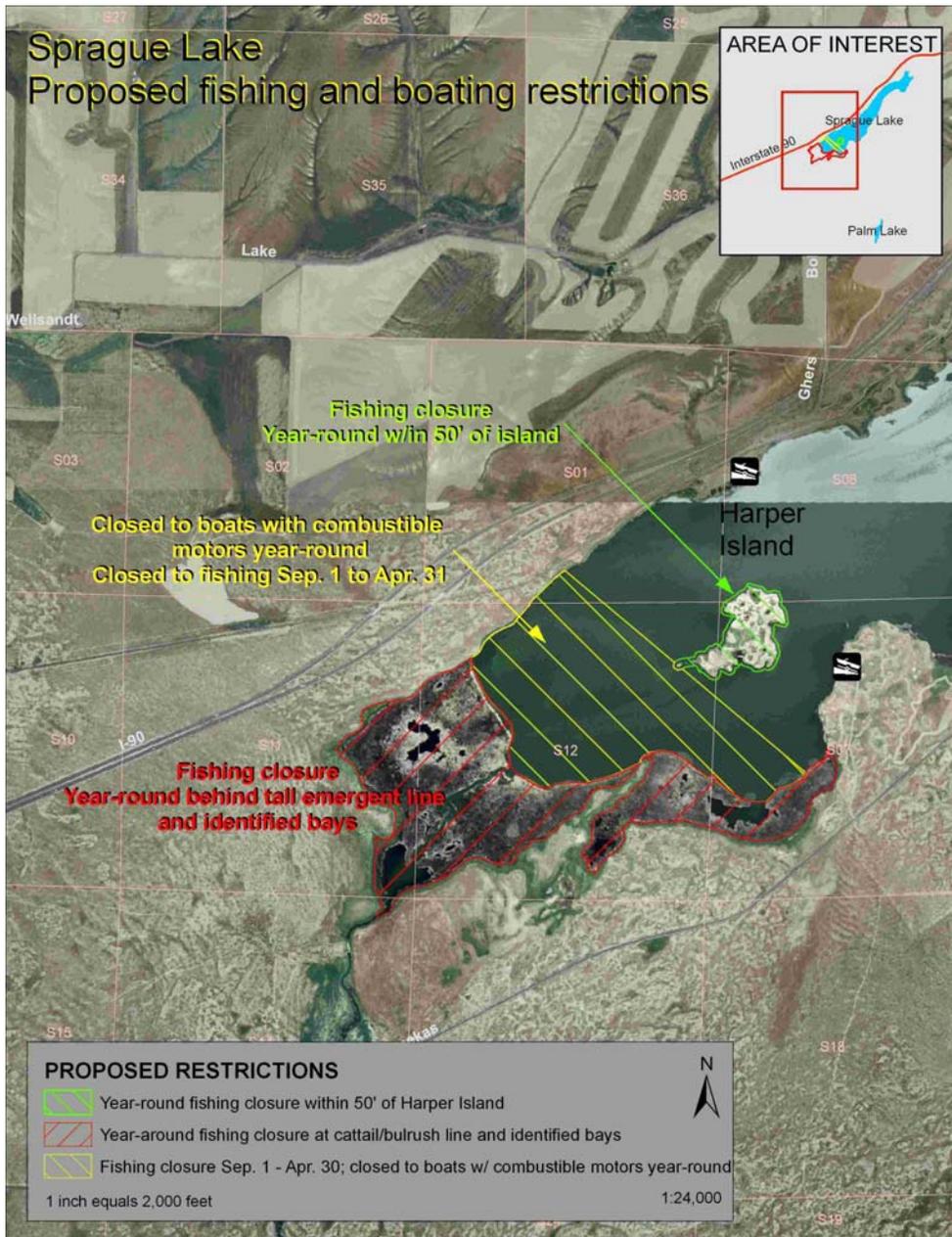


Figure 1. Proposed Restrictions

Testimony:

Really support the no motor on Sprague Lake and the closure of some parts of the lake. I also like the angler's choice for Salmon. I also feel that the closure of Sprague during the winter has merit due to the overharvest of both trout and panfish through the ice.

Modification: Change the start date of the fishing closure in the outer area from September 1 to October 1.

Staff Recommendation: Adopt as modified.

Region 3

#51. Middle Fork Ahtanum Creek (Yakima Co)

Proposal: This proposal would add a CLOSED WATERS section - in the Middle Fork Ahtanum Creek from the A2000 Rd. Bridge at Tree Phones Campground downstream to the A2000 spur road bridge in NE Section 34 (about 3.5 miles).

Explanation: The closed area will protect spawning and rearing bull trout. This rule will establish a long-term conservation zone for protection of this federally listed (ESA) “threatened” species. Resident-type bull trout are struggling to survive in the Ahtanum Cr. basin and need full protection from any indirect (non-targeted) fishing mortality in the primary spawning and rearing area.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Proposes a sanctuary zone for bull trout and other spawning species

Staff Recommendation: Adopt as proposed.

#52. Bachelor Creek(Yakima Co)

Proposal: This creek currently has a year-round season and a 5-trout daily limit with no minimum size. This proposal would return Bachelor Creek to the normal stream season (1st Saturday in June – October 31) and normal stream rules for trout (two fish daily limit, minimum size 8”).

Explanation: The liberal trout rules, which are geared to lakes, ponds and reservoirs where hatchery fish are stocked, were put in place when WDFW stocked Bachelor Creek. Since stocking stopped, these rules are no longer appropriate for a waterbody that relies on wild trout natural production to support a fishery. The standard season for creeks (1st Sat. in June – Oct. 31) for all species, and the 2 trout daily limit, 8” min. size, are appropriate.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#53. Benton County Rivers, Streams, and Beaver Ponds

Proposal: Benton County rivers, streams, and beaver ponds are currently open year-round. This proposal would return these waters to the statewide standard season of the first Saturday in June – October 31.

Explanation: These creeks (Snipes, Spring, Corral and Amon Cr.) support wild resident trout, some steelhead spawning and rearing, and have wild juvenile fall Chinook and coho salmon rearing in the lower reaches. ESA-listed steelhead parr and smolts deserve protection from late fall/early spring fishing mortality provided by delaying the opening of the season until after the smolts have migrated to the Yakima River. The resident trout fishery in these creeks is supported solely by natural production and wild females need an opportunity to spawn once before being subjected to harvest.

Testimony:

Comments from Public Meetings:

One person at the Yakima meeting noted that this should not include the Columbia and Yakima rivers. (Correct – it does not)

Since there are ESA-listed fish in these waters and naturally-reproducing rainbows, implement SGR for increased protection.

Modification: Add selective gear rules to Snipes, Spring, Corral and Amon creeks for protection of wild steelhead and coho.

Staff Recommendation: Adopt as modified.

#54. Wide Hollow Creek (Yakima Co)

Proposal: This creek currently has a 5-trout daily limit with no minimum size. This proposal would return Wide Hollow Creek to the normal stream rules for trout (two fish daily limit, minimum size 8”). It would also designate Wide Hollow Creek as a “juvenile only” water.

Explanation: WDFW no longer stocks hatchery trout into Wide Hollow Cr. (last stocked in 2005---primarily to benefit juvenile anglers).The liberal trout species rules, which are geared to lakes, ponds and reservoirs where hatchery fish are still stocked, are no longer appropriate for a waterbody that relies on wild trout natural production to support a fishery.

Wide Hollow Cr. is a small, urban stream that flows from West Valley through the City of Yakima and City of Union Gap before entering the Yakima River. It flows through two public parks and the backyards of many private residences, affording youth anglers an opportunity to learn to fish without having to travel out-of-town. In many ways it is similar to Mercer Cr. and Wilson Cr. within the Ellensburg city limits, which have long been designated for “juvenile anglers only”. Wide Hollow Cr. is a prime candidate for this same designation.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#55. Powerline Lake (Franklin Co)

Proposal: Change trout daily limit from 5 fish to 2.

Explanation: Powerline Lake (50 acres) has recently replaced Railroad Pond as WDFW's Franklin County "quality trout lake" after public access to Railroad Pond was lost. WDFW began stocking triploid rainbow trout in Powerline Lake in 2007. The triploid rainbows appear to survive well and have provided a good fishery throughout the year. Because the number of triploids that can be stocked annually is limited, the statewide standard 5 trout daily limit is excessive and can lead to rapid depletion of the population. No other trout (i.e. standard hatchery "catchables") are stocked during the year. Trout fry are not stocked because Powerline Lake is managed as a "mixed stock" lake, which also supports warmwater fisheries for largemouth bass, black crappie and yellow perch. To spread out distribution of the triploid trout harvest among anglers and to provide for fall fishing opportunity and/or carryovers into the following year, we propose to reduce the daily trout limit to two fish.

Testimony:

Most "Quality Lakes" have a max. limit of 1 fish so why allow a 2 fish limit? With the budget being what it is, a 1 fish limit would make even more sense.

Staff Recommendation: Adopt as proposed.

#56. Wenas Lake

Proposal: return to the standard trout daily limit of 5. (current rule sets a limit of 2 brown trout within the 5 trout daily limit).

Explanation: WDFW no longer stocks hatchery trout (rainbow or brown trout) into Wenas Lake. The special rule limiting the take of brown trout is not longer needed.

Testimony: none.

Staff Recommendation: Adopt as proposed.

Region 4

NOTE: The majority of the proposals for changes to stream fisheries in Region 4 are found in the stream strategy spreadsheets.

Wild Steelhead Protection

The following proposals for earlier closing dates on the Nooksack River and forks, Pilchuck Creek, Pilchuck River, Raging River, Skykomish River, Snohomish River, Snoqualmie River, and Stillaguamish River are all intended to provide more protection for wild steelhead present in these rivers. Most hatchery steelhead will have cleared these areas by the middle of February, so anglers are fishing for wild fish (catch-and-release) until the end of the month under current rules. These proposals are included in the spreadsheets for the proposed new stream strategy, and are also in line with the Statewide Steelhead Management Plan's Recreational Fishery Management Guidelines.

Testimony:

The rule changes proposed below for the Snohomish system (#57-64) have gone to far, there is a small window of availability of anglers actually being able to fish for Wild Steelhead. The catch-n-release season has already been take away from us 7-8 years ago and since it is not listed in the rules any more we will never get that back. Our season seems to be shrinking more every year and we can't do anything about it.

I believe the best choice for a change in this system would be to allow retention of hatchery steelhead until Jan 31st and make the season from Feb 1 until the end of Feb. a catch & release season.

If you are really concerned about protecting the wild steelhead you should ban all bait for the period of Jan 1st through the end of Feb., I am sure this would do a lot more to protect wild steelhead.

Another solution would be to not allow any fishing out of a motorized boat for the period of Jan 1 to end of Feb., the side drifters are putting up the big numbers and also hook many wild fish in hatchery fish areas. It is very difficult to catch hatchery steelhead in most areas of the river except for in from of the Reiter Ponds Hatchery unless you can cover a lot water in a motorized boat.

I am against these changes and would like the river to stay the same. You have to understand that people who target wild steelhead on this system know how to handle fish well. I am sure my response won't go anywhere to stop the

changes, they never do. Last year I asked to not allow retention of Hatchery Steelhead during the catch & release season the Skagit because it attracts the wrong type of fisherman.

Proposed Rule changes #57 thru #65 will reduce our fishing season by an additional 13 to 14 days. The WDFW has already reduced the river season by up to 6 days by starting the season on the first Saturday instead of the 1st of the month. This amounts to a loss of 20 fishing days on our local rivers. The original loss at the beginning of the season was so fishers who couldn't get out until Saturday would have an equal chance, this is ridiculous. Anybody who wants to fish the opening day could take off from work to fish it. This proposed closure amounts to a loss of over 7% of our season. As a guide this amounts to a pay cut and as an avid angler it unacceptable. When are we sportsmen and women ever going to get back any of our seasons that have been taken away? I oppose these rule changes

I very much object to the removal of two weeks of steelhead fishing by closing the rivers listed in proposed rules 57 through 64. After a long dark winter, walking the river towards the end of February, as the days are just starting to get reasonably long, is a yearly rite I cherish.

Seems to me the WDFW just constantly takes away from the sportsman. It is very disheartening.

This is another example to try and save a handful of fish instead of doing the right thing which is to restrict the harvest of all wild steelhead and mandate that the tribes cut back significantly on their harvest and netting schedules. We must get more fish escaping to spawn and quit managing on the basis of how many can we squeeze out of the harvest. This reg may save a few hundred fish but we are thousands in debt based on looking at historical escapement capacity of individual **rivers and not by basin.**

Very few people will argue the fact that wild steelhead should be protected. Problem is equity and fairness. If there is enough evidence to further restrict the harvest of wild steelhead there is absolutely enough evidence to significantly reduce tribal harvest of wild fish. I believe sport fisherman have changed their mentality immensely and are ready to save these fish but our co-managers show no conservation ethic.

The Quinault Tribe on the lower Chehalis River, Quileute Tribe on the Quileute, Sol Duc and Bogachield Rivers as well as tribes on the northern rivers have consistently netted 5 days a week during the winter steelhead runs (December through April). The days the nets are in the rivers are rarely staggered nor are the schedules managed based on weather and river conditions which significantly impact fish movements and subsequent escapement upriver.

It did not used to be this way prior to this last director who was guided by the current director. The current director negotiated changes that have devastated these runs – now we again must take the high road and be further restricted. Management used to be on a quota system where fish were actually counted. Harvest was not solely based on manipulated computer models. I agree with this reg change but it must go farther. We want wild steelhead protected but not at the expense of giving the tribes more and more. It must be fair and the foregone opportunity must be dealt with. In all reality there is no opportunity to be forgone because these wild populations if looked at on a river by river, run by run are in peril.

When I started Steelheading, the season ran through March. Then to protect the wild steelhead March was changed to catch and release only. Then once again to protect the wild steelhead March was taken away completely. Now the proposal is to take away another two weeks of the Steelhead season. Throughout all of this our license fees have continued to increase. At what point does the “punish the sportsman” end. We have continued to support our sport despite diminished opportunity and higher costs and our reward is further diminished opportunity and even higher costs. Enough already.

Closing many of our Puget Sound river one month to two weeks early for steelhead retention (closing the rivers entirely to fishing)

My Comment – We already have no Seattle area river fishing available to us in March, April, and May, where will I take my guided fishing trips? I will loose many bookings, the bookings that I do retain we will travel to the coastal rivers and support their economy, and also put much more pressure on the steelhead over there.

Lori Preuss, I am in grave distress at some of the new proposals for upcoming sportfishing seasons. I have been a fisherman in the rivers of Washington State since I was old enough to hold a fishing rod. Fishing is a tremendous part of who I am and who my children will be. We keep telling ourselves that we preserving our wildlife resources but I'm not quite so sure about that.

Approximately 20+ years ago, I fished the North Fork of the Tolt River with my Father. There were so many Steelhead in that spot we couldn't see the bottom of the river. As I got older I imagined what it would be like to take my son to that special place. It never happened. The State closed that portion of the River for an undetermined amount of time but speculated that it would once again re-open when the fish numbers increased. To this date it is still closed.

I fished the Skagit River with a good friend of mine this year. We anticipated a great season as the weather was good and the water was in great shape. As the month of April passed we were having little success and the thought of no fish saddened us both. I continuously asked myself "What has happened to our fisheries?" Is it poor fish management? Are the waters polluted so bad the fish are dying at sea? Or what? Fortunately the fish arrived late and we were able to catch and release a few beautiful Wild Steelhead.

With the thousands of fisherman paying fees to fish, including shell fish, the money should be there. I volunteered as a youth rearing fish in the Sultan area we were extremely successful. What are the reasons that we don't have as many hatcheries or why aren't we raising more fish? I know what it is, it's money. It costs money to employ the people to run the hatcheries it costs money to buy the supplies needed to run the hatcheries and so on.

I completely agree with preserving our Wild Steelhead and I support the catch and release of these fish. But I do not agree with cutting our seasons shorter than they are. Is taking 2 weeks away going to solve our problems, I think not. I believe the answers lie within our management practices, not with rearing fish and regulating fisherman but with effectively and efficiently managing money.

We pay to raise hatchery Steelhead and in doing so I believe we have the right to fish for them. If the State continues to restrict our time on the river we are taking away from our children the things that gave us the desire to become who we are.

I do not support these changes there are hatchery fish in these rivers at these times let us catch them. (6 e-mails)

I do not support these changes because there are hatchery fish here, allow the hatchery fish to be caught.

On the issue of crabbing daily limits to 4, do away with the Crab enhancement charge. Remember what that charge was for? Oh we must have forgot it's been a few years now, wow really enhanced a lot of stuff, just not the crabbing. If you want to keep taking away from the recreational fishing under the disguise of more opportunity than it should not cost us more.

I agree that "most" hatchery fish are out of the systems, but I personally have caught several hatchery steelhead during the last two weeks of February. I do NOT want to lose another 2 weeks of our fishing season. Wild steelhead release is already in effect during that time and with the recent new handling rules I do not believe the sport fishermen are the problem here. Please don't accept these proposals.

This proposal to establish an earlier closing date on those Puget Sound streams is consistent with the State wide steelhead plan. With the recent change in hatchery spawning procedures to end egg taking at the end of January assures that very few hatchery fish will be in the rivers in questions after the mid-February. I would support these changes but do have a couple of issues/questions that might benefit from commission discussion.

1) When considering this move to earlier closures why wasn't it done consistently? There are a number of streams that will retain the later closing dates - for example the Cascade, North Fork Skykomish, South Fork Skykomish, Canyon Creek, Sultan, Wallace, Tokul Creek, Tolt, North Fork Stillaguamish, and South Fork Stillaguamish. While I can understand leaving hatchery terminal areas open later why would the agency consider closing main stem areas and leave tributaries open?

2) With the change in the spawn timing of the hatchery fish there will be few fish available in February there will be a loss of fishing opportunity. That loss of opportunity is certainly understandable and even desirable when it results in reduced spawning interactions between the hatchery and wild steelhead. However why does the agency use on size fits all hatchery protocol (ending the taking of hatchery steelhead eggs at the end of January) when there is significant diversity in the State's wild steelhead populations?

An example would be the Skagit where the wild steelhead spawning takes place from mid-March to well into the summer. More than 95% of the spawning of wild steelhead takes place after the first of April. Moving the spawn timing of the hatchery fish from the end of February to the end of January has done little to reduce the spawning interactions between the hatchery and wild fish (it was all ready well within the Hatchery Scientific Hatchery Review guidelines) but does significantly reduce fishing opportunity/season length. Especially in Puget Sound basins where there are large commercial fisheries (both tribal and non-tribal) targeting chum salmon through November limiting the potential of expanding the steelhead hatchery returns to an earlier start timing. The result of these changes is a limiting of recreational winter steelhead opportunities in those north Sound rivers to little more than 2 months.

My name is Jason Fleury writing on behalf of the loss of opportunity for steelhead fishing in Washington. The new rule proposals for closing the rivers early is a complete outrage. I'm already so saddened like many others about the loss of opportunity the last ten years or so. Also I have two children, the ages of two and four. The future of me teaching them how to go steelhead fishing looks very grim. I do believe the game dept should look at other options as far as head numbers go. Instead of closing the river early, or entirely, some sort of enhancement should be done. As far as money goes, the game dept should except donations upon purchasing licenses to fund this. Me like many others would be more than happy to donate, to keep our fisheries thriving I just don't think closing the rivers early will do much of any good to help steelhead runs. It truly is time to re think how things have been managed to keep the future of steelheading bright.

This may fall on deaf ears as it seems that our beloved commission very rarely does anything in the better interest of the sports fisher, but I am writing in regards to the proposed rule changes for N. Puget Sound Wild steelhead. While I understand that these rule changes are in response to low escapement numbers, I strongly feel that these are just feel good measures that in reality are only limiting the small catch and release fishery that takes place. With current data that shows C & R mortality at around 3 percent, we are only talking a very small number of fish that are harmed. The unfortunate reality of the situation is that these changes will just make it easier for poachers to intentionally kill these fish unless there is added enforcement placed on these streams. That, I find unlikely with all the budget cuts that are taking place. Closing these fisheries early is only going to save a small number of fish while cutting, what on most years, is the only two weeks of decent fishing that we have for wild steelhead in this area. Quite frankly, its pathetic that one has to drive all the way across the state to have a chance at a wild fish and not some little hatchery clones.

I know this probably wasn't the most professionally writing letter and for that I apologize. But I would greatly appreciate it if on some level my opinion was taken into account and for once I felt like the commission actually listened to and cared about what the sports fisher thought.

Comments from Public Meetings:

One person from Mill Creek addressed proposals #60-64, stating that he hates to lose the last 2 weeks of the season, especially on the Stillaguamish. Water conditions are bad until the end of the season – the last 2 weeks are the best time. He has heard that it is hard to survey the SF because of the dirty water. The package is confusing to him because there are more early closures listed on the spreadsheets than there in the proposal package.

#57. Nooksack River, NF,SF,MF (Whatcom Co)

Proposal: This proposal would close the fisheries in the Nooksack River, including the North Fork, Middle Fork and South Fork on February 15 rather than the current February 28.

Testimony:

I have just reviewed the Proposal for the Sportfishing Rule Changes for Region 4. I am adamantly opposed to the closing of the Nooksack River on February 15th. From the information I have obtained on the Departments Web Site, the current status of the Wild Steelhead on Nooksack River is listed as "Unknown". The 2002 SaSI Status is also listed as "Unknown". I do not understand how the state can make any sort of decision about a stock without knowing the health of the stock to begin with?

I will not be able to attend the meeting on October 6th at the Mill Creek Office but would like to submit my concerns relating to the proposal for a February 15th closing. Therefore, I would appreciate all available data from the department that indicates the need for an earlier closing date for the Nooksack River. My personal experience is the February Wild Run of Steelhead continues to get stronger and stronger. I do not understand the need to take away a catch and release fishery that has a positive impact in the community and a very limited impact to the fishery itself? Even NOAA Fisheries states, "They did not find fisheries to present significant risk to wild steelhead".

The Conservation Committee of the Washington Fly Fishing Club supports -- Provides additional protection for wild steelhead by moving the conclusion of the season from Feb 28 to Feb 15

I support this proposal. (2)

All wild steelhead in all rivers of the state must be released. On the Skagit and Nooksack systems keep open the fishery until The end of February Or 15th of March. Reason A: The fisheries wants all hatchery steelhead out of the river so they can't spawn with the wild stocks. Closing the season early will eliminate the late coming hatchery straglers. Then close the river to all Fishers including the tribal fishers to protect the native runs of Steelhead, Bulltrout, and few remaining spring Chinook.

For the following reasons, I strongly oppose the early closure of the Nooksack River on February 15th.

- As an avid fisherman who has fished the Nooksack River for approximately twenty years, I have observed that the February Wild Steelhead Run has been getting stronger and the catch more consistent over the last five to seven years. Also, I have heard similar comments from other fisherman.
- According to WDFW Salmonid Stock Inventory, the Nooksack's run size in the main, north, south and middle forks is listed as "Unknown". In a discussion with two local biologist about the Nooksack, I learned that the data is extremely limited and sporadic with recent counts limited to only creeks and not on the main stems.
- Hatchery fish are regularly caught right up to the closing date of February 28th. Dirty water in December, January and early February cause a limited harvest of these fish. Closing this watershed early will increase hatchery fish escapement and potential mixing with wild fish.
- The vast majority of wild fish, as stated by the local biologist, return in March, April and May thereby resulting in a very limited catch of wild fish during the month of February. For the above reasons, I believe it is premature to close the Nooksack River any earlier than February 28th. Without valid data that shows this run is depressed I think it is unfair for the State to take such action. I have thousands of dollars invested into Steelhead gear in addition to the cost of my jet boat. I invest money in license and boat fees with an extremely limited opportunity to fish in Whatcom County. Instead of taking away part of a very short season, why doesn't the State impose a no bait and barbless hook requirement thereby lowering any potential mortality of wild fish while a determination is made of the exact health of this run? Even NOAA has stated that sport fisherman are not the cause of reduced runs in Puget Sound Steelhead Streams. Closing this river early will do little to increase the run size. It will only place additional limits on people that enjoy the sport and want only the best for these magnificent fish.

I Support

Statement from the Wild Steelhead Coaliton (plus 1 letter in support):
We support these proposals due to the depleted condition of wild steelhead.

Staff Recommendation: Adopt as proposed.

#58. Pilchuck Creek (Snohomish Co)

Proposal: This proposal would close fisheries in Pilchuck Creek from the mouth to the Highway. 9 Bridge on February 15 rather than the current February 28.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Provides additional protection for wild steelhead by moving the conclusion of the season from Feb 28 to Feb 15.

I support this proposal. (2)

I Support

Staff Recommendation: Adopt as proposed.

#59. Pilchuck River (Snohomish Co)

Proposal: This proposal would close fisheries in the Pilchuck River from the mouth to 500' downstream of the Snohomish city diversion dam February 15 rather than the current February 28.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Provides additional protection for wild steelhead by moving the conclusion of the season from Feb 28 to Feb 15

I support this proposal. (2)

I Support

Staff Recommendation: Adopt as proposed.

#60. Raging River

Proposal: This proposal would close fisheries on the Raging River on February 15 rather than the current February 28.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Provides additional protection for wild steelhead by moving the conclusion of the season from Feb 28 to Feb 15

I support this proposal. (2)

I Support

Staff Recommendation: Adopt as proposed.

#61. Skykomish River

Proposal: This proposal would close fisheries on the Skykomish River from the mouth to the mouth of the Wallace River on February 15 rather than the current February 28.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Provides additional protection for wild steelhead by moving the conclusion of the season from Feb 28 to Feb 15

I support this proposal. (2)

I am against this proposal. This affects everyone who makes money on sportfishing. As a professional guide this takes away 13 days of work. This is 13 days of fishing I lose on this river. It would be like asking someone to not make any money for 13 days and expect them to pay their bills. Additionally, this affects state revenue for fishing licenses sales, sales tax on items people buy for fishing, not to mention the business tackle shops, sporting goods, stores, and other merchants from sales of ancillary items.

Additionally, I would like to see the March and April catch and release for steelhead return to the Skykomish. Again, this is a revenue generating fishery.

I Support

Staff Recommendation: Adopt as proposed.

#62. Snohomish River

Proposal: This proposal would close fisheries on the Snohomish River on February 15 rather than the current February 28.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Provides additional protection for wild steelhead by moving the conclusion of the season from Feb 28 to Feb 15

I support this proposal. (2)

We need opportunity back not closures that are not scientific only political motivated. Reopen the Snohomish and Stillaguamish rivers to March 31st. These rivers run high and off color during this time frame and impacts are minimal.

I am against this proposal. This affects everyone who makes money on sportfishing. As a professional guide this takes away 13 days of work. This is 13 days of fishing I lose on this river. It would be like asking someone to not make any money for 13 days and expect them to pay their bills. Additionally, this affects state revenue for fishing licenses sales, sales tax on items people buy for fishing, not to mention the business tackle shops, sporting goods, stores, and other merchants from sales of ancillary items.

I Support

Staff Recommendation: Adopt as proposed.

#63. Snoqualmie River

Proposal: This proposal would close fisheries on the Snoqualmie River from the mouth to the boat launch at Plumb on February 15 rather than the current February 28.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Provides additional protection for wild steelhead by moving the conclusion of the season from Feb 28 to Feb 15

I support this proposal. (2)

I am against this proposal. This affects everyone who makes money on sportfishing. As a professional guide this takes away 13 days of work. This is 13 days of fishing I lose on this river. It would be like asking someone to not make any money for 13 days and expect them to pay their bills. Additionally, this affects state revenue for fishing licenses sales, sales tax on items people buy for fishing, not to mention the business tackle shops, sporting goods, stores, and other merchants from sales of ancillary items.

I Support

Staff Recommendation: Adopt as proposed.

#64. Stillaguamish River

Proposal: This proposal would close fisheries on the Stillaguamish River from Marine Drive to the Forks on February 15 rather than the current February 28.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Provides additional protection for wild steelhead by moving the conclusion of the season from Feb 28 to Feb 15

I support this proposal. (2)

We need opportunity back not closures that are not scientific only political motivated. Reopen the Snohomish and Stillaguamish rivers to March 31st. These rivers run high and off color during this time frame and impacts are minimal.

I am against this proposal. This affects everyone who makes money on sportfishing. As a professional guide this takes away 13 days of work. This is 13 days of fishing I lose on this river. It would be like asking someone to not make any money for 13 days and expect them to pay their bills. Additionally, this affects state revenue for fishing licenses sales, sales tax on items people buy for fishing, not to mention the business tackle shops, sporting goods, stores, and other merchants from sales of ancillary items.

I Support

Staff Recommendation: Adopt as proposed.

#65. Skagit River

Proposal: This proposal would make three changes in the Skagit River fishing rules: 1) from the mouth to Highway 536, the selective gear rules would be put into place February 15 rather than the current March 1; 2) the retention fishery in all sections of the river from Highway 536 to the Cascade River currently close March 15. This proposal would close these fisheries on February 15. The catch-and-release fisheries from the Dalles Bridge to the Cascade would then begin February 16 instead of the current March 16; 3) From Highway 536 to the Dalles Bridge, Feb 16 – March 15 selective gear rules and catch and release except up to 2 hatchery steelhead may be retained. Lawful to fish from a floating device equipped with a motor, but not while under power.)

Explanation: the February 15 closure of the retention fisheries and earlier application of selective gear rules provide protection for wild stocks (see proposals above). The additional catch-and-release fishery (except up to two hatchery steelhead may be retained) can be offered because of the other measures put in place to protect wild fish.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Provides additional protection for wild steelhead by moving the conclusion of the season from Feb 28 to Feb 15

I support this proposal. (2)

All wild steelhead in all rivers of the state must be released. On the Skagit and Nooksack systems keep open the fishery until the end of February Or 15th of March. Reason A: The fisheries wants all hatchery steelhead out of the river so they can't spawn with the wild stocks. Closing the season early will eliminate the late coming hatchery stragglers. Then close the river to all Fishers including the tribal fishers to protect the native runs of Steelhead, Bulltrout, and few remaining spring Chinook.

I am against this proposal. The second part of this proposal shorts us a full 30 days of no fishing above the 536 bridge, which is a high lose in revenue. There are hatchery fish to be caught in the areas above the 536 bridge. Additionally, there are hatchery fish from the Dalles Bridge to the Cascade River. Professional fishing guides are very ardent protectors of the Wild Steelhead. We follow strict catch and release principals. I have also observed other anglers who are not guides take great care in releasing Wild Steelhead. The rules we have had on the Skagit River are already very restrictive. I would ask these rules not be changed. If anything, I would ask the rules be modified to allow us to fish while under power from March 16th to April 30th. When we fish under power, we are not using the main engine. We use the kicker motor at a very slow throttle. We are not in the shallows where wild fish may be spawning; we are in the deeper water so the prop is not damaged. We do appreciate the fishery being added from the 536 bridge to the Dalles Bridge, however again we are unable to fish this area under power. We already struggle to make a living with the cost of insurance, state licensing fees, US Forestry permits, US Coast Guard license and maintenance on equipment.

Since 1981 the Skagit has been managed as a late winter/early spring, catch-and-release fishery under selective gear rules (barbless hooks, no bait). Having fished and guided this fishery for close to thirty years and welcomed the seasonal return of the Skagit's stunning wild spring steelhead, I protest WDFW's proposal to curtailing the season from the end of April to the end March. As rationale I cite the following:

1. In 2006 we enjoyed the best return of Skagit steelhead in a decade. The offspring of that bountiful run return this coming spring.
2. Being the only river open in April in all of Region 4, the Skagit's major tributary, the Sauk, will suffer unbearable crowding.
3. Before reaching the takeout, boats launched on the lower Sauk will have to float some two miles of the Skagit foregoing the opportunity to release Sauk-bound fish.

To cut short this popular recreational fishery the Department must prove that catch-and-release appreciably harms steelhead. Unable to do so, the Skagit season's close should remain the end of April, not March.

I Support

Statement from the Wild Steelhead Coaliton (plus 1 letter in support):

We support the three changes described in the Statewide Rules proposals.

Below we commented on the proposals in the Stream Strategy Appendix which apply to additional closures of the Skagit River steelhead fishery.

Stream Strategy Appendix 1 proposals. Although these changes are difficult for steelhead fishers as they close selective gear fishing during the last month of the season, the last three years of low escapements indicate the need. The escapement to the Skagit River last year was only 2510 wild fish, far below the 6,000 wild fish escapement goal as well as the expected return. We further request the managers close the river to all steelhead and trout fishing during the proposed closures and not just the sport fishery. We further request that the river be closed all years when it is not projected to make 100% of its escapement goal, not the 80% level often managed for. This recognizes the serious threat to the stocks and should aid in the recovery process of the Skagit stock.

Staff Recommendation: Adopt as proposed.

#66. Green/Duwamish River Wild Steelhead

Proposal: This proposal would close the retention of wild steelhead on the Green/Duwamish River.

Explanation: An exception to the statewide wild retention regulation was initially made for the Green because there were substantial numbers of unmarked non-native summer-run steelhead in the Green River. In recent years, catches of unmarked summer-run steelhead have declined substantially.

Testimony:

Long overdue. All wild steelhead statewide should be released until the population shows a significant rebound.

Ok, so I support the crabbing rule change, and I support prohibiting wild steelhead retention on all rivers until numbers improve.

The Conservation Committee of the Washington Fly Fishing Club supports -- Closes the River to retention of wild steelhead

I support this proposal. (2)

I also agree with this rule but only if there is a catch and release for the wild fish and also to be able to get the hatchery fish which I catch through March.

I Support

Statement from the Wild Steelhead Coalition (plus 1 letter in support):

We support closure as the run to this river has continually declined over the last 6 or so years and last year the total run was only about 1/6 or the required escapement.

Staff Recommendation: Adopt as proposed.

#67. Beaver Lake (King Co)

Proposal: Change trout daily limit to 5 fish, no more than 2 over 15”.

Explanation: This proposal is intended to spread out the catch of jumbo trout that are planted in Beaver Lake each November, making the fishery last longer into the winter.

Testimony:

As an avid fisherman of multiple species I have become keenly aware of the reductions of fish stocking over the last few years. One of the areas hard hit in this is the Triploid Trout stockings. In an effort to reduce hogging and extend availability of “trips” to more people in a longer duration of time after stocking and lake openers I would like to propose a restriction on retention of these fish. Some lakes like Fish Lake in Chelan County already have a restriction like this in place. It is assumed that the intent of the DFW is not for a few dozen people to hit a body of water hard immediately following an opening and take home 5 11/2 to 4 lb fish a day until in a very short time the trips have been for the most part been fished out. This is an issue because these fish seem more aggressive than their non-sterile counterparts. I have witnessed on several occasions over the years at different lakes on opening days where there may be 9000 fish planted with perhaps only 800 being trips but more than 1/2 the fish taken are trips. This does not include any culling. So my proposal is to mirror the Fish Lake rule for rainbow trout which is “daily limit 5- no more than 2 over 15” may be retained.

This proposal is intended for small to mid-size lakes where planter bows are the standard catch. This rule should probably not extend to larger lakes or those lakes with a very strong bio-mass which makes standard planters or fry grow big and fast. So probably in most cases this rule would be more appropriate for West side lakes. I would think that the biologists should help determine where this rule would most suitably apply.

I first formulated this proposal for the Beaver Lake fishery on the Issaquah Plateau (King County) because of the special trout planting that has been going on there for many years now. The display fish at the Issaquah Hatchery (all trips 2-6 lbs) are dumped in that lake in late fall and there is usually 1-2 thousand of them. The lake becomes a zoo immediately following the stocking but the fishery is usually done in about three weeks because so many people get greedy and fill up freezers with 5 of these big fat fish every day. This fishery could theoretically last until the end of December if we had a 2 over 15 rule to limit this fish grab and many more people could share in the catch for a much longer time.

Even if my proposal for a large sweeping change in many lakes in our state is not adopted, please very seriously consider applying it to Beaver Lake due to the special nature of this fishery and the fact that it is really the only great trout opportunity in the Pugetopolis area especially in the Oct-Nov period. Thank You for this consideration.

The Conservation Committee of the Washington Fly Fishing Club supports -- Reduces retention of stocked trout to two over 15 inches.

I support this change. This will make that fishery last much longer. (6 e-mails)

I support this change.

I support the reduction in limit but would prefer it to be a 1 fish limit to create a much needed “Quality” winter fishery during a season of minimal opportunity when the rivers are often blown-out and the weather and/or available daylight preclude

long road trips from the Metro area. This would be consistent with the department's goal of enhancing urban lake utilization/opportunity.

Staff Recommendation: Adopt as proposed.

#68. Blackman's Lake (Snohomish Co)

Proposal: This proposal would change the daily limit for trout in Blackman's Lake from 5 to 3.

Explanation: The Snohomish Sportsman's club spends thousands of dollars annually stocking Blackman's with triploid trout. A reduction in the bag limit would ensure that the sport fishing community would get the maximum benefit from these fish. Many of the triploids planted weigh several pounds, and provide a satisfactory fishing experience at 3 fish. Blackman's offers three public fishing docks which are utilized by juvenile fishermen and anglers with disabilities. The reduced daily limit would offer anglers a better chance at catching triploids by spreading out the catch.

Testimony:

The Conservation Committee of the Washington Fly Fishing Club supports -- Reduced daily retention from 5 to 3 fish. Increases opportunity while reducing harvest of triploids.

I supports this change. (6 e-mails)

I support this change.

I support this proposal as this lake gets fished out way too early.

Staff Recommendation: Adopt as proposed.

#69. Monte Cristo Lake (Snohomish Co)

Proposal: This proposal would set the season for Monte Cristo Lake as the first Saturday in June –Aug 31st, and catch-and-release for all species, except up to two hatchery steelhead may be retained.

Explanation: This body of water is essentially a wide pool in the South Fork of the Sauk River. Current rules allow trout harvest in this pool through October, inconsistent with the intent of other regulations on the South Fork Sauk. Regulations were changed on the South Fork Sauk River above Elliot Creek in 1995 to protect Bull Trout, and changed again in 2007 to catch and release, selective gear rules, but this "lake" was not included in the change. This change will make the regulations consistent in the South Fork Sauk River above Elliot Creek.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#70. Rattlesnake Lake (King Co)

Proposal: This proposal would change the season on Rattlesnake Lake from the last Saturday in April to October 31 to open year round. The selective gear rules restriction would apply, and the fishery would become catch-and-release for all species.

Explanation: We received several public proposals to make Rattlesnake Lake a catch-and-release fishery, and open to fishing year-round. Some proposals were for a fly-fishing-only lake. We are proposing to retain the selective gear rules restriction, but change to catch-and-release and open year-round.

Testimony:

I would like to see Rattlesnake Lake open all year around (ideally fly fishing only) but with the selective gear regulations if we have to go that route. My concern would be that some people will use bait during the quieter months when few people would realize that they are doing that.

I would like to use the occasion of this email to indicate my support for this proposal.

In fact, I would really be in favor of fly fishing and catch and release only. However, even making it year round and selective gear, catch and release would, in my opinion, enhance the fishery. (2 identical e-mails)

I understand that WDFW is considering changing the season on this lake to year-round, catch and release only. I would love to see this happen. It would be great to have a lake like this so close to the Seattle area. I would love to see the same thing happen to Lake Langlois.

I am voicing my support of the proposed rule change to keep Rattlesnake Lake open year-round and a selective gear, catch & release fishery.

I support the change for Rattlesnake Lake to become a year round catch and release fishery with selective gear rules. I think having such lakes in each general area is a very important move. Although there may be other lakes better suited due to insect availability for sustaining the fish population I support this move for Rattlesnake Lake of King County.

This is to voice my support of the proposed rule change to keep Rattlesnake Lake open year-round and managed as a selective gear, catch & release fishery. This change will be much appreciated by the many Seattle-area anglers for whom relative few such opportunities are available within a reasonable drive.

Please cast my preference in favor of making the All Year/ Catch and Release Ruling a reality. More rivers and lakes should be made this way.

Changing the rule to year round, selective gear, catch and release fishery makes sense for Rattlesnake lake. It will improve the quality of fishing and make enforcement of the rules easier. There are plenty of "put and take" lakes available in King county for those anglers who want to bring home a limit of 10" stocked trout.

This is a great idea!

I enthusiastically support the proposed Rattlesnake Lake regulation change, which would make it open year-around, would retain the selective gear rules, but would make it catch-and-release for all species. Having fished Rattlesnake Lake and (in the process) observed other anglers for many years, I would say that two categories of anglers predominate the fishing there.

The 1st category is those anglers, who fish from a floating device throughout the lake, or fish from the beach at or near the picnic area on the north end of the lake. Generally, those anglers don't engage an illegal methods, and most often, they release any trout they catch. So, most in that category would not be negatively impacted by the proposed rule change, and would likely appreciate the opportunity for year-around fishing.

The 2nd category is those anglers who fish from the shore at remote locations around the lake, but usually below the visitor center. Most often, those anglers do employ illegal methods (i.e., use bait), and they usually retain everything they catch, whether or not it exceeds the current 5-fish limit. Unfortunately, the vast majority of the anglers are also unlikely to be negatively impacted by the proposed rule change, as they would undoubtedly just continue with their illegal fishing activity.

In any event, if there is anything you can do to help get the proposed Rattlesnake Lake regulation change implemented, it would be most sincerely appreciated

I think having a year round season on Rattlesnake Lake with catch and release would be a wonderful opportunity for some really excellent fishing in the area. We lack quality fishing on the West side of the mountains.

I am very much in support of the proposed rule change to keep Rattlesnake Lake open year-round and managed as a selective gear, catch & release fishery. With all the many catch-and-keep lakes available around in the King County region, having a relatively close by C&R managed lake would be a fantastic option.

If there's any room to push for planting fry plants instead of the triploid program (if the lake has enough biomass to support such a program), I'd also be very much in favor of that.

Rattlesnake lake is a favorite lake of mine where I currently catch and release. Opening year round would provide a great spot for me and many other anglers to practice their craft in the dead of winter close to Seattle.

This is to voice my support of the proposed rule change to keep Rattlesnake Lake open year-round and managed as a selective gear, catch & release fishery. This change will be much appreciated by the many Snoqualmie anglers for whom relative few such opportunities are available.

This is to voice my support of the proposed rule change to keep Rattlesnake Lake open year-round and managed as a selective gear, catch & release fishery. This change will be much appreciated by the many Seattle-area anglers for whom relative few such opportunities are available within a reasonable drive.

I support this change, hopefully bigger trout will be had, You could make the limit 1 fish over 14in in case a bad bleeder is hooked.

I support the Rattlesnake Lake Proposal.

I support proposal to retain selective gear rules, but change to catch and release with year-round season. It would be great to have a catch and release fishery so close to major Puget Sound population.

I'm writing to let you know that I strongly support Rule Change #70, making Rattlesnake Lake in King County a Selective Rule, Catch & Release Year-Round fishing lake.

This is to voice my support of the proposed rule change to keep Rattlesnake Lake open year-round and managed as a selective gear, catch & release fishery. This change will be much appreciated by the many Seattle-area anglers for whom relative few such opportunities are available within a reasonable drive.

I support this proposal in making Rattlesnake a year round catch and release lake.

I strongly support the conversion of Rattlesnake Lake in North Bend to a year-round, catch-and-release fishery. Those of us in the Western Washington area have far too few opportunities and locations for fishing lakes regulated solely for the practice of catch-and-release activity. Please consider this proposal seriously, thank you.

The Conservation Committee of the Washington Fly Fishing Club supports -- Changes to selective gear rules and keeps the lake open year round

As a lifelong resident in Washington State and current resident of North Bend, I strongly support the proposal to convert Rattlesnake Lake to a year round catch and release fishery. It appears that it may both save money and elevate that fishery into one of the very few C & R lakes on the Westside. These are two extremely laudable goals. Thank you for giving this proposal considerable attention.

As an avid fisherman and fan of Rattlesnake lake, I urge you to consider making the lake a selective, year round catch and release lake.

We see far too many poachers using illegal means to catch fish and something must be done to maintain the integrity of this fine outdoor recreational facility.

I wish to lend my support for catch and release on Rattle Snake lk.

I fish Rattlesnake often....I SUPPORT THE PROPOSED CHANGES!

I fully support the rule changes proposed for Rattlesnake Lake.

Rattlesnake lake, I think some special interest fly fishing groups are pushing this. I think it should be kept open if the fish can survive the winter (no food in the lake), but let people keep fish in the regular season and c & r during the winter. During the summer I go to the lake at least once a week and there are lots of kids fishing and taking fish home, don't take that from them. Thank you

I support the possible rule changes regarding Rattlesnake Lake where the lake would be open year around, it would be converted into a catch and release fishery for all species, and the selective gear rule restriction would apply. The advantages of this plan would expand the season for fishing RL and over time would increase the average size of the fish caught in the lake. I also understand it would reduce the costs of DFW because the C & R fishery would require fewer fish to be planted each year than has been done in the past.

As a footnote, I am very much in favor of increasing the number of lakes, streams and rivers where all fishers are required to release wild fish populations.

I strongly support WDFW's Proposed Rule 70. Converting Rattlesnake Lake into a catch-and-release fishery could transform an easily accessible lake into a suburban trophy trout lake. What a wonderful opportunity.

I do not support this rule as is I would like to see the lake go year round but have a one fish limit. (7 e-mails)

I just want to let you know that I wholeheartedly support the rules changes that WDFW is considering for Rattlesnake lake. (Proposal #70.) Making Rattlesnake Lake a catch and release lake would make it great fishing year round. I am among several fisherman that practice catch and release at Rattlesnake already, with the hopes of extending the season for all of us. Unfortunately, this strategy doesn't work every year, this current year being a good example. The lake seemed to be pretty much "fished out" by the end of summer. (With the exception of a bunch of 3" – 4" planters that appeared in early fall.)

Keeping Rattlesnake open year round is also a good idea in that it would give those of us in the Seattle area a closer fly fishing option than Pass and Lone lakes. I also agree with keeping it selective gear rules so that those that prefer to use an electric motor could continue to do so.

I support this proposal.

Staff Recommendation: Adopt as proposed.

Region 5

#71. Green River (Cowlitz Co)

Proposal: This proposal opens the area above Miners Creek to a catch-and-release fishery with selective gear rules.

Explanation: This proposal would create a fishery within the Mt. St. Helens National Volcanic Monument, while providing recreational opportunity in a key recreation area adjacent to Green River Horse Camp and the Green River Trail.

Testimony:

The Toutle Valley Community Association supports opening fishing in Green River and believe it would provide a unique fishing opportunity. However, eastern brook trout could be retained here without any biologic impact.

Staff Recommendation: Adopt as proposed.

#72. Wind River and Drano Lake Anti-Snagging Rule

Proposal: This proposal would remove the anti-snagging rule from the Wind River from mouth (boundary line/markers) to the Burlington-Northern Railroad Bridge and Drano Lake from the Hwy. 14 Bridge to markers on points of land downstream and across from the Little White Salmon National Fish Hatchery during the spring Chinook fishery (March 16 through June 30.)

Explanation: The Fish and Wildlife Commission recently adopted the replacement of the non-buoyant lure restriction with the anti-snagging rule. Under permanent regulations, both Wind River and Drano Lake had the non-buoyant lure restrictions, which would have become the anti-snagging rule.

During the recent North of Falcon process, the department proposed a test to remove the upcoming anti-snagging rule during the spring Chinook fishery in some areas. Floating lures are commonly trolled in these locations and the new anti-snagging rule would have required anglers to replace them with single pointed hooks.

Based upon public response at the North of Falcon process, the department moved forward with the test. Snagging did not become a problem this spring; therefore the department is proposing to permanently remove the anti-snagging rule during the spring Chinook fishery in these areas.

The anti-snagging rule will still be in place on May 1 on the Wind River from the Burlington-Northern Railroad Bridge upstream. Spring Chinook are susceptible to snagging in the river itself, and during the fall salmon fisheries at Wind River and Drano Lake.

Testimony:

Floating lures should be permitted for use, year around when fishing in Drano-to apply the rule only for Spring fish does not make any sense.....in addition, you need to add the White Salmon to this. It does not get the pressure of Drano but we still fish it in the fall for salmon.

Note, you need to look at your current anti-snagging rule and make sure that it includes the current changes - that permit floating lures when fishing for salmon or steelhead.

Adopt

Nobody needs to use barbed hooks or trebles, barbless single hooks work just fine on floating lures fished in Drano or anywhere else, there are wild fish that dip into Drano and these need to be released unharmed. Make the rule the same

as all other areas of the Columbia. BTW, why are Oregonians and Oregon guides allowed to fish for spring Chinook with Oregon licenses on Drano Lake, which is obviously not the Columbia River and is upstream of Washington SR 14?

I support this change not many fish are snagged on floating lures (7 e-mails)

Remove the anti-snagging regulation in these bodies of water as well as the Klickitat River on all bouyant plugs while being fished from a boat year round. Everyone should not be punished by a few unethical people.

Comments from Public Meetings:

One angler in Vancouver expressed support for the proposal and stated that there is no snagging on the Wind River.

Staff Recommendation: Adopt as proposed.

#73. Drano Lake Bank Fishery

Proposal: The area around the outlet of Drano Lake (west of a line projected from the eastern most pillar of the Highway 14 Bridge to a posted marker on the north shore) will be limited to bank fishing only from April 16 through June 30. (Figure2).



Figure 2 - Proposed Bank Fishing Area

Explanation: Over the last several seasons, the department has received numerous concerns about bank and boat interactions near the outlet of Drano Lake during spring Chinook fisheries. Bank fishing is limited in the lake and the outlet is a popular and productive area for both bank and boat anglers. In spring 2008, the department opened the adjacent mainstem Columbia to bank fishing only to provide additional opportunity and reduce conflicts just inside the lake. That effort had only minimal success because of limited access and prevalent windy conditions.

During the recent North of Falcon process, the department proposed a test to reduce the bank and boat conflicts by limiting the immediate area near the outlet of Drano Lake to bank fishing only during the spring Chinook fishery. This was done by emergency rule. A similar bank fishing area at the mouth of the White Salmon River has been successful in

reducing bank and boat conflicts. Based upon public response during this test, the department decided to propose making this rule permanent.

NOTE: The remainder of Drano Lake will remain open to fishing from boats and the bank. The bank-only area will be in place only during the spring Chinook fishery. The adjacent mainstem Columbia from Bonneville Dam to the Tower Island power lines (located about 6 miles below The Dalles Dam) remains open to fishing for hatchery salmon, hatchery steelhead, and shad from the bank through April.

Testimony:

Do Not Adopt. The rule being proposed is designed to eliminate conflict between bank anglers and boat anglers. The staff has incorrectly identified the problem. The problem is caused by allowing anglers to fish in an area where fish are UNNATUARLLY CONCENTRATED. Unnatural concentrations of all wildlife causes problems. SOLUTION: Close subject area to ALL fishing with a restriction that would require all anglers to give fish a "safety zone". All anglers would then be able to fish the non-restricted portion of the lake in the manner desired.

This worked pretty well last year and would be ok along the line that was in place last year, except that bank fishing should be PROHIBITED from the east bank where boats have to turn around, and limited only to the west bank. It is dangerous for people to be casting right into boats just feet away from them, and it is stupid to allow people to plunk right there where you have no choice but to run over their line with your prop. Also, arrest a few of the idiots on the west bank for assault who persist in casting their lures over the line on a windy day and hitting boats that are over the boundary line.

I do not support this change. (7 e-mails)

On a positive note. The angler only area on Drano Lake started last year was, by all accounts, a huge success. The Skamania Co.Sheriffs Department was delighted with the dramatic reduction in calls regarding boat/bank angler incidents. I myself fish from a boat and on my many trips to Drano last year saw,for the first time,no yelling,swearing or threatening. I might even start taking my grand kids with me next year.

I do have a suggestion for next year to make this even more successful. I relayed my suggestion,on site,with John Weinheimer (District 5) last year. Given the large expanse of water that is Drano Lake we need to only slightly expand the "bank only" area. As it was marked off last year boat and bank anglers were within easy casting distance of one and another. Additionally, there was a lot of "fudging the line" by the boats. Some was done accidentally others,like some of the guide boats,was done more intentionally. I strongly recommend that the line be moved easterly a few more feet to the abutment on the Hiway 14 bridge and then go directly north across Drano to the north side. This will open up the south side and eliminate the only remaining contentious area for the many additional bank anglers who were finally able to fish from the bank last year. I would be more than happy to forward to scale drawings and measurements in support of my suggestion if it helps The Department consider this for next year.

Staff Recommendation: Adopt as proposed.

#74. Merrill Lake (Cowlitz Co)

Proposal: This proposal would add a catch-and-release rule to the fly-fishing-only rules in Merrill Lake.

Explanation: Merrill Lake is a fly-fishing-only lake. It has been stocked with triploid trout, and most fishermen currently practice catch-and-release at this lake. Catch-and-release may also help to curtail some of the poaching going on.

Testimony:

I am for catch and release required at Merrill Lake. I have witnessed (and reported) numerous poachers and campers fishing with bait and lures killing fish both in and outside the slots limit. This lake is in danger. Planting Triploids only advertised to the poachers (who follow plant schedules) that big trout are available for the taking.

I strongly support proposed rule changes #41 Buzzard Lake, #45 Cougar Lakes, #46 Desert Lakes, #74 Merrill Lake and especially #88 Munn & Susan Lakes. I support any increase in opportunities to add selective gear lakes opportunities.

The Conservation Committee of the Washington Fly Fishing Club supports -- Currently fly-fishing only, would add catch-and-release regulations as well

I support this proposal though now that the (area around) lake is for sale, I wonder how the department will maintain access to or replace one of the few fly-fishing only fisheries in the state.

Comments from Public Meetings:

One person at the Vancouver meeting stated that the catch and release of fish at Merrill would decrease poaching.

One person in Vancouver said that Merrill is a first class fishing lake. The parking lot was full – never seen so many people. Catch and release is a good idea.

Staff Recommendation: Adopt as proposed.

#75. Spirit Lake (Cowlitz Co)

Proposal: Open by limited-entry drawing, Saturdays only June 15 - October 31. Catch-and-release and selective gear rules. Fishing from a floating device or from designated bank areas only.

Explanation: This fishery is contingent on the U.S. Forest Service allowing public access. The Department has requested that U.S Forest Service allows access for this limited fishery that would provide anglers with a special fishing opportunity on a population of large trout, and is hopeful that an agreement can be reached.

Testimony:

Fishing at Spirit Lake should be allowed but controlled. Exploitation by elite groups and overpressure by general access should be avoided. Equal access drawing are ok as long as it is fair to all and not just an overpriced fund raiser.

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Postcards and 13 e-mails received – most from the Portland area stating:

I am writing to comment on the proposed sport fishing rule change Region 5 #75 Spirit Lake. I am deeply concerned by the proposal to open this highly unique national treasure to recreational fishing. The purpose of the Mount St. Helens Monument where Spirit Lake is located is to ensure that “the environment is left to respond naturally to the disturbance.” Maintaining natural ecological succession in at least some areas at Mount St. Helens will assure that this unique natural laboratory will continue to support high value scientific study. The lake is also extremely unsafe because of the large amount and movement of logs and debris. The proposal seems particularly problematic when one considers that Coldwater Lake – located just a few miles from Spirit Lake – is open to fishing and underutilized. Opening Spirit Lake to fishing would benefit a few anglers without adequately protecting the fragile ecosystem as declared in the Monument Act. We ask that the commission not include freshwater rule Region 5 #75 Spirit Lake in the final sport fishing rules. Thank you.

I am writing to comment on the proposed sport fishing rule change Region 5 #75 Spirit Lake. I spend a great deal of time at Mt. St. Helens and I fully obey the restricted area signs when I hike on the Harmony Falls Trail. As tempting as it is to continue walking along the lakeshore, I do not do it, respecting the fragility and pristine nature of what is basically a new lake. I am deeply concerned by the proposal to open this highly unique national treasure to recreational fishing. The purpose of the Mt. St. Helens Monument where Spirit Lake is located is to ensure that “the environment is left to respond naturally to the disturbance.” Maintaining natural ecological succession in at least some areas at Mount St. Helens will assure that this unique natural laboratory will continue to support high value scientific study. The lake is also extremely unsafe because of the large amount and movement of logs and debris. The proposal seems particularly ridiculous when one considers that Coldwater Lake – located just a few miles from Spirit Lake – is open to fishing and is underutilized. Further, Coldwater has many miles of isolated shoreline accessible from a trail running its entire length, so no anglers can honestly claim they do not have quiet options for fishing there. It makes no sense to open up Spirit Lake to fishing when Coldwater is already available, and as you know, the fish are thriving there, with many large catches happening every year.

Finally, the small parking lot at Harmony Falls Trailhead is not adequate to serve a fishing populace and a hiking populace, nor is the small shoreline access area big enough. Returning plants and habitats would inevitably be trampled, and trash and fishing line would end up on the shore and in the lake (sorry, but not all anglers are ethical about "pack it out." as your enforcement people are well aware from WDFW access sites throughout the state). The idea that every lake has to be stocked and every lake with fish must be fished is patently ridiculous, particularly in an area like the Volcanic Monument, specifically set aside by Congress to preserve a landscape and succession process unique in North America. Opening Spirit Lake to fishing would benefit a few anglers without adequately protecting the fragile ecosystem for all other publics as declared in the Monument Act. We ask that the commission not include freshwater rule Region 5 #75 Spirit Lake in the final sport fishing rules.

The Conservation Committee of the Washington Fly Fishing Club supports -- Changes to limited entry drawing, C&R only and selective gear.

There are so many things wrong with allowing fishing at Spirit Lake. This is a very rare place, with decades of scientific research and millions of dollars in research grants dedicated to studying the long term impact of volcanic activity. To allow fishing would be risking the shoreline to unnecessary erosion, risking the lake to the introduction of invasive species, and the land around it to further erosion by anglers seeking other ways to the lake. And how would you enforce

the law, to keep out unauthorized fishing? Are you going to have a forest ranger there all the time? Where would the money for that come from? There was a rare opportunity to study a brand-new lake, formed when the mountain erupted in 1980, but as a compromise to anglers, Coldwater Lake was given up to fishing. Isn't that enough? The Pumice Plain would be impacted, the lake itself would be impacted, and who would gain? A few fishermen would get some trophy fish, at everyone else's expense. Please, don't allow fishing at Spirit Lake.

Dear Ms. Preuss,

I am taking the unusual step of releasing my March 19 letter to Senator Jacobsen encouraging no fishing at this time within Spirit Lake as enclosed.

The current issue seemed to be closed after hearing from him that the State legislature stopped attempts to open the lake to raffle rights for fishing.

Now the department apparently proposed a regulatory change for 2010-2012 that would allow fishing, which is exactly the opposite of the legislative intent. I assure you that my views are unchanged.

The only reason I did not pursue the national park proposal is due to the current financial crisis that placed our funding for such a protection in jeopardy. The department only waited 6 months to make this proposal.

I suggest you cancel the proposal. However, we can reopen the effort to allow better Federal oversight of a fragile Spirit Lake if the Gregoire administration adopts it.

This new regulation would be inconsistent with the congressional action creating the Mount St. Helens National Volcanic Monument.

I am writing this morning after hearing that the State legislature is apparently attempting to open Spirit Lake to raffle rights for fishing (SHB 1838).

Having grown up hiking at Mount St. Helens going back to before the volcano erupted, we need to preserve Spirit Lake at this time rather than spoil it for future generations.

My suggestion is you vote no on the legislation so scientific research is possible rather than exploitation of this resource. I am unsure what direction the advisory committee created by our congressional delegation took. However, protection of these unique lands from such outrageous proposals is necessary even if we need to establish a national park there. If you have questions or concerns on the Gifford Pinchot National Forest, please feel free to contact me.

MOUNT ST HELENS PROTECTIVE ASSOCIATION

The Mount St. Helens Protective Association opposes the proposed rule to open Spirit Lake, located within the Mount St. Helens National Volcanic Monument, to sport fishing.

The Proposal Jeopardizes Science

This proposed fishery would create the potential for great loss to science and to the public's investment in 30 years of data collection at Spirit Lake. The proposed fishery also would create substantial indirect public costs not covered by the proceeds from the proposed raffle, including jeopardizing more than \$5 million already invested in long term science by taxpayer-supported university and government agency scientists.

Spirit Lake is the largest lake in the contiguous United States that is not open to human intervention and this is devoted to science. Natural aquatic ecosystem recovery at this scale has not been studied anywhere else in North America. Although it may not be pristine, Spirit Lake still is the only place where relatively natural ecological processes have been protected and allowed to evolve.

Scientists have been collecting chemical, physical and biological data from Spirit Lake since April 1980, which was prior to the eruption. Continuous research for 29 years has created enormous value in the long term data sets. Despite their obvious merit, long-term research projects like Spirit Lake remain relatively uncommon. This is the longest-running body of data on any volcanic-impacted lake in the world.

We're still at the beginning of a recovery process that will take hundreds of years to complete. Scientists now have new tools and technologies, such as remote satellite analyses of biological change, that can help answer long-term ecological questions in new ways.

While the 1982 federal legislation that created the Mount St. Helens National Volcanic Monument allows hunting and fishing, it did not make these activities the primary management objective. Instead, the Monument Act gave scientific research priority. Recreation is to be allowed only when it does not conflict with science.

Spirit Lake is part of 30,000 acres of the 110,000-acre national monument that were set aside for scientific research. Spirit Lake is closed to sport fishing and other recreational activities that would disrupt the lake's natural recovery process. Because they are designated for research, Spirit Lake and the adjacent Pumice Plain are the places where scientists have invested million of dollars and more than 10,000 hours per year in scientific study. Dozens of scientists work at the volcano each summer and spend hundreds of thousands of federal research dollars here rather than going elsewhere. This research has resulted in hundreds of peer-reviewed scientific publications. Lessons learned here are being applied to important problems elsewhere.

Many students training to be scientists are getting research experience here. Washington State University-Vancouver alone has had more than 30 students participate in scientific studies in the past five years.

Monument interpreters share the results of scientific research with 750,000 monument visitors each year. Thousands of articles have been published in the popular press about the lessons learned by scientists monitoring the ecological recovery of the Mount St. Helens landscape. The Mount St. Helens Institute exists as an organization to connect the public with educational opportunities in the research area and to foster public understanding of this volcanic landscape. Even the limited public angling proposed by the Washington Department of Fish and Wildlife could potentially jeopardize the research value of Spirit Lake and the Pumice Plain and negate the substantial public investment in long-term science.

Rainbow Trout Are Part of the Ecosystem

Proponents of this proposal have argued that the rainbow trout in Spirit Lake are not native and therefore justify a recreational fishery. This is not true. Genetic studies have shown that the rainbow trout illegally stocked in Spirit Lake are genetically similar to other rainbow trout in the region, suggesting that whoever planted the fish had access to hatchery fish and the means to transport them to the lake. This species was in Spirit Lake prior to the 1980 eruption and likely would have returned on its own if the U.S. Army Corps of Engineers have not prevented the Toutle River from reconnecting to Spirit Lake. In any case, this native fish is part of the natural ecosystem being studied now and is a valuable part of the longterm study. Its presence in no way justifies introducing a recreational fishery that has a high likelihood of greatly impacting the unfolding natural processes that the Mount St. Helens National Volcanic Monument was set aside to protect.

Time-Limited Public Interest

This proposed fishery is likely to be of short duration – potentially five years at most – before the public loses interest. Preliminary evidence suggests that the rainbow trout in Spirit Lake are going through changes that are causing them to get smaller every year. No one will want to buy a raffle ticket when they can catch the same size fish elsewhere for free. It is not worth jeopardizing the public's substantial investment in scientific understanding of functioning ecosystems for five years of recreation for a handful of anglers.

Anglers Will Have Impacts

Despite catch-and-release and selective gear rules and using a raffle to limit the numbers, anglers will cause impacts. Allowing 10 anglers per week over 21 weeks, not to mention proposed guides, to walk along the Spirit Lake shoreline will impact fragile vegetation and soils. This impact in turn will affect associated insect and amphibian populations. Similar impacts are clearly visible at other Mount St. Helens blast zone lakes where sport fishing already is permitted. Anglers and their float tubes, rafts or waders are likely to introduce new species. Whether native or non-native, introduction of new species through human-assisted transport has the potential to severely alter the natural recovery process and destroy Spirit Lake's value to science.

Data collection by sport anglers will not be useful. There already is an effective, well-funded, long-term scientific program in place to study Spirit Lake. Scientists have a small number of fixed stations from which they sample fish. Two scientists pull in fish for a fixed time period in order to standardize the sampling effort while three other scientists collect data from the fish and return them to the lake before they are harmed. Moreover, this sampling is a small part of large, integrated, long-term study of the lake's ecology that includes limnetic and chemical sampling, quantification of spawning sites, documentation of amphibian community dynamics, and study of small mammals, amphibians and vegetation in shoreline areas.

Sport angler access to the south shore of Spirit Lake would endanger research on the Pumice Plain, which is the most intensively studied upland area. Because the Pumice Plain is very unstable, a new trail allowing access to the south shore of Spirit Lake would most certainly wash out on a regular basis, causing anglers to wander off-trail into research plots.

Indirect Economic Impacts

This proposed sport fishery would create indirect economic impacts not addressed by the proposal. The Mount St. Helens National Volcanic Monument staff already is stretched thin by budget cuts but the U.S. Forest Service would not receive any compensation for the additional expenses incurred by the need to monitor and enforce the proposed fishery. The Washington Department of Fish and Wildlife has not addressed who would pay for enforcement on other days of the week or times of the year when the proposed fishery would not be occurring. Once the word got out that Spirit Lake was open to fishing, education and enforcement would be needed to prevent people other than the raffle-winners from accessing the closed research area or trampling through research plots on the Pumice Plain to reach the Spirit Lake shoreline. If a new trail was built for anglers, what would stop other people from using it?

WDFW Reneges on Its Agreement for Science at Spirit Lake

When Congress created the Mount St. Helens National Volcanic Monument in 1982, it directed that a Scientific Advisory Board be established to help determine which areas of the monument should be opened to the public and which areas should be dedicated to science. The Washington Department of Fish and Wildlife was a participant on the Scientific Advisory Board and agreed that Spirit Lake would be one of three lakes in the monument devoted to science. This agreement is documented in the Mount St. Helens National Volcanic Monument Management Plan and a joint Forest Service-WDFW Fish and Wildlife Management Plan.

Over the objections of scientists, the Scientific Advisory Board and the U.S. Forest Service conceded to the Washington Department of Fish and Wildlife's wishes that the newly created and fishless Coldwater Lake should be stocked with trout and become a public fishery. The Forest Service made a substantial public investment to develop paved road access to Coldwater Lake, a boat launch, restrooms, a fish cleaning facility and shoreline access trails. Today, Coldwater Lake is

teeming with 16-inch rainbow trout but the WDFW does not promote this premier fishing opportunity and admits that the fishery is "underused." Instead, the WDFW has invested considerable staff time over the past couple of years to develop and promote this proposal.

The Mount St. Helens area abounds with waters open to recreational fishing. The State of Washington has endless angling opportunities elsewhere. Spirit Lake is not needed for recreational fishing.

Proposal Fails in Washington Legislature

Earlier this year, the Washington Legislature did not pass SHB 1838, which would have implemented this proposal. The Mount St. Helens Protective Association, Vancouver Audubon Society and Gifford Pinchot Task Force testified in opposition to SHB 1838 at the Senate Committee on Natural Resources, Oceans and Recreation hearing. Many other citizens and conservation organizations contacted their legislative representatives in opposition to SHB 1838. Having failed to achieve its goal politically, the Washington Department of Fish and Wildlife is now trying to achieve the fishery through the less-public administrative rule-making process.

Proposal Violates Monument Act and Management Plan

Ultimately, the proposed recreational fishery violates the Monument Act. Congress recognized the unique opportunities for science in the Mount St. Helens National Volcanic Monument in 1982, directing management to allow "geologic forces and ecological succession to continue substantially unimpeded." The Mount St. Helens National Volcanic Monument Management Plan, which implements the act, does not allow sport fishing in Spirit Lake. The discovery of rainbow trout in the lake in 1993 did not change that plan or the Monument Act.

The Washington Fish and Wildlife Commission should not approve Proposal #75.

Sincerely,
Susan Saul
Coordinator

I support the Commission's stand on opening Spirit Lake for fishing; it needs no agreement from the Forest Service. I would further like the lake to be managed under the special rules provisions. Recent surveys show it needs no supplemental stocking; it has restored its fish populations in the way Nature can always be depended on: natural reproduction.

I support this change. (3 e-mails)

I am a 70 year old taxpayer, and have enjoyed fishing all my life. I resent the fact that I am denied the right to fish a lake such as Spirit Lake, which is on public property.

As you have jurisdiction over the fish in this lake it is your duty to respect the right of the public to fish this lake.

I, respectfully, request the right to fish this lake in the coming 2010 season.

It is time to open Spirit Lake to the fishing public. The WDFW is charged with responsibility for managing the fish in Spirit Lake. The Forest Service has been stonewalling on fishing in Spirit Lake while granting hunters permission to trample the area in pursuit of game. There is already an access trail to the lake. The fish there were planted. There is already illegal fishing taking place. Unless you wish to encourage scoff laws you should open the lake to legal fishing and encourage enforcement of regulations. The data collected on this fishery already shows that the fishery is in decline. Do not wait until it is ruined to step up and do your duty.

Please consider modifying the department proposal regarding Spirit Lake. This lake is being test fished and illegally fished at this time (and has for many years) and since there is published public access to the lake via the Harmony trail, I request that WDF&W open the lake to catch and release sport fishing.

I am writing to you to ask you to please open Spirit Lake this year to sport fisherman. This Lake has been closed to fishing since the Mt. ST.Helens eruption. This is a very long time to prohibit the citizens of this great state from this beautifully outdoor recreational asset. I am a senior citizen who would greatly appreciate the opportunity to once again enjoy this lake.

Please open Spirit lake for public fishing. Change the proposed WDFW rule in front of the commission, which states the lake can be opened only when an agreement with the Forest Service is reached. My position is that this is not possible. I am tired of delays and want the lake open for the 2010 season. I am not supporting the WDFW proposed rule. There is no need for an agreement with the Forest Service. Access is currently available and will not impact any research in the area.

We have been trying to get an agreement with the Forest Service for 7 years with no success. It is not going to happen. A very few lower status Forest Service employees are allowed to make policy decisions on this issue. They are using this power for personal reasons that are not in the best interest of the public.

Currently access is available to the lake and no new trails would be needed to allow for legal fishing in this outstanding fishery.

The WDFW has jurisdiction over the fish and should exercise this responsibility and not let the Forest Service control what is a duty of the department.

The lake is being fished illegally at present and the WDFW needs to open the lake so as to protect this fishery.

I am a member of the Clark Skamania Fly Fishers club and we have been struggling for 7 years to get public access to Spirit Lake. The Forest Service seems to be stubbornly trying to prevent access with no remaining valid reasons. It is time for the WDFW to take responsibility for fishing rules as they are chartered. There are existing existing public access trails to the lake so all that remains is to change the fishing rules.

Please step up and help the fisherman of the state gain access to what I understand is a superb fishery.

As a resident of Washington, a Master Hunter, a member of the Clark Skamania Fly Fishing Club, the Rocky Mountain Elk Foundation, and a volunteer in support of the fish and wild life system as well as other groups dedicated to and interested in wildlife resources and the sporting pursuit of fish and game I am interested in the option of fishing Spirit Lake.

The Clark Skamania Fly Fishing Club have been trying to get an agreement with the Forest Service for 7 years to open Spirit Lake to fishing with no success. We can only conclude that the Forest service will not agree to open the lake.

The WDFW has jurisdiction over the fish and should exercise this responsibility and not let the Forest Service control what is a duty of the department.

It seems that Forest Service employees are allowed to make policy decisions on this issue that are not in the best interest of the public.

Currently access is available to the lake and no new trails would be needed to allow for legal fishing in this outstanding fishery.

The lake is being fished illegally at present and the WDFW needs to open the lake so as to protect this fishery.

Exercise the authority of the WDFW and open Spirit Lake to responsible fishing in accord with the guidelines of your departments biologists to protect the resource.

The volunteer groups that I support currently work with WDFW to open, monitor and maintain facilities. I am sure these groups are prepared to participate in similar effort for Spirit Lake.

I urge you to oppose opening Spirit Lake to sports fishing. It is important that areas such as this be maintained as naturally as possible. The area is a favorite place for me to take out of country and out of town guests.

I would like to voice my opposition for opening Spirit Lake up to fishing. These are my primary reasons for opposition:

- (1) Jeopardizes public investment in unprecedented long-term science.
- (2) Anglers will impact the shoreline.
- (3) Anglers and their float tubes or rafts may introduce new species.
- (4) Access to the south side of Spirit Lake would endanger Pumice Plain research.
- (6) Agencies don't have funding to manage this fishery.
- (7) Violates Monument Act and Monument Management Plan.
- (8) There are other places to fish in the area.

Thank you,

Jennifer Halos, Sierra Club Member

Clark-Skamania Flyfishers and other organizations have been trying to get Spirit Lake open for public fishing. Many attempts to get the Forest Service to cooperate, or at least negotiate, have been without success.

We have been trying to get the WDFW to change their proposed rule, now in front of the commission, which states the lake can be opened only when an agreement with the Forest Service is reached. This is not possible.

We are tired of delays and want the lake open for the 2010 season. We do not support the WDFW proposed rule. There is no need for an agreement with the Forest Service. Access is currently available and will not impact any research in the area.

We have been trying to get an agreement with the Forest service for 7 years with no success. It is not going to happen. A very few lower status Forest Service employees are allowed to make policy decisions on this issue. They are using this power for personal reasons that are not in the best interest of the public.

Access is now available to the lake and no new trails would be needed to allow for legal fishing in this world class type fishery.

The WDFW has jurisdiction over the fish and they should exercise this responsibility and not let the Forest Service control what is a duty of the department.

The lake is being fished illegally at present and the WDFW needs to open the lake so as to protect this fishery.

Summary:

I strongly support Commission disregard for the departments rule proposal that requires an agreement with the Forest Service on this issue.

I strongly support that Spirit Lake be opened for general public fishing during the 2010 fishing season.

I am writing to voice my support for keeping Spirit Lake closed to fishing. I am an avid angler, but I feel that this is one place that should not be open to angling. There has been so much important work done to the area that it would be a waste of 30 years of data. Please let nature remain in control. As a fisherman I beg you to keep Spirit Lake the way it is. Thanks.

Orcutt, Migas debate of Spirit Lake as a Fishery.

From: patrick migas [mailto:pmigas@hotmail.com]

Sent: Saturday, November 28, 2009 11:52 AM

To: Preuss, Lori (DFW); tmulder@fs.fed.us

Subject: Orcutt, Migas debate of Spirit Lake as a Fishery.

Hello Ed,

How about we experiment with yes, no, I don't know questions that keep our time in front of the computer down. I'll go first.

Were there fish in Spirit Lake, when the first biological inventory was done?

Do you know what kind they were?

If you cannot prove that the fish were introduced, do you think we should make assumptions that they were?

Are there data sets available to you from the succession studies that indicate the first sign of fish presence after the blast along the watershed leading to spirit lake?

Finally, to let you know, the sarcasm I was alluding to was that after spending over a billion dollars to study the Columbia and Snake River Salmon populations to determine the best way to preserve the species and resource, the National Marine Fisheries Survey suggested the best option was to remove four dams. The immediate reply from the political and industrial agricultural beneficiaries of these dams was that further study was necessary before such actions were even considered. This was in 1999. So, in my mind, if the powers that be can continue to endanger one of our most precious natural resources by simply saying "further study is necessary before action is taken", why shouldn't the other foot fall on your bill? You say in your own letter that you are, at least in one case, acting on an assumption, and that should not do. You seem tenacious enough to study up on both sides of this debate and read between the lines, but I side with science and it is objective and not always immediate in its support or opposition to an idea, or, in this case, the intentions of your bill. I do believe that further study is necessary, and, I think it would serve the people best if you, yourself, followed some of these studies from the lake to the lab. I realize that hiking in to Spirit Lake, observing collection and hopefully taking notes on what is there, what is not there and what really shouldn't be there will be a working vacation for you. At least it should be.

Regarding your starvation hypothesis, any fish that dies in that lake will be recycled by invertebrates and reintroduced to the food chain. The number and size of the fish may decrease, but it can be done naturally. You should know, nature is neither cruel nor vindictive. Nature is, however, unbelievably efficient.

Have a good weekend. It's supposed to be a beauty.

Patrick

From: Orcutt.Ed@leg.wa.gov

To: pmigas@hotmail.com

Date: Mon, 23 Mar 2009 18:18:35 -0700

Subject: RE: Rep. Ed Orcutt E-newsletter - 3/13

Patrick,

It could not occur without cooperative effort between WDFW and the USFS – one is charged with managing the fish and one manages the land. The bill is permissive in that it would allow WDFW to work with USFS – not force anyone to do it.

As for catch and release, it would effectively eliminate the purpose of the bill. There are so many fish in the lake that they are now beginning to suffer from overpopulation. Requiring any caught fish to be returned to the lake would retain the overpopulation. And it is most likely that the fish were introduced – not something that recovered naturally. Considering what happened to the lake during the explosion of Mt. St. Helens, I'm not sure much of anything survived.

The fish population issues on the Columbia River are far more complicated than just allowing some sportfishing (again, this would be limited) -- there's the commercial, sport and tribal fishing; there are dams; there are predators which are protected species so they can't control those populations; there are fish passage issues; etc. These same issues do not exist -- nor would they with the proposed limited fishery – at Spirit Lake.

Not sure of your concern over catch 22's, irony, or sarcasm – I didn't detect any of that in your e-mail (Gee, I hope I didn't miss something here!).

We will try to adequately fund education and protect seniors and the disabled as well as to provide protection of our communities from criminals.

Hang in there, we are trying (and believe me, these are trying times!

Ed

From: patrick migas [mailto:pmigas@hotmail.com]

Sent: Sunday, March 22, 2009 12:19 PM

To: Orcutt, Rep. Ed

Subject: RE: Rep. Ed Orcutt E-newsletter - 3/13

Ed,

I hope you are a patient individual. I can foresee the conflict between the WDFW and the USFS, and it will be important to see how things pan out. The precedent set could impact so many area's across the state and country. I believe you are using your best judgement, even though our logic and reason differs. I'm assuming it will be catch and release only, otherwise you are denying the natural order around Spirit Lake, there piece of the biological pie. Still, it reads like a Pandora's Box situation. We will both live long enough to see what else is in it if opened. Perhaps, like the Salmon populations of the Columbia and Snake Rivers, there should be further studies before we take any action to "manage" fish populations. I hope you can read the implication there. I know it's a loaded one and I apologize. Sometimes I find no other way to communicate an idea than with catch 22's, irony, or sarcasm and I regret it.

Again, thank you for your time. On a separate note, I do hope that all parties can come together in this time when our states public education is in such parel and find just compromises to elevate it's importance in our ledgers. The fallout, if we do not, will be undereducated individuals that we have failed.

Be Well,
Patrick

From: Orcutt.Ed@leg.wa.gov

To: pmigas@hotmail.com

Date: Thu, 19 Mar 2009 09:32:38 -0700

Subject: RE: Rep. Ed Orcutt E-newsletter - 3/13

Patrick,

Thanks for your response. I appreciate the conversation. Your point on the natural order of things with regard to population control is a point well taken. The only concern I have is that WDFW has been charged with managing fish and wildlife populations with the intent to maintain a more even population, therefore, they aren't supposed to allow the spikes and crashes to occur anymore. Again, I see your point. What I am trying to do is to find the balance between nature and man which is why I think a 'limited' fishery has some merit. I do have some background in fisheries which I got while studying forestry, so my knowledge is not as in depth as yours – but not totally absent either. I would hope to reassure you about this proposal by telling you that I am working with WDFW to bring this bill forward – and it was they who asked me to do it. Had my background indicated this was a bad idea, I wouldn't have done it (you know I don't always agree with WDFW). But, I felt that they were doing it in a manner that would try to maintain as healthy a population as possible.

I don't know if any of this eases your concerns about the proposal, but hopefully it will ease your concerns regarding my intent in bringing it forward.

Again, it was good to hear from you and I appreciate the dialogue.

Ed

From: patrick migas [mailto:pmigas@hotmail.com]

Sent: Wednesday, March 18, 2009 10:30 PM

To: Orcutt, Rep. Ed

Subject: RE: Rep. Ed Orcutt E-newsletter - 3/13

Ed,

I am grateful for your thoughtful response. Probably the most sincere and candid I can recall from any elected official at any time in my voting life. I strongly commend you for taking the time and for speaking from a position that sounds independent. I like that very much.

I will not take much more of your time. We both have work to do. I would only revisit the fish stock issue in Spirit Lake. From my background in Biology, and Ecology, I ask that you revisit idea's such as biological carrying capacity and population die-back. When the producers, those things fish and mammals feed on, limit the number of organisms in a biotic community, that is the natural order and indeed, often large percentages of populations are lost in the balancing act and numbers can vary wildly from year to year, or, decade to decade, especially in the face of variables such as climate variations, or possibly change, and, human impacts including management by the numbers and not the carrying capacity. I believe that science would support letting the Elk suffer a die-back to numbers that can be supported by the environment around St. Helen's, but by all means, double the take for one hunting season instead. Just don't drop any more feed on them.

But the fish issue is different. I have not seen the numbers, but alpine lakes have cycles and yes I agree that it may be that Spirit Lake is starting to "starve", as you say. But don't forget, that mountain is not a static thing, and change comes

and populations adjust. Just consider that maybe it's possible that in some way we fail to understand, nature does some things better than we do. Perpetuating the strongest individuals, the ones that survive the lean times and catastrophic events, brings us the best seed for when times are right again for there numbers to increase.

I think we both have the best intentions. And even though I don't support you on the Spirit Lake issue, and even though I think ATV's make for a terrible hunting experience in the National Forests, I look at the times we are living in now and think I can find some peace in a few people pulling some natural beauties out of a mountains womb.

Feel no obligation to spend more time than you have generously donated to our dialogue on topics of conservation. You certainly may, but I will not feel slighted if you find important work excludes it. I'm glad to have you in the house during these challenging times and hope we all endure the lean times with good spirits and a wet line.

Sincerely,
Patrick

From: Orcutt.Ed@leg.wa.gov
To: pmigas@hotmail.com
Date: Tue, 17 Mar 2009 17:12:46 -0700
Subject: RE: Rep. Ed Orcutt E-newsletter - 3/13
Patrick,

Very interesting assumptions on your part. Too bad we haven't had a chance to speak on some of these issues before – perhaps if we had, you would realize that I do recognize a need for wilderness areas, national parks and multiple use public lands. The issue for me with the Spirit Lake fishery proposal is that you have a closed system where the population of fish is increasing. Since there is a finite source of food for these fish, their population cannot grow infinitely. At some point, they will grow beyond the carrying capacity of their closed system. The result we already know from years of previous study (and from the elk herd nearby) – starvation. Unfortunately, it is not just starvation of the 'excess' population, it is of nearly the entire population. Since WDFW has the purpose of maintaining healthy fish and wildlife populations, then management is required in order to maintain the populations as healthy. I do hope you will agree that allowing the fish to starve simply to prove what we already know serves no useful purpose but instead is just cruel. If we didn't know, perhaps more time to see what would happen would be reasonable – but we already know what their fate will be.

I would not support motorized vehicle use in our wilderness areas, however, allowing citizens to use our multiple use areas is a reasonable thing to do. We can do this in a manner where we maintain some areas for primitive recreation (in wilderness areas), some for equestrian, and some for motorized (on the national forests). We can achieve a balance. But only if we are committed to seeking ways to do it. I am committed to doing that.

I know these things because of my education and background in natural resources management.

In regards to health care coverage, we have proposed several options for health care coverage other than single payer. One is to promote Health Savings Accounts (HAS's) which allow greater flexibility and more cost control. Also, allow citizens to buy plans from providers in other states – if it is a better plan for them, let them opt for it. Certainly what has been happening here should not continue – the legislature has lured people off of employer provided plans onto the state (taxpayer financed) plans. This will weaken the private plans and force others on to the state pay plan. Considering the legislature is overspending its current revenue, how can we expect to afford to put everyone on state pay health care coverage? We are offering solutions. Oh, and let's not forget that I stood up and testified in front of the Department of Health on the benefit of alternatives to conventional hospitals. I use alternative health care. Not exactly something a closed minded person would do, wouldn't you agree?

And thinking about new ways to do things? Quite common for me. I have embraced incentives for alternative fuels – I have even sponsored bills and amendments over the years to prove that. Incentives for more fuel efficient cars to reduce our dependence on oil is also something I supported.

And, I look for new ways – embrace new ideas – for improving our economy.

Perhaps we won't agree on everything, but I think we could find more common ground than you might realize. I have surprised the Democrats on more than one occasion. I looked at the list of bills I co-sponsored. Interestingly, I counted 89 : 44 of which had a Democrat as a prime sponsor. And most of the bills I sponsored have a Democrat as the second sponsor. I don't know of your party affiliation or if you even affiliate with one, but my record shows I have worked with fellow legislators whose political philosophy doesn't always match mine – but we work together were we can find common ground. I hope we can do the same.

Sincerely yours,
Ed Orcutt

From: patrick migas [mailto:pmigas@hotmail.com]
Sent: Saturday, March 14, 2009 9:15 AM
To: Orcutt, Rep. Ed
Subject: RE: Rep. Ed Orcutt E-newsletter - 3/13

Dear Rep. Orcutt,

While I completely agree that Felons should have no right to vote until after their sentences have been served and full restitution made, I disagree that a permit system for Spirit Lake would serve the needs of a wilderness area or National Monument. So I guess we agree to disagree. I believe that some areas and actions should be off limits to human animals. Fishing in Spirit Lake is just one example, off road ATV use on public lands is another. And snow machines in Yellowstone? Shameful.

Like so many republicans, you seem to hold the idea that if some person is not utilizing a resource, it's "not doing any good", as the farmers on the east side say of State land sections that are fallow grasslands, rich in grassland flora and fauna, but conspicuously missing cows or furrowed ground. And can I assume that you are in agreement with Representative Herrera's ideas on Health Care? Is there any option on the table besides single payer health-care, or, socialized health-care, as some like to call it, that would bring the general public closer to the kind of medical coverage and access that you enjoy?

I hope I don't come off as petulant, Mr. Representative. I was always able to hold-forth my views with your predecessor and I believe we moderated each others views a bit. And I know you share John's love of the outdoors, healthy fish stocks and forests, so we are on the same team. We just need to figure out the batting order.

Tough times call for bold measures. It is also a time to embrace some changes that may be well overdue and beyond the pale of those Oligarchies that brought us so much of the current crisis our country endures today. Will you serve us with more of the status quo, or venture into emerging technology and markets, and ideas that have born fruit elsewhere in the world? We may be a great nation in this world, but don't fool yourself into thinking there is a greatest. Look beyond our borders for solutions within them.

All the Best,
Patrick Migas

This is to respectfully request that the Commission reject the rule proposal before the body that would condition the opening of Spirit Lake to sport fishing on the agreement of the US Forest Service. The rule would enable the US Forest Service to further stonewall and frustrate access to a world class fishery .

As a member of the Clark Skamania Flyfishers I have worked with the US Forest Service and WDFW for over 7 years to negotiate a mutually acceptable solution to gaining access to this fishery while meeting the legitimate management considerations of the St. Helens Monument. Frankly, it is now clear that the intent of the Service is to simply block sportsman access in that any additional management burden is not tenable to the Department.

There are legitimate reasons for opening this fishery. The WDFW's own research on similar lakes in the Monument demonstrates that the fishery in Spirit Lake will deteriorate as the transplanted stock of rainbows crop the biomass. There are no on-going controlled scientific studies that would warrant continued closure. And conservation organizations such as CFS are prepared to support both WDFW and the Forest Service with managing/ controlling the fishery. There is no reason why a reasonable management compromise cannot be negotiated.

In closing, please do not provide the Forest Service with a mechanism to frustrate the legitimate right of responsible sport fishers to access a world class, and temporary fishery. Reject the proposed rule to require the US Forest Service approval of a Spirit Lake Fishery.

Thank you in advance for your consideration.

I am very much opposed to opening Spirit Lake to fishing, and I think it's about time for this annual bad idea to be put to rest, permanently.

Opening Spirit Lake to fishing is a terrible proposal for several reasons:

- * It would jeopardize public investment in unprecedented long-term science. I ask you to consider that Spirit Lake is the largest lake in the contiguous U.S. that isn't open to human intervention and is devoted to science. Millions of dollars and more than 10,000 hours a year are invested and devoted to science.
- * Fishermen and women will impact the shoreline, which would severely damage fragile, recovering riparian vegetation and soils.
- * Anglers and their float tubes would very likely introduce new species, which has the potential to severely alter the natural recovery process and destroy Spirit Lake's value to science.
- * Access to the south side of the lake would endanger Pumice Plain research. Because the Pumice Plain is unstable, a new trail allowing access to Spirit Lake's south shore would likely wash out on a regular basis, causing fishermen/women to wander off-trail into research plots.
- * Funding to manage opening the lake to fishing isn't available. Neither the U.S. Forest Service OR the Washington Dept. of Fish and Wildlife have the staffing or funding to manage fishing at Spirit Lake. The Forest Service would not receive any additional compensation for additional enforcement expenses, and the WDFW hasn't addressed who would pay for enforcement on other days of the week when the lake is closed to fishing. I've also read that WDFW staffing may be reduced in the coming year.

* Opening the lake would violate the Monument Act and the Monument Management Plan. The Monument was established by Congress in 1982 because it was recognized that there are unique opportunities for science at Mt. St. Helens to "allow geologic forces and ecological succession to continue substantially unimpeded."

* There are numerous other places to fish in the immediate area, such as Coldwater Lake (which is stocked and has a boat ramp, but isn't used to capacity), and Castle Lake. There is simply NO NEED for this intrusion on Spirit Lake. Again, I urge you to keep Spirit Lake CLOSED.

WDFW Rules Coordinator
600 Capitol Way N
Olympia WA 98504

RE: Sportfishing rules change proposal for 2010-2012

November 30, 2009

Dear Washington Fish and Wildlife Commission:

I am writing on behalf of the Gifford Pinchot Task Force (GP Task Force) to comment on the Sportfishing rules change proposal for 2010-2012 and more specifically on freshwater rule Region 5 #75 Spirit Lake (Cowlitz Co). The GP Task Force is a non-profit organization with over 4,000 members in the Pacific Northwest. We work to support the biological diversity and communities of the Northwest through conservation and restoration of forests, rivers, fish, and wildlife. Our primary focus is on the Gifford Pinchot National Forest, of which Spirit Lake and the greater Mount St. Helens National Monument are a part of. We are deeply concerned by the proposal to open Spirit Lake to recreational fishing because even very limited fishing will interfere with this one-of-a-kind national treasure. Fishing in Spirit Lake is counter to the purpose of the national monument, which is to ensure that "the environment is left to respond naturally to the disturbance." Maintaining the natural ecological succession and geologic processes of Mount St. Helens will assure that this unique natural laboratory will support high value scientific study. The lake is also extremely unsafe because of the massive number and movement of the debris and logs on the lake surface. Additionally, Coldwater Lake – located mere miles from Spirit Lake – is open to fishing, underutilized, and provides those interested in fishing in the Monument the opportunity to do so. Opening Spirit Lake to a fishery serves to benefit only a small percentage of the population without adequately protecting the fragile ecosystem for all other publics as declared in the Monument Act. We ask that the commission not include freshwater rule region 5 #75 Spirit Lake in the final sportfishing rules.

The eruption of Mount Saint Helens, on May 18, 1980, changed the ecology, geology, chemistry, and even geography of Spirit Lake in ways that makes the site ideal for the investigation of ecological succession and the physical and chemical effects of volcanic eruptions. The use of Spirit Lake for recreational fishing purposes could adulterate the lake in a manner that would make future research more difficult and less conclusive.

Spirit Lake is located near the basis of Mount St Helens so it was profoundly affected by the blast. The eruption of the volcano was accompanied by a massive debris avalanche, a lateral blast, pyroclastic flows, and mudflows¹. The results on Spirit Lake were significant. The mud and debris slides caused the lake to rise over 60 meters and blocked the lakes outlet². A combination of toxic sludge from the mudslides and volcanic gasses seeping from the bottom of the lake caused the lake to become anoxic, which means that the lake was devoid of oxygen³. This lack of oxygen killed all the living organisms in the lake⁴. What was left behind was an excellent and perhaps unprecedented substrate that scientists could use to study both the effects of a volcanic eruption and ecological succession.

The ecological structure of species in an ecosystem changes overtime in a process known as ecological succession⁵. This is what has occurred in Spirit Lake since the 1980 eruption. Within a few years of the eruption the lake saw more biological activity than ever before⁶. The lake quickly acquired more oxygen because the first organisms to colonize the lake were phytoplankton and other photosynthetic organisms⁷. Soon afterwards the lake and surrounding area became even more diverse than before the eruption because rare organisms were able to take advantage of the

¹ Dale, VH, CM Crisafulli, and FJ Swanson. *25 Years of Ecological Change at Mount St Helens*. *Science*. **308**, 962 (2005).

² Brantley and Topinka. *Volcanic Studies in U.S. Geological Survey's David A. Johnston Cascades Volcano Observatory*, Vancouver, WA, *Earthquake Information Bulletin*. v. 16, n. 2: 1984.

³ Paulson, Tom. *Spirit Lake Came Back to Life*. *Seattle Post Intelligence Reporter*. <http://seattlepi.nwsourc.com/mountsthelens/lake10.shtml>. May 10, 2005.

⁴ Paulson, Tom. *Spirit Lake Came Back to Life*. *Seattle Post Intelligence Reporter*. <http://seattlepi.nwsourc.com/mountsthelens/lake10.shtml>. May 10, 2005.

⁵ *The Virtual Nature Trail and Penn State Kensington*. <http://www.psu.edu/dept/nkbiology/naturetrail/succession.htm>. 4/24/2007.

⁶ Paulson, Tom. *Spirit Lake Came Back to Life*. *Seattle Post Intelligence Reporter*. <http://seattlepi.nwsourc.com/mountsthelens/lake10.shtml>. May 10, 2005.

⁷ Paulson, Tom. *Spirit Lake Came Back to Life*. *Seattle Post Intelligence Reporter*. <http://seattlepi.nwsourc.com/mountsthelens/lake10.shtml>. May 10, 2005.

resources that were once dominated by organisms that are now locally extinct⁸. Many new organisms have colonized the lake as well. Notably, two new species of Legionella bacteria that cause severe illness in humans have been found in Spirit Lake⁹.

The study of ecological succession particularly around Mount St. Helens is important for a variety of research topics including disturbance ecology, ecosystem management, evolution and the origins of life, trophic interactions, landscape ecology, and the effects of climate change on disturbed habitats¹⁰. The Mount St. Helens eruption has led to one of the most thorough studies of ecological succession¹¹. In the past, such studies have occurred years, decades, or centuries after the eruption occurred or have only focused on a small subsection of the species present¹². However, research at Mount St. Helens and Spirit Lake began almost immediately after the eruption and has focused on the ecosystem as a whole making this the most comprehensive and valuable post-eruption study ever conducted.

Human disturbance will detrimentally affect the integrity of the research at Spirit Lake. Because it is so critical Mount St. Helens and the surrounding area has been made into a national monument to ensure that “the environment is left to respond naturally to the disturbance¹³” Spirit Lakes may be the only such place where such thorough study can continue without human disturbance. The Forest Service was given the ability to withdraw areas for scientific study and they have exercised this ability only in limited circumstances. Spirit Lake is one such place and we will never get the opportunity to study this fascinating place again if it further compromised by human disturbance. The potential advances in our understanding of an ecosystems response to severe disturbance should not be subverted by the recreational value of fishing in Spirit Lake.

Coldwater Lake located mere miles from Spirit Lake is open to fishing, but according to the Forest Service has been under utilized for quite some time. Coldwater Lake provides those interested in fishing in the monument the opportunity to do so. It is irresponsible of the Department of Fish and Wildlife to spend precious monetary resources to promote and undertake such an endeavor when they have failed to adequately support or promote the current fishery within the boundary of Mount St. Helens. The question now becomes why is it so critical to open Spirit Lake when a fishery exists in the same general location and has continued to be underutilized? It is clearly understood that there are stocked rainbow trout in Spirit Lake that grow rapidly to large sizes, but that does not provide good reason to discontinue important studies unhindered by human disturbance. Opening Spirit Lake without adequate cause to do so and when an adequate fishery is already provided in the monument for use is unjustifiable when there is more we can learn from and experience from Spirit Lake and limited state resources.

Maintaining the natural ecological succession and geologic processes must be paramount. This will assure that this unique natural laboratory will support high value scientific study.

The Monument Act repeatedly speaks to protecting those natural features.

“...to protect the significant geologic, biologic, ecologic, cultural and human interest features of the area; to facilitate opportunities for continued scientific research in a manner consistent with the perpetuation of the significant features of the area; to provide for the interpretation of volcanic and other features for public education and enjoyment; and to provide for recreational and interpretive facilities and opportunities for the use of the public, including public access where appropriate, which are compatible with the purposes for which the monument in established.”¹⁴

Recreation and access are part of the mission, but must be done so as not to degrade the natural features and opportunities for scientific study.

Opening Spirit Lake to fishing also has greater implications for future use and access on the monument. Although the bill intends limited access to Spirit Lake for only those who are “raffle winners” the result will likely increase the already fervent cry to provide more access to Spirit Lake in the form of roads. Comments made during the meetings for the Mount St. Helens Advisory Committee reflect this increasing call for road access to Spirit Lake. The blast of 1980 wiped a clean slate with a layer of lahar and ash in the area of Spirit Lake. It drastically changed the form and composition of Spirit Lake, cutting off all access to the outside world. For two years, Spirit Lake was accessible only by helicopter. But in September

⁸ Paulson, Tom. *Spirit Lake Came Back to Life*. *Seattle Post Intelligence Reporter*. <http://seattlepi.nwsourc.com/mountsthelens/lake10.shtml>. May 10, 2005.

⁹ Paulson, Tom. *Spirit Lake Came Back to Life*. *Seattle Post Intelligence Reporter*. <http://seattlepi.nwsourc.com/mountsthelens/lake10.shtml>. May 10, 2005.

¹⁰ Dale, VH, FJ Swanson, and CM Crisafulli. *Disturbance, Survival, and Succession: Understanding Ecological Responses to the 1980 Eruption of Mount St. Helens*. Springer. New York: 2005.

¹¹ Dale, VH, FJ Swanson, and CM Crisafulli. *Disturbance, Survival, and Succession: Understanding Ecological Responses to the 1980 Eruption of Mount St. Helens*. Springer. New York: 2005.

¹² Dale, VH, FJ Swanson, and CM Crisafulli. *Disturbance, Survival, and Succession: Understanding Ecological Responses to the 1980 Eruption of Mount St. Helens*. Springer. New York: 2005.

¹³ U.S. Forest Service. *Mount St. Helens Volcanic Monument*. <http://www.fs.fed.us/gpnm/mshnm/>. 2/13/2009.

¹⁴ Monument Act, Section 3a. [see also section 4a “...geologic forces and ecological succession to continue substantially unimpeded.”]

of 1982, the first road was completed near the lake, returning vehicles to a landscape markedly different. When studying the area for the creation of the Monument Management Plan concerns over roads into Spirit Lake were high. The costs of maintaining roads in the area of avalanche debris were prohibitive and the impact to sensitive landscape were deterring factors in maintaining a road to Spirit Lake.¹⁵ These same concerns are still in play today.

Roads have detrimental impacts on landscapes, wildlife, and watersheds. The construction and use of roads causes erosion and downstream sedimentation. We are concerned about impacts associated with adding, even temporarily, roads to this area. Temporary roads and associated landings will have significant short, and potentially long term, effects to soil productivity, spread of invasive species, connectivity for low mobility species, and canopy structure¹⁶ in addition to considerable hydrological impacts. Increased sedimentation has led to the decrease in quality of Washington's fish-bearing streams, a vehicle for non-point source pollution to Washington state's more delicate watersheds. Authorizing a fishery in Spirit Lake will not only increase the toxicity of non-point source pollution from added road use into the monument, but also increase demand for a road to the area.

Wildlife has an aversion to roads and high volumes of traffic even if by foot. In Mount St. Helen's National Monument, the presence of wildlife is integral piece to the region's recovery. By prompting increased access to Spirit Lake, the proposed rainbow trout fishery will put pressure on wildlife in a rare and fragile area and one in which elk are already struggling.¹⁷ The presence of a variety of birds and wintering elk may decline as road use escalates and the ecosystem may never fully recover.

Additionally opening Spirit Lake to a fishery serves to benefit only a small percentage of the population, without adequately protecting the fragile ecosystem for all other public as declared in the Monument Act. As stated above the Forest Service has provided recreational pursuits in the form of a fishery in Coldwater Lake. Restricting Spirit Lake for scientific pursuits and the protection of the areas significant features is directly in line with the Monument Act, which states that "[t]he Secretary shall manage the Monument to protect the geologic, ecologic, and cultural resources, in accordance with the provisions of this ACT allowing geologic forces and ecological succession to continue substantially unimpeded."¹⁸ Opening a fishery to limited numbers of people and for a select few is irresponsible management for the benefit of the people of the state of Washington and of the nation as a whole. This area is remarkable as a living laboratory and as a unique experience for all people who visit the area and should be managed accordingly.

Spirit Lake remains fairly dangerous to navigate given the floating mass of logs that sit atop the lake. Allowing floatation devices in or around the water with limited supervision or in-experienced personnel will increase the risks associated with opening Spirit Lake to greater access and fishing. The entire forest surrounding Spirit Lake was blown down when Mount St. Helens erupted causing a huge debris pile-up on Spirit Lake that continues to exist on the lake today. Fishing near this log jam is dangerous as the log jam is unpredictable and can swiftly move around the lake.

Given the opportunity that already exists on the monument for fishing and the negative impact opening this area can have to science, the fragile re-emerging ecosystem, and human health freshwater rule Region 5 #75 Spirit Lake (Cowlitz Co) should be rejected in favor of protecting the public interest in the monuments significant geological features. Thank you for the opportunity to comment on this proposal. If you have any questions, please do not hesitate to contact me at 503-221-2102 x 101.

Sincerely,



Jessica Walz
Conservation Director

Comment: The Toutle Valley Community Association strongly supports the return of fishing to Spirit Lake. There is absolutely no biological reason to prohibit fishing at Spirit Lake. The rainbow trout in Spirit Lake are the property of the

¹⁵ See Mount St. Helens National Volcanic Monument, Final Environmental Impact Statement Comprehensive Management Plan, Record of Decision, page 1-6 (October 18, 1985).

¹⁶ Forman and Alexander 1998, Gucinski et al 2000

¹⁷ See Washington Department of Fish and Wildlife Website discussing Winter Feeding of Elk and Tom Paulu, *Bale-out gives Eco Park elk a leg up on winter*, LongView Daily News, Feb 6, 2009.

¹⁸ Monument Act Sec 4 (b)(1).

people of the state of Washington, and the Department of Wildlife must manage this public resource under the guidelines of the state by maximizing recreational use while conserving the wildlife resources. Scientists that work near the lake disagree, and claim the lake and the fishery are so "untouched" that tossing in a fishing line would ruin years of research and the damage the lake. These assertions are complete nonsense, and ignore the history of the area. Due to the actions of the Army Corps of Engineers, the Spirit Lake we see today is a manmade lake. the rainbow trout population in the lake is a manmade population. The natural migration of fish in and out of the lake was blocked by the tunnel outlet of the lake. Perhaps someone tossed in the trout; perhaps they managed to survive the eruption. Either way the oversized trout in Spirit Lake are the product of actions of people, and they are not endangered, threatened, or species of concern. As game fish the Washington State--not the federal government--must manage these trout. We believe this fishery should proceed with or without Forest Service approval.

It sets a dangerous precedent to continue to defer to federal management of a game species. The Forest Service is required to cooperate with the state, as per federal law and the Monument Act. The Forest Service agreed during the planning of the Monument. The Scientific Advisory Committee for the Monument "ok'ed" fishing in Spirit Lake on page 237 of the 1985 Monument Plan. The Forest Service had a trail that could access the lake for fishing. **"A hiking trail is proposed from Windy Ridge viewpoint north to the Spirit Lake shoreline to a point that provides a good view of the crater and dome. This trail will be extended along the south shore of Spirit Lake to provide a tie to Harry's Ridge. This trail will avoid the unique features and intensive research presently on-going in the basin, and could provide access for fishing sometime in the future."** Mount St. Helens National Volcanic Monument Final EIS and Comprehensive Management Plan page 361. Consequently, although the trail was planned, studied, and approved in a Final EIS, the location was moved away from the lake. The time has come for the state of Washington to manage this fishery according to the guidelines and laws of the state, with or without federal approval.

Below are words from the fishing mentor and dad! I concur with what he says. In my short fishing career, dad and I have fished many local lakes, but Spirit Lake would be the best lake ever. Please consider opening it or even opening it like you do elk hunting. Do a draw and let a certain amount of people in. It would be quite a treat. I never did go to Spirit Lake before the eruption, which is too bad since it's so close. Thank You.

As you are aware CLARK SKAMANIA FLYFISHERS and other organizations have been trying to get Spirit Lake open for public fishing. Many attempts to get the Forest Service to cooperate, or at least negotiate, have been without success. We have been trying to get an agreement with the Forest Service for 7 years with no success. It is not going to happen. It appears a very few lower status Forest Service employees are allowed to make policy decisions on this issue. They are using this power for personal reasons that are not in the best interest of the public. Currently access is available to the lake and no new trails would be needed to allow for legal fishing in this outstanding fishery. The WDFW has jurisdiction over the fish and should exercise this responsibility and not let the Forest Service control what is a duty of the department.

The lake is being fished illegally at present and the WDFW needs to open the lake so as to protect this fishery. Please move to open this wonderful resource.



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Washington Department of Fish and Wildlife
Attn: Lori Preuss, WDFW Rules Coordinator
600 Capitol Way N.
Olympia, WA 09501
Lori.Preuss@dfw.wa.gov

Dear Commissioners:

A proposal has been made to open a fishing season on Spirit Lake, represented as "a special fishing opportunity on a population of large trout". The Mazamas have already stated opposition to this idea last year, and we are still opposed to it.

The chance for long-term scientific research at Spirit Lake, and on the Pumice Plain, is an incredibly rare opportunity. Millions of dollars of federal funds and thousands of hours of research have been invested in the study of how life responds to massive disturbance, and each year of new research adds to their value. This investment has led to many new discoveries and new ways of understanding how ecosystems function and recover and grow.

The fishing proposal has some strict guidelines which will be difficult to enforce. It is much easier to keep a complete fishing ban than it is to protect against rule violations. The increased soil erosion along the shoreline will harm this riparian area, affecting the vegetation, insect, and amphibian populations as well as risking water quality. Another danger is the introduction of invasive species, and we've seen enough lakes that have been severely impacted to know that it usually takes drastic measures to eradicate invasive plants or animals. We don't need to risk Spirit Lake!

The Mount St. Helens Management Plan does not allow fishing at Spirit Lake. This act of Congress directed management to allow "geologic forces and ecological succession to continue unimpeded". This fishing proposal is a violation of that directive.

For a few trophy fish, too much is at risk. Please deny the proposal.

Thank you,

Pam Gilmer
President, Mazamas

CC: Tom Mulder, Monument Manager – USFS (tmulder@fs.fed.us),
Mazamas Conservation Committee, File

I totally oppose opening up Spirit Lake in any way whatsoever. The main reason I oppose this action is because of the ongoing research at Spirit Lake and the adverse impact opening up the lake would have on this research. I remember well the eruption of Mount St. Helens. At the time, I was working for the Corps of Army Engineers and my husband was working for the Forest Service. I was also active in the Vancouver Audubon Society. All Federal agencies recognized the wonderful opportunity to study the recovery of an ecosystem after a violent volcanic eruption. The conservation and environmental organizations also recognized the importance of the potential research and supported the subsequent goal of the Mount St. Helens management plan that called for a research area around Spirit Lake. Since then, research has found amazing things about the resilience and recovery of ecosystems after a destructive natural event. The lessons being learned are being applied in other places. For instance, there is the relative speed that the blast zone, including the Spirit Lake area, is recovering from the eruption. Not so long ago, I saw a presentation from one of the biologists studying the lake and he said that, in the Spirit Lake area, the number of amphibians were increasing. This is in contrast to the situation in the rest of the world. To allow unregulated public access at all, let alone fishermen, to Spirit Lake, would, in effect compromise the long term research. It might even cut short some studies. The knowledge that would be gained by further study would be lost, forever.

Other reasons to not allow fishing at Spirit Lake include the risk to the Pumice Plain caused by the trampling of many feet, the risk of the introduction of alien species (thereby ending altogether the research projects and putting at risk the native species that are recovering), and the difficulty the Forest Service and the Washington Department of Fish and Wildlife would have in enforcing regulations, given agency budget and manpower cuts over the past several years. To open Spirit Lake to fishing would also violate the Congressional Act that created the Mount St. Helens Monument and the monument's management plan.

I feel strongly about this issue. To jeopardize this valuable scientific research simply to allow a few people to catch some big fish is wrong. It would break an implied promise made nearly 30 years ago. The Department of Fish and Wildlife has responsibility to manage our fish and wildlife resources for the benefit of all the people -- current and future -- of Washington State. Please consider the future benefits of the research being conducted at Spirit Lake and reject the proposal to open Spirit Lake to fishing.

In 1982 Congress recognized the unique opportunities for science at Mount St. Helens when it created the national monument, directing management to allow "geologic forces and ecological succession to continue substantially unimpeded." The Mount St. Helens Management Plan does not allow fishing at Spirit Lake.

Besides the overriding fact that allowing fishing at Spirit Lake violates the Monument Act and the Monument Management Plan, I share the following additional concerns with others who are very familiar with the areas in question:

(1) Jeopardizes public investment in unprecedented long-term science. Spirit Lake is the largest lake in the contiguous United States that is not open to human intervention and is devoted to science. Nowhere else in North America has natural aquatic ecosystem recovery at this scale been studied. Although it is not pristine, Spirit Lake is the only place where relatively natural ecological processes have been protected and allowed to evolve. This is the longest-running body of data on any volcanic-impacted lake in the world. Continuous research for 29 years has created extremely valuable long-term data sets; each additional year of research increases the value of these data. Because it is designated for research, Spirit Lake and the adjacent Pumice Plain are the places where scientists have invested millions of dollars and more than 10,000 hours per year in scientific study. Dozens of scientists work at the volcano each year and spend thousands of federal research dollars here, rather than going elsewhere. This research has resulted in hundreds of peer-reviewed scientific publications. Lessons learned here are being applied to important problems elsewhere. Even limited public angling could potentially jeopardize the research value of Spirit Lake and the Pumice Plain.

(2) Anglers will damage the shoreline. Allowing anglers to walk along the shoreline for 21 weeks will damage fragile recovering riparian vegetation and soils. This impact in turn will affect associated insect and amphibian populations. Similar impacts are clearly visible at other Mount St. Helens lakes where angling already is permitted.

(3) Anglers and their float tubes or rafts may introduce new species. Whether native or non-native, introduction of new species through human-assisted transport has the potential to severely alter the natural recovery process and destroy Spirit Lake's value to science.

(4) Access to the south side of Spirit Lake would endanger Pumice Plain research. The Pumice Plain is the most intensively studied upland area. Because the Pumice Plain is unstable, a new trail allowing access to the south shore of Spirit Lake would likely wash out on a regular basis, causing anglers to wander off trail into research plots.

(5) Short term public interest. This proposed fishery is likely to be of short duration, potentially five years, before the public loses interest. Preliminary evidence suggests that the rainbow trout in Spirit Lake are going through changes that are causing them to get smaller each year. Is it worth jeopardizing the public's substantial investment in scientific understanding of functioning ecosystems for five years of recreation for a handful of anglers?

(6) Agencies don't have funding to manage this fishery. Neither the U.S. Forest Service nor the Washington Department of Fish and Wildlife has the staffing and funding to manage this fishery and ensure that anglers are complying with the regulations. The U.S. Forest Service would not receive any compensation for the additional enforcement expenses incurred by this fishery. The Washington Department of Fish and Wildlife has not addressed who would pay for

enforcement on other days of the week when this fishery is not open. Once the word gets out that Spirit Lake is open to fishing, who or what would prevent people other than the raffle-winners from accessing the closed research area or trampling through research plots on the Pumice Plain to reach the Spirit Lake shoreline? If a new trail is built for angler access, who is going to prevent other people from using it?

Anyone who respects nature and science would understand that Spirit Lake needs to remain as undisturbed as possible. Even limited fishing would alter the conditions necessary for reliable research and recovery of the Monument.

I would greatly appreciate your serious consideration of these points and your response to any points with which you do not agree.

I am writing to you as a concerned citizen and a flyfisherman about the proposed rule change to allow sport fishing in Spirit Lake. I am opposed to this policy for the following reasons:

1. There are some places on this earth that should be protected from the incursions of man, and Spirit Lake offers us such a place in our own backyard. To have the opportunity to study an isolated environment created by a volcanic eruption is a priceless opportunity not to be squandered for the short term gratification of a few fishermen.

2. I have been a flyfisherman for forty years and I have seen first hand the impact that fishermen have on lake and stream banks just from walking on those banks. Only recently have we learned that there is more than just mechanical impact from our feet, indeed the organisms that we bring into new waters are much worse than any trampling of the riparian with from our boots. Allowing float tubes and fishermen into Spirit Lake will jeopardize the native species that should be allowed to colonize the lake without outside contamination.

3. I fish Coldwater Lake several times each year and I rarely see more than four to six anglers on the lake, at least during weekdays. It is a fine fishery which could be better utilized rather than sacrificing Spirit Lake.

4. I cannot imagine how the funds will be acquired to enforce fishing regulations in a limited entry fishery, especially if there is concern over biological contamination and the need for strict inspection of all watercraft and personnel.

There are too many major obstacles to implement a change in policy at this time and there are enough positive reasons to maintain the status of Spirit Lake as a scientific study area. I hope that the lake will remain a symbol of our willingness to allow a natural regeneration without the influence of a few fishermen.

Willapa Hills Audubon Society is opposed to Proposal #75 Spirit Lake (Cowlitz Co) proposed by the Washington Department of Fish and Wildlife, which would open Spirit Lake to sport fishing.

Willapa Hills Audubon Society, which was formed over thirty years ago, is a chapter of National Audubon Society. Members live in Cowlitz and Wahkiakum Counties in Washington. Our mission statement says that Willapa Hills Audubon Society supports ecologically responsible ways of life, helps maintain biologically diverse habitats, and promotes environmental understanding and enjoyment of nature.

Opening Spirit Lake to sport fishing and compromising the scientific community's major investment in long term ecological research would violate the provisions of the Monument Act. This act states that the purpose of the monument is to "protect the geologic, ecologic and cultural resources ... allowing geologic forces and ecological succession to continue substantially unimpeded."

Spirit Lake is part of 30,000 acres of the national monument that were set aside for scientific research. Spirit Lake is the largest among some 40 lakes that surround Mount St. Helens. Following the 1980 eruption, Spirit Lake became the focus of a long-term, unprecedented research project to follow ecological recovery. This is the only place in the world where scientists have spent 29 years studying lake response and recovery in the wake of a major volcanic disturbance. Spirit Lake is closed to sport fishing and other recreational activities that would disrupt the lake's natural recovery process.

One especially dangerous effect for the natural recovery of the lake is the impacts of anglers on the shoreline. Allowing anglers to walk along the shoreline for 21 weeks will impact fragile recovering riparian vegetation and soils. This impact in turn will affect associated insect and amphibian populations. Similar impacts are clearly visible at other Mount St. Helens lakes where angling already is permitted. Another particularly deleterious effect will be the introduction of new species by anglers and their float tubes or rafts. Whether native or non-native, introduction of new species through human-assisted transport has the potential to severely alter the natural recovery process and destroy Spirit Lake's value to science.

Access to the south side of Spirit Lake would also endanger Pumice Plain research. The Pumice Plain is the most intensively studied upland area. Because the Pumice Plain is unstable, a new trail allowing access to the south shore of Spirit Lake would likely wash out on a regular basis, causing anglers to wander off trail into research plots.

Opening Spirit Lake to sport fishing will create additional problems besides disrupting the lake's natural recovery process from the volcanic blast and scientific studies to document this process. When fishing groups introduced this topic at public hearings in fall 2008 to discuss the fate of the National Monument, both independent scientists and representatives of the U.S. Forest Service described some of these problems. These include the encouragement of poaching for fish and more human traffic off-trail in fragile areas still recovering from the eruption.

Since 2004, the Washington Department of Fish and Wildlife and some angler advocacy groups have been pressuring the U.S. Forest Service to open Spirit Lake to fishing. Scientists have voiced strong opposition to WDFW's proposal.

Rainbow trout introduced to the lake illegally have grown to enormous dimensions. Anglers want to be able to catch these “trophy trout” before increasing population of the trout and increased competition among them for resources will inevitably result in trout of average size in the next few years. This proposed fishery is likely to be of short duration, potentially five years, before the public loses interest. It is not worth jeopardizing the public's substantial investment in scientific understanding of functioning ecosystems for five years of recreation for a handful of anglers.

Opening Spirit Lake to fishing is unnecessary—there are already abundant opportunities for sport fishing in the Mount St. Helens area. The Forest Service specifically developed nearby Coldwater Lake for fishing, including constructing a boat launch, several shoreline access points, and a fish cleaning facility. The WDFW stocked the lake with 30,000 rainbow trout in 1989 and the population is flourishing, providing outstanding sport fishing opportunities, yet the WDFW considers the fishery underused. Many other lakes in the monument also are over-populated with introduced Eastern Brook Trout. Finally, agencies don't have funding to manage this fishery. Neither the U.S. Forest Service nor the Washington Department of Fish and Wildlife have the staffing and funding to ensure that anglers are complying with the regulations. The U.S. Forest Service would not receive any compensation for the additional enforcement expenses incurred by this fishery. The Washington Department of Fish and Wildlife has not addressed who would pay for enforcement on other days of the week when this fishery is not open.

Opening Spirit Lake to fishing will create a number of problems because there is no way to enforce the proposed rule. Once the word gets out that Spirit Lake is open to fishing, who would prevent people other than the raffle-winners from accessing the closed research area or trampling through research plots on the Pumice Plain to reach the Spirit Lake shoreline? If a new trail is built for angler access, who is going to prevent other people from using it?

To open Spirit Lake to fishing to satisfy short-term demand for trophy-sized trout is catering to a small group while ignoring the needs of greater society. Future generations will benefit from increased scientific knowledge about long-term recovery from volcanic eruptions and the protection of the still-recovering lake and its surrounding fragile landscape.

Sincerely,

Charlotte Persons, President
Willapa Hills Audubon Society

I'm writing on behalf of Conservation Northwest to provide comments on the proposal to initiate a Spirit Lake fishing season. We believe that the public benefits of long-term ecological research provided by this unique site far outweigh the desire to provide yet another location for sport fishing. Great public fishing opportunities exist nearby at Coldwater Lake and Castle Lake, and other locations.

Spirit Lake is the largest lake in the contiguous United States that is devoted to scientific research. There is nowhere else in North America where natural aquatic ecosystem recovery after a volcanic eruption has been studied at this scale.

Although it is not pristine, Spirit Lake is the only place where relatively natural ecological processes have been protected and allowed to evolve under the careful observation of scientists. Research at Spirit Lake has produced the longest-running body of data on any volcanic-impacted lake in the world. Continuous research for 29 years has created extremely valuable long term data sets, and each year of continuous research adds considerable value.

Because it is designated for research, Spirit Lake and the adjacent Pumice Plain is a magnet for scientists and millions of research dollars. Dozens of scientists work at the volcano each year and spend thousands of federal research dollars here rather than going elsewhere. This research has spawned hundreds of peer-reviewed scientific publications. Lessons learned here are being applied to important problems elsewhere.

Even limited public angling could potentially jeopardize the research value of Spirit Lake and the Pumice Plain by altering the baseline, damaging riparian vegetation and soils, introducing aquatic invasive and other species, and disrupting research plots. Currently, neither state or federal agencies have resources to manage the fishery, and ensure proper enforcement.

Spirit Lake is a unique, rare, and valuable public asset. We ask that you retain the integrity of scientific research at Spirit Lake and keep it closed to sport fishing.

Thank you,

Dave Werntz

Science and Conservation Director

Conservation Northwest

Please open Spirit Lake to fishing without an agreement with the Forest Service to do so. Spirit Lake offers a unique trophy fishery which is now being withheld from the public.

The State of Washington should be firm with the Forest Service as they have ignored the process to open the lake. The state has management control of the fish, and the water, and if the Forest Service wants to keep the lake closed for scientific purposes perhaps they should mitigate the recreational loss to the state.

I support this proposal and can't wait!

Comments from Public meetings:

Vancouver

One person stated that Spirit Lake is long overdue to have public access to it. There is access through the Harmony Falls Trail 224. There are good fish; it's time to open it. He asked that we change the wording in the second sentence describing the fishery to read 'banks' plural in case the Forest Service wants to add more area.

The President of Clark-Skamania Fly fishers stated that his club has been involved with this proposal for seven years. WDFW has been involved with negotiations the last four. The Forest Service approach is to dig their heels in and use stall tactics. CSF is out of patience and energy. Poachers at Spirit Lake have asked CSF to stop this process so their private fishing is protected. They are requesting an answer immediately in writing [to the proposal handed out] and for you to take a stronger stance. (See Appendix 3 for document)

One person stated: "Spirit Lake – want to see it open. Period. No restrictions."

See Appendix 3 for more testimony on this proposal.

Staff Recommendation: Do not adopt until agreement can be reached with USFS.

#76. Swift Reservoir (Skamania Co)

Proposal: This proposal would extend the end date of the fishery in Swift Reservoir from October 31 to November 30.

Explanation: In the past, the department planted the reservoir annually with 800,000 fingerling rainbow trout. We closed the water after October to reduce handling of these small fish. Several years ago we changed the program to 60,000 catchable sized rainbow trout, planted in the spring before the opener. We have found that these fish have created an additional excellent fall fishery. They have attained additional growth and are providing a high catch rate.

In 2008 the opener of the reservoir was delayed until Memorial Day weekend due to a heavy snowpack and a very low water level. Because of the late opener the season was extended by emergency regulation through November. Anglers found this additional month of fall fishing to be excellent.

Testimony:

I believe Swift Res. should remain open through Nov. The fishery in this lake has changed and it would provide a late opportunity for low pressure fishing. I fished it during the trial year 2007 and fish were more active.

My name is Jerry Sauer, a homeowner, avid sportsman, and active in various local organizations such as Fish First, Swift Community Action Team (SCAT), as well as a Skamania County Fire Commissioner for the Swift Reservoir area. While these may not be totally the opinion of all the groups above, I feel comfortable relaying that the overall community of Swift would like to see the Reservoir open all year round, not just until the end of November. Our area has such a small window to fish that any extra opportunity would be good for both the kids as well as adults that become restless during our long winters and our wet springs. There would not be a noticeable catch that would reduce the spring fishery, and with the reintroduction of salmon and steelhead to the upper Lewis River starting next year there will be a surplus of food sources for bull trout. Opening Swift year round would also make it the same regulations of the lower reservoirs, Yale and Merwin. These lakes have a huge advantage over Swift due to less fluctuation of water levels that we deal with at Swift. Our boats that are moored are usually asked to leave by PacifiCorp around Labor Day due to power generation requirements. Please consider these comments when establishing your regulations for the 2010-2012 seasons.

I support this change. (3 e-mails)

Thank you for the opportunity to comment on the 2010-2012 proposed fishing rule changes for Washington State. PacifiCorp has two comments with respect to changes within the North Fork Lewis River basin for which PacifiCorp Energy owns and operates three hydroelectric projects.

Rule No. 76: This rule change extends the angling season on Swift reservoir to November 30. It should be clearly stated that the Swift Campground boat ramp and reservoir elevation will not be maintained for angler access in November. Opportunities for boat launching will be as available. Also, PacifiCorp disagrees in that the rainbow trout present in the reservoir in the fall are primarily from hatchery plants in the spring. Based on our observations, these fish are naturally produced in the system (likely from hatchery stocks).

Comments from Public Meetings:

One person at the Vancouver meeting stated that Swift Reservoir was open last year during the month of November and the fishing was great. It is a good proposal.

Staff Recommendation: Adopt as proposed.

#77. Yale Reservoir (Cowlitz Co)

Proposal: This proposal would add landlocked salmon rules to Yale Reservoir.

Explanation: Landlocked Chinook are present in Yale Reservoir. This will allow anglers to harvest them as part of their daily limit of five trout (kokanee limit remains separate).

Testimony:

Thank you for the opportunity to comment on the 2010-2012 proposed fishing rule changes for Washington State. PacifiCorp has two comments with respect to changes within the North Fork Lewis River basin for which PacifiCorp Energy owns and operates three hydroelectric projects.

Rule No 77: This rule allows retention of transported salmon and steelhead in Yale reservoir (landlocked salmon rules already apply in Swift reservoir). PacifiCorp does not agree that retention of transported salmon and steelhead should be allowed so early in our reintroduction efforts. These fish are transported at great expense and effort to serve purposes of preparing the gravels and nutrients prior to full reintroduction activities. We believe by allowing harvest on these fish, our success to meet the Lewis River Settlement Agreement goals to rebuild self-sustaining population of salmon and steelhead in the upper basin is threatened. PacifiCorp maintains that the harvest of salmon and steelhead in the upper basin is premature and needs to be delayed until at least the goals of the Lewis River Settlement Agreement have had a chance to be realized. PacifiCorp is opposed to implementing this regulation at this time.

Staff Recommendation: Adopt as proposed.

Region 6

NOTE: The majority of the proposals for changes to stream fisheries in Region 6 are found in the stream strategy spreadsheets.

#78. Hoko River Wild Steelhead (Clallam Co)

Proposal: This proposal would remove the special rule allowing anglers to harvest wild steelhead from the Hoko River.

Explanation: Though escapements to the Hoko River are not yet consistently under the goal of 400, the last two years have been illustrating a trend of declining abundance. Removing wild retention in the Hoko will not result in large savings - sport catch of wild steelhead has also dropped off in recent years, averaging less than 12 fish over the past 4 years. However, this is again an indication of a reduced return of wild steelhead to a small river system, indicating the need for a more cautious management approach.

The small plants of early timed hatchery steelhead into nearby streams in the Strait (Pysht, Clallam, and Lyre) are being terminated by WDFW. The reduced opportunity on hatchery stocks in the area may focus greater fishing pressure on the Hoko wild stock in the future.

Testimony:

Support. Closing wild steelhead retention on the Hoko River is a good compromise between closing the rivers or allowing angling. With the lower escapement it is important to reduce our impacts. I hope the department keeps a close eye on this stream and works to increase escapement of wild stocks. I also wanted to note that in my opinion the planting of steelhead smolts with no collection facilities on the Pysht or other Strait of Juan de Fuca streams should not be resumed in the future, regardless of whether future budgets can support the plants.

Intense habitat degradation. I support this proposal.

Freshwater - western Straits of Juan de Fuca - the elimination of hatchery steelhead smolt releases into the Lyre, Pysht and Clallam Rivers unfairly penalizes NOP sport fishermen and residents. It will also increase pressure on native steelhead in those very systems. People will fish. The reported hatchery savings of \$6K is a joke. I realize that this may be outside the scope of the proposed changes but since you are rationalizing the rule change based on the elimination of hatchery outplants I believe it is appropriate. **Can't we make this rule change contingent on restoring the hatchery outplants?**

I can't believe that you can call 2 years of data a "declining trend" in the Hoko especially when escapement goals are being met. And 4 years in the Pysht when the sport caught total averages 4 fish annually? Is it possible that the reported small catch of natives in the Pysht and Hoko is due to sport fishermen releasing wild steelhead, not a reduced abundance?

While it's hard to argue with a ban on wild steelhead retention, you state very plainly that this saving will not be significant given the small numbers of caught wild steelhead in the Hoko and Pysht. Again, the loss of the hatchery outplants in the Lyre, Clallam and Pysht Rivers unfairly reduces sport fishing opportunities for NOP residents west of the Elwha River, to

the Hoko and west end rivers 60 miles away. This is a real economic blow to people on fixed or limited incomes in travel costs.

I support the change of regulations for the Hoko and Pysht rivers. The wild steelhead stocks should NOT be killed.

I support no Kill on wild steelhead on Hoko and Pysht and Clallam rivers.

Ok, so I support the crabbing rule change, and I support prohibiting wild steelhead retention on all rivers until numbers improve.

The Conservation Committee of the Washington Fly Fishing Club supports -- Bans retention of wild steelhead

I support this proposal. (2)

I also agree with this rule but only if there is a catch and release for the wild fish and also to be able to get the hatchery fish which I catch through March.

I Support

Per our phone conversation, I received the following comments over the phone on the sport regulation proposals from Cliff Schleusner, president of the Olympic Peninsula Flyfishers, a club located along the Strait of Juan de Fuca. He canvassed members (80 some strong) for these comments. Please include them in the comments received on the proposals. Cliff indicated that his club was unanimous in its support for release of all wild steelhead statewide, and consequently supports the proposals to remove the Hoko and Pysht rivers from the list of rivers from which an angler's one wild steelhead per year may be kept. In other words, they support closing the Hoko and Pysht to retention of wild steelhead.

Statement from the Wild Steelhead Coaliton (plus 1 letter in support):

We support these closures to protect these small stocks and help assure continued depletion does not occur.

Staff Recommendation: Adopt as proposed.

#79. Minter Creek Night Closure (Mason Co)

Proposal: This proposal would add a night closure to Minter Creek during the salmon fishery taking place from the mouth to the fishing boundary markers about 50' downstream of the hatchery rack from November 1 through December 31.

Explanation: This proposal was requested by our enforcement officers who state that: "Poaching at this little creek is very prolific."

Testimony:

My family lives on the Kitsap Pennusila. We (and our friends/neighbors) fish for Salmon in the rivers within a 1 1/2 hour drive. Almost all of these rivers do not allow night fishing. That is why the night fishing at Minter Creek is important to us. Minter Creek is a 15 min. drive down the road from our house. When we fish there at night, there are very few other fishermen, and it is quiet, so it is a good time to instruct new fishermen without their "beginner" mistakes offending other fishermen. Also, there is something special about fishing at night. It is a wonderful experience.

Please, don't take this wonderful experience away!

I can understand the Warden's concerns about poaching of the fish stock. If you go there in the day time, you will observe poaching and violations of other fishing rules by some of the folks fishing there. These violators make up about 20% of the daytime fishermen. Observing and talking to these violators, I have discovered that they (generally) fall into two groups.

Group #1 seems to be people who have emigrated from other countries and are fishing the way they did back in the old country. Informing/educating them about the proper fish/game rules (and a citation to one of their group) seems to get results.

Group #2 appears to be the diehard. They will only obey the rules when they have NO other choice. Please cite these folks often. It's the only way they will obey the rules. Fortunately, they are the smaller group.

When we fish at night on Minter Creek, we observe that the percent of poaching remains about the same as daytime poaching. HOWEVER, since there are significantly fewer fishermen, the amount of fish taken illegally is very small compared to the number of illegally taken fish in the daytime.

In summery, I believe that the way to greatly reduce poaching on Minter Creek is greater daytime emphasis by the Warden. By removing night fishing, you will only hurt families such as ours, and will eliminate a very small part of the poaching. This action will not change the behaviour of the daytime fishermen.

IF the Warden feels that night fishing is a real threat to enforcement, would it be possible to allow night fishing only on one day of the week? That way, we would still be able to "break-in" new fishermen and experience night fishing close to home, which is a family tradition which we look forward to.
Thank you for your attention in this matter.

Minter Creek Night Closure: I enjoy this night fishery. It is one time when it is not elbow to elbow and a person can reasonably fish it. It would be a shame to punish the honest and "sportsman-like" fishermen due to the actions of the dishonest and "unsportsman-like" people. Please leave this night fishery open.
Thank you for your time and efforts,

I support this proposal.

Staff Recommendation: Adopt as proposed.

#80. Pysht River Wild Steelhead (Clallam Co)

Proposal: This proposal would remove the special rule allowing anglers to harvest wild steelhead from the Pysht River.
Explanation: In the 21 years prior to 2005, escapement of steelhead to the Pysht in the index areas monitored never failed to meet or exceed the escapement goal of 200. Escapements to these index areas since 2005 (the last four years of data), have all been under the escapement goal. Removing wild retention in the Pysht will not result in large savings - sport catch of wild steelhead has dropped off in recent years, averaging only 4 fish over the past 4 years. However, this is again an indication of a reduced return of an already small stock, and the need for a more cautious management approach.

The small plant of early timed hatchery steelhead into the Pysht River (10,000 smolts) is being terminated by WDFW as a cost saving measure, along with the steelhead plants into the Clallam and Lyre rivers. The reduced opportunity on hatchery stocks in the area may focus greater fishing pressure on the wild stocks in the near future, at a time when they are struggling.

Testimony:

Support. Closing wild steelhead retention on the Pysht River is a good compromise between closing the rivers or allowing angling. With the lower escapement it is important to reduce our impacts. I hope the department keeps a close eye on this stream and works to increase escapement of wild stocks. I also wanted to note that in my opinion the planting of steelhead smolts with no collection facilities on the Pysht or other Strait of Juan de Fuca streams should not be resumed in the future, regardless of whether future budgets can support the plants.

I support this proposal. Intense habitat degradation.

Freshwater - western Straits of Juan de Fuca - the elimination of hatchery steelhead smolt releases into the Lyre, Pysht and Clallam Rivers unfairly penalizes NOP sport fishermen and residents. It will also increase pressure on native steelhead in those very systems. People will fish. The reported hatchery savings of \$6K is a joke. I realize that this may be outside the scope of the proposed changes but since you are rationalizing the rule change based on the elimination of hatchery outplants I believe it is appropriate. **Can't we make this rule change contingent on restoring the hatchery outplants?**

I can't believe that you can call 2 years of data a "declining trend" in the Hoko especially when escapement goals are being met. And 4 years in the Pysht when the sport caught total averages 4 fish annually? Is it possible that the reported small catch of natives in the Pysht and Hoko is due to sport fishermen releasing wild steelhead, not a reduced abundance?

While it's hard to argue with a ban on wild steelhead retention, you state very plainly that this saving will not be significant given the small numbers of caught wild steelhead in the Hoko and Pysht. Again, the loss of the hatchery outplants in the Lyre, Clallam and Pysht Rivers unfairly reduces sport fishing opportunities for NOP residents west of the Elwha River, to the Hoko and west end rivers 60 miles away. This is a real economic blow to people on fixed or limited incomes in travel costs.

I support the change of regulations for the Hoko and Pysht rivers. The wild steelhead stocks should NOT be killed.

I support no Kill on wild steelhead on Hoko and Pysht and Clallam rivers.

Ok, so I support the crabbing rule change, and I support prohibiting wild steelhead retention on all rivers until numbers improve.

The Conservation Committee of the Washington Fly Fishing Club supports -- Bans retention of wild steelhead

I support this proposal. (2)

I also agree with this rule but only if there is a catch and release for the wild fish and also to be able to get the hatchery fish which I catch through March.

Per our phone conversation, I received the following comments over the phone on the sport regulation proposals from Cliff Schleusner, president of the Olympic Peninsula Flyfishers, a club located along the Strait of Juan de Fuca. He canvassed members (80 some strong) for these comments. Please include them in the comments received on the proposals. Cliff indicated that his club was unanimous in its support for release of all wild steelhead statewide, and consequently supports the proposals to remove the Hoko and Pysht rivers from the list of rivers from which an angler's one wild steelhead per year may be kept. In other words, they support closing the Hoko and Pysht to retention of wild steelhead.

Statement from the Wild Steelhead Coaliton (plus 1 letter in support):

We support these closures to protect these small stocks and help assure continued depletion does not occur.

Staff Recommendation: Adopt as proposed.

#81. Gray Wolf River (Clallam Co)

Proposal: This proposal would make the fishery on the Gray Wolf River from the bridge one mile above Dungeness Forks Campground to the Olympic National Park boundary catch-and-release with selective gear rules.

Explanation: This change was put in place this summer by emergency rule for protection of summer steelhead stocks recently listed as "threatened" under ESA. This proposal would make the change a permanent rule. It is also included in the spreadsheets for the proposed new stream strategy.

Testimony:

This beautiful canyon river, a good deal of it in the Buckhorn Wilderness, and some in the ONP. This will help the summer runs (never numerous) bull trout and resident rainbows.

I support this proposal.

Comments from Public Meetings:

Port Angeles

One person thought campers and back-packers may want a trout for dinner – will need to add enforcement to see that this rule is followed if adopted. This person questioned whether or not there are any truly wild early fish out there? Haven't we planted Skamania stock in the Gray Wolf?

One angler noted that 60 years ago, when he started fishing, there were early run fish. He stated that recent habitat changes are the problem. In the last 7 years, there have been floods that destroyed a lot of habitat in the area. We should consider the condition of the habitat when setting stream seasons – climate changes too.

Staff Recommendation: Adopt as proposed.

Protection for Coastal Steelhead Stocks

The following changes to the Bogachiel, South Fork Calawah, Hoh, and Sol Duc rivers are intended to provide an additional measure of protection to steelhead stocks in these streams. Although coastal stocks were not listed under ESA as those in Puget Sound were, we propose to take a more conservative approach to the management of these stocks as well.

Testimony:

Support. The additional protection these regulations will provide to juvenile steelhead, trout, and salmon is a positive step. The only thing I might add to these regulations, or any catch and release fishery is that anglers may keep fin-clipped fish of any size. Residualized hatchery smolts have negative impacts on wild fish and there should be some mechanism to remove these fish from the rivers.

Blanket statement for all the West end Peninsula streams:

All these streams are but a shadow of what they used to be. I have 63 years experience fishing these streams.

The badly degraded habitat is from logging and floods. The floods have increased dramatically in the last decade. The sophisticated modern gear, the almost total use of boats, the many problems caused by the use of Chambers Creek

hatchery stock, and the stubborn use of the policy of MSY indicate very strongly to me that if we are to save the wild winter steelhead, we need to change a lot of things. I fully understand the difficulty of this, but I trust that you will start down a different path for this two year cycle.

I Support

#82. Bogachiel River(Clallam Co)

Proposal: This proposal would add selective gear rules on the Bogachiel River from the Highway 101 Bridge to the Olympic National Park boundary from the 1st Saturday in June through November 30.

Testimony:

I strongly support this.

The Conservation Committee of the Washington Fly Fishing Club supports -- Adds selective gear rules during summer steelhead season

I Support

Statement from the Wild Steelhead Coaliton (plus 1 letter in support):

We support this proposal to protect juvenile wild salmonids from hooking mortality during the summer/fall fishing seasons. We request consideration be given to making this area catch and release for all trout species (or at a minimum RBT) during the rule change process next year.

I support this proposal and would like to see C&R of all resident rainbows year-round; C&R of all wild steelhead would be even better before this river also gets listed.

Staff Recommendation: Adopt as proposed.

#83. South Fork Calawah River(Clallam Co)

Proposal: This proposal would add selective gear rules on the South Fork Calawah River from the 1st Saturday in June through November 30.

Testimony:

I strongly support this.

The Conservation Committee of the Washington Fly Fishing Club supports Support -- Adds selective gear rules during summer steelhead season

I Support

Statement from the Wild Steelhead Coaliton (plus 1 letter in support):

We support with the same reasons and the same proposed changes for next year as for the Bogachiel River.

I support this proposal and would like to see C&R of all resident rainbows year-round; C&R of all wild steelhead would be even better before this river also gets listed.

Staff Recommendation: Adopt as proposed.

#84. Hoh River(Clallam Co)

Proposal: This proposal would make the fishery on the Hoh River from the Highway 101 Bridge to the Olympic National Park boundary selective gear rules and catch-and-release except up to two hatchery steelhead may be retained.

Testimony:

This is very much needed on the Hoh River, probably the most degraded habitat of the west end streams.

The Conservation Committee of the Washington Fly Fishing Club supports -- Adds selective gear rules, C&R, with removal of up to 2 hatchery fish per day

I do not like this change the rule that are in place right now work great there the no need to extend the the selective gear rules down the the 101 bridge. (7 e-mails)

I Support

OPPOSE: #84. Hoh River(Clallam Co)

Unless Catch and Release is required for legitimate conservation reasons or to increase angler opportunity, why have these restrictions on anglers? The Hoh tribe already harvests more than their share of fish from this river under foregone opportunity because Washington State anglers do not take enough fish from this river. This proposal will concentrate anglers in the lower river on a river with much bank access above 101. Also there is already a selective gear rule, C&R area on this river. This proposal will not save a single fish because they will go right into the Hoh tribes gillnet. This is a river where there already is an problem with Washington State anglers not getting our fair share of the Boldt catch. This is a loss for anglers and a win for the tribe. This change will not lengthen the season or add opportunity and because the Hoh tribe is already taking more than their share under foregone opportunity, there is no conservation reason for it either. Also, there was no explanation given in the pamphlet as a reason for this change. In the absence of a reason, the rules should not be enacted.

Statement from the Wild Steelhead Coaliton (plus 1 letter in support):

This proposal makes the Hoh River above the 101 Bridge catch and release selective gear rules for wild steelhead while two hatchery steelhead may be retained. Support. This is one of the WSC rule suggestions to establish ecosystem management to protect wild steelhead, and the juveniles and adults of all other species from further decline. However, it is not clear if this proposal closes harvest of RBT and other trout species to harvest, if not, we request it should.

I support this proposal and would like to see C&R of all resident rainbows year-round; C&R of all wild steelhead would be even better before this river also gets listed.

Staff Recommendation: Adopt as proposed.

#85. Sol Duc River(Clallam Co)

Proposal: This proposal would make the fishery on the Sol Duc River from the Highway 101 Bridge downstream of Snider Creek to the Olympic National Park boundary catch-and-release with selective gear rules except up to two hatchery steelhead may be retained.

Testimony:

I strongly support this.

The Conservation Committee of the Washington Fly Fishing Club supports -- Adds selective gear rules, C&R, with removal of up to 2 hatchery fish per day

I Support

Statement from the Wild Steelhead Coaliton (plus 1 letter in support):

Makes the section from the 101 Bridge downstream from Snyder Creek to the ONP catch and release and selective fishing, except two hatchery steelhead may be retained. First, we recommend that the area be described as "from the mouth of Snyder Creek to the ONP. This makes the description less confusing to all fishers, even though your area description has been used for many years.

We are not sure what change in season this proposal makes as this section of the Sol Duc River is already closed to wild steelhead harvest, selective fishing rules and closed to fishing October 31. It actually appears to be opening the area to fishing after October 31 which we strongly oppose. Please explain what this proposal is intended to change. This area was proposed as a WSMA two years ago to protect all juveniles and RBT and we continue to recommend this change. As with the Hoh River proposal, it is not clear if harvest of RBT is closed.

I support this proposal and would like to see C&R of all resident rainbows year-round; C&R of all wild steelhead would be even better before this river also gets listed.

Staff Recommendation: Adopt as proposed.

#86. Alder Lake Kokanee (Thurston Co)

Proposal: Change the trout daily limit on Alder Lake to: kokanee not included in daily limit. Kokanee daily limit 10. The daily limit for other species of trout would remain at 5.

Explanation: As part of a mitigation program, kokanee are stocked into Alder Lake. The bonus limit seeks to increase interest and participation.

Testimony:

Great idea, I support!

Support

Staff Recommendation: Adopt as proposed.

#87. Capitol Lake (Thurston Co)

Proposal: This proposal opens Capitol Lake year-round. The rules would include catch and release for trout with selective gear rules for all species except that anglers may use bait and barbless hooks while fishing for salmon Sept. 1st -Oct 15th.

Explanation: Capital Lake was historically stocked with catchable trout annually but the practice was discontinued in the 1990's. Waters upstream from the lake are managed as a quality catch-and-release fishery. The current rules for the lake are inconsistent with management objectives in the Deschutes River. Catch and release mortality (associated with bait and barbed hooks) of sub legal fish may be limiting the recruitment of larger fish to the quality fishery. The addition of selective gear rules should lessen this mortality considerably.

Testimony:

I urge the commission to pass proposals # 87 & 88.

Cutthroat trout are currently protected in Puget Sound and upriver of Capitol Lake, to the fishes' great benefit. Capitol Lake was formerly stocked with hatchery fish, but since this no longer occurs, it is inappropriate to allow harvest of protected population in this area.

I would like to voice support for the proposed changes #87 and #88. The proposal to apply catch and release/ selective gear regulations to Capitol Lake make perfect sense in light of the catch and release/selective gear regulations for the Deschutes River. I fish the Deschutes often and these changes should improve that fishery.

I support and encourage the adoption of rule # 87 and 88. I caught and released fish on Munn lake during the trial period Mar 1, 09 thru opening day about 6 times. Every day out, I saw and talked with many fishers who enjoyed catch and release. There are no quality lakes in Thurston county or near by. In the past, I fished Cady Lake in Mason county many times for quality fish as there were no local catch and release lakes. Many times over the years, I driven to Eastern Washington to fish the quality lakes. Making Munn lake a selective gear fisheries will allow many fishers who already practice catch and release a local lake to enjoy.

I endorse the adoption of Rules 87 and 88.

I support and encourage the adoption of rule # 87 and #88. There are many fishers who enjoy catch and release. There are no quality lakes in Thurston County or near by. I have fished Cady Lake in Mason county many times for quality fish. Every year I drive to Eastern Washington to fish the quality lakes there at a good expense and use of gas. Making Munn Lake a selective gear fisheries will allow many fishers who already practice catch and release a local lake to enjoy our favorite pastime.

I support proposed rules #87, 88 and 89 related to Capitol Lake, Munn & Susan Lakes and South Sound Lakes.

The email is being sent to your office to voice my support for the following proposed rule changes to the WDFW: #87: Changing Capitol Lake to a selective fisheries – catch and release

I support both sport fishing proposals # 87 (Capitol Lake) & #88 (Munn Lake and Lake Susan).

I am especially supportive of making Munn Lake and Lake Susan a year round catch and release selective gear fishery. I had the pleasure of fishing Munn Lake during this years special pre lowland lakes opener many times and had a great time. High catch rates continued much longer than in a normal put and take fishery. No surprise -fish caught and kept aren't around to be enjoyed on future trips. I personally get a lot more satisfaction with the experience of catching fish than with the fish eating experience. I would much rather have months of good fishing, i.e., high catch rates, than a few weeks of good fishing and the opportunity of keeping those fish. Clearly, WDFW does not have the budget to maintain good catch rates throughout the season through multiple stockings. Catch and release is a good option. One which I would hope the Commission would consider for additional area lakes.

I know we're getting close to the dead line for comments on the 2010-11 rule proposals, but I'd like the record to show that Clark-Skamania Fly Fishers support sportsfishing rule changes #87, and #88. Our members occasionally fish Capitol Lake, Munn and Susan Lakes, and believe catch and release and selective gear rules would benefit the angling experience on those lakes.

I ask that you please support passage of rule #87 and rule #88 to improve public access to non fee quality fishing in our area. This is a long overlooked way to improve our quality of life with no new tax!!! Thank you for considering this request.

I wish to add may support for rule changes #87 and #88 - requiring catch and release of cutthroat trout in Capital Lake and making Munn and Susan Lakes subject to selective fishing rules - both for the reasons stated in the proposals. We need to extend the cutthroat protection to make it effective and improving fishing on these two Thurston County lakes will make them immensely popular with a large group of anglers who will have a vested interest in the lakes' continued health and preservation.

Thank you for your attention and conservation efforts.

Support. More angler opportunity.

I support the use of C&R and selective gear rules but oppose the use of bait during the salmon season. There are many successful salmon fisheries that prohibit the use of bait so it seems unnecessary as well as contradictory to the new 'trout caught with bait rules'. It's hard enough to get anglers understand that they must count trout caught with bait as part of their limit so why confuse them more and establish precedence by condoning the use of bait during a C&R trout season?

South Sound Fly Fishers and a coalition of fishing clubs ask for passage of this proposal. Unofficially represent hundreds of members. Support proposal for protection of cutthroat.

Staff Recommendation: Adopt as proposed.

#88. Munn and Susan Lakes (Thurston Co)

Proposal: This proposal would open Munn and Susan lakes to a year-round catch-and-release fishery with selective gear rules.

Explanation: There is currently no year-round selective fishing opportunity on lowland lakes in South Puget Sound (Pierce or Thurston Co.). Creel surveys conducted this year indicated that substantially more anglers participated in the catch-and-release fishery than during the harvest season. Additionally, several of the local fly fishing clubs verbally agreed to purchase fish to be stocked into the lake at various times during the year.

Testimony:

I urge the commission to pass proposals # 87 & 88.

Please convert Munn Lake to quality fishing as described in the proposal. I have the commitment of a number of local fly fishing clubs to provide stewards to Munn Lake to discourage poaching, remove litter, and provide resources to ensure continued quality stocking of the lakes.

I strongly support proposed rule changes #41 Buzzard Lake, #45 Cougar Lakes, #46 Desert Lakes, #74 Merrill Lake and especially #88 Munn & Susan Lakes. I support any increase in opportunities to add selective gear lakes opportunities.

I would also like to voice support for proposed change # 88 which would apply to Munn and Susan Lakes catch and release/selective gear regulations. Our area lacks quality lake fishing opportunities and this proposal would help remedy that deficiency. I believe that the public would make extensive use of the quality fishing opportunity and provide strong support for it.

I support and encourage the adoption of rule # 87 and 88. I caught and released fish on Munn lake during the trial period Mar 1, 09 thru opening day about 6 times. Every day out, I saw and talked with many fishers who enjoyed catch and release. There are no quality lakes in Thurston county or near by. In the past, I fished Cady Lake in Mason county many times for quality fish as there were no local catch and release lakes. Many times over the years, I driven to Eastern Washington to fish the quality lakes. Making Munn lake a selective gear fisheries will allow many fishers who already practice catch and release a local lake to enjoy.

I endorse the adoption of Rules 87 and 88. In speaking with a number of fishers who have fished Munn Lake during the trial period, all have had positive comments about the proposed rules cited above. The addition of the lake as a catch and release lake a local lake to enjoy. Normally we travel to other counties to fish. This will be a welcome addition.

I support and encourage the adoption of rule # 87 and #88. There are many fishers who enjoy catch and release. There are no quality lakes in Thurston County or near by. I have fished Cady Lake in Mason county many times for quality fish. Every year I drive to Eastern Washington to fish the quality lakes there at a good expense and use of gas. Making Munn Lake a selective gear fisheries will allow many fishers who already practice catch and release a local lake to enjoy our favorite pastime.

I support proposed rules #87, 88 and 89 related to Capitol Lake, Munn & Susan Lakes and South Sound Lakes.

The email is being sent to your office to voice my support for the following proposed rule changes to the WDFW: #88: Changing Munn Lake in Thurston Co. to a selective fisheries – catch and release year around

I support this proposal to the 2010-2012 Sportfishing Rule Change Proposals as long as the selective gear still includes unscented lures with one single-point, barbless hook.

I fished Munn Lake several times this March/April when open to selective gear only and found this very rewarding. I think the idea to have this lake a year-round catch-and-release fishery is outstanding.

I support both sport fishing proposals # 87 (Capitol Lake) & #88 (Munn Lake and Lake Susan).

I am especially supportive of making Munn Lake and Lake Susan a year round catch and release selective gear fishery. I had the pleasure of fishing Munn Lake during this years special pre lowland lakes opener many times and had a great time. High catch rates continued much longer than in a normal put and take fishery. No surprise -fish caught and kept aren't around to be enjoyed on future trips. I personally get a lot more satisfaction with the experience of catching fish than with the fish eating experience. I would much rather have months of good fishing, i.e., high catch rates, than a few weeks of good fishing and the opportunity of keeping those fish. Clearly, WDFW does not have the budget to maintain good catch rates throughout the season through multiple stockings. Catch and release is a good option. One which I would hope the Commission would consider for additional area lakes.

A friend of mine notified me of a possible rule change affecting Munn and Susan Lakes in Thurston County. The initiative is to support these lakes as year round catch and release fisheries with selective gear rules in effect on a year round basis. I know a few members of nearby clubs committed to share some of the stocking and area maintenance, as my local club does with Teal Lake in Jefferson County. I strongly support this rule change.

Just a note to voice my position in favor of as many selective gear only (and C&R) waters in the state as can be allowed. In this case Munn Lake in Thurston County (but I hope to see many more rivers, creeks and lakes go this way in the near future).

I support the Munn Lake Proposal.

I would like to lend my support to making Munn & Susan Lakes a year round, C & R fishery with selective rules. Thurston County needs to have quality fisheries and making these lakes selective gear would certainly help. Please do what you can to have these lakes included on the list of year round, C & R, selective.

This email is in regard to the Munn Lake C&R proposal. I would strongly support Munn Lake as a C&R fishery. It would be a fantastic resource in the south sound area. Thank you for your time.

I am in favor of making Munn Lake a year round catch and release lake.

This is a much needed opportunity for those of us in the south sound.

I would like to voice my support for the conversion of Munn and Susan Lakes from their present state to year-round, catch and release, selective gear lakes. This would offer more fishing opportunity west of the mountains and south of the major metro areas. Time on the water is what it is all about.

I stand in clear support for a quality fishery in the South Sound. I fished Munn last year a number of times (fly fishing, C&R) and found it a wonderful spring option. It would be especially wonderful to have it as a fall option as well. You would have my regular participation. It is an interesting place and seems to grow quite nice fish. Leaving those fish to grow would provide considerable enjoyment and local legend. As a South Sound resident, I have few quality waters from which to choose without a considerable drive. Munn is an attractive choice.

I support proposal #88, which would open Munn and Susan lakes to a year-round catch-and-release fishery with selective gear rules. I believe there should be more C&R selective-gear-rules lakes in Washington, as such lakes provide a better fishing experience for many anglers.

I support opening Munn and Susan lakes to a year-round catch-and-release fishery with selective gear rules.

Please know that as an avid fly fisher, I am in total support of the proposal to make lakes Munn and Susan selective gear fisheries—single barbless hooks, artificial lures, and no edible baits.

The fisheries resource is far too valuable to allow “catch and kill” programs. I would also support this same legislation for other lakes around the state, and in particular on the west side.

Please contact me if there is anything I can do to support these proposals and ensure their adoption!

I support the Munn Lake change to year round catch and release. I belong to a local fly club and will do all I can to make this happen.

I support opening Munn and Susan Lakes to year round, catch and release only fishing.

I support this proposal to the 2010-2012 Sportfishing Rule Change Proposals as long as the selective gear still includes unscented lures with one single-point, barbless hook. I fished Munn Lake several times this March/April when open to selective gear only and found this very rewarding. I think the idea to have this lake a year-round catch-and-release fishery is outstanding.

I wish to voice my support of making Munn Lake (Thurston Co) a year-round catch-and-release fishery with selective gear rules.

The proposal to change Munn Lake to year-round, catch-and-release, selective fishery is a fabulous idea. I participated in the early catch-and-release season last spring and saw the tremendous potential in this lake for this type of fishery. There were up to a dozen flyfishers accessing the lake on the days that I was fishing. As we have seen with Pass Lake, a catch-and-release selective gear fishery can be a tremendous recreational boon. Munn Lake is an excellent choice. It is near a major urbanized area and yet half of the shore is undeveloped. Access is available via a good boat ramp, but limited largely to this one location (excepting property owners. Shore-based poaching should not be a major problem. There are abundant nearby lakes that are available for individuals who wish to catch and keep hatchery trout.

I strongly support the WDFW proposal to open Munn and Susan lakes (in Thurston County) to a year-round catch-and-release fishery with selective gear rules. There are currently no year-round selective fishing opportunities on lowland lakes in South Puget Sound (Pierce or Thurston Co.). I believe significantly more anglers will participate in a catch-and-release fishery than the current harvest fishery. I believe the increased participation will also benefit nearby restaurants and sporting good stores.

Just a quick note to say I definitely favor implementation of the selective fishery rule change (#88) proposed for Munn Lake.

Just wanted to say, I support efforts to provide catch and release with selective gear regulations for a few west side lakes. I have been an avid fly fisherman since I was 12, enjoying C&R where ever I travel. These lakes will provide opportunity for me and others to teach our children and grand kids, conservation and respect for fish and wildlife.

I support the proposal to make Munn Lake a year-round catch and release fishery.

The Executive Board of the Olympia Chapter of Trout Unlimited supports rule change 88 to open Munn Lake to a year-round catch and release fishery with selective gear rules.

I am writing to voice my support of the proposed rule change that makes Munn and Susan lakes in Thurston County year-round, selective gear, Catch-and-Release fisheries. Lets do it! I'm all for it!

I just want to say that I am in full support of changing Munn and Susan lakes to selective fishery catch and release year round.

I heartily support the proposed rules change to make Munn Lake a selective fishery.

I support the rule change proposal to make Munn Lake in Thurston County a Selective Gear, Catch & Release-only fishing lake.

I am writing in support of Munn Lake as a catch and release fishery. It would be wonderful to have a year round catch and release fishery in the South Sound. Currently I travel up to Whidby Island at Lone lake for this privilege. With so many lakes in the area I do not see this as being a big impact on the harvest.

I support making Munn Lake a selective fishery, Thanks.

Regarding the Munn Lake year round proposal, I am generally in favor, but do worry about the lack of a kill aspect for even a short period of time. I live next door to the lake and have for some time now taken my young kids over for the fishing opportunity. Last years early opener was awesome and it was great to explain why they could not keep the fish for dinner. I said we would keep some fish when the general opener occurred, and that is what I fear will be lost. While I would like to see it open year round, I am not in favor of a 12 month catch and release. Is there an option that allows for a few weeks of catch and keep?

I throughly enjoy catch and release fishing, but I also enjoy letting my kids choose to keep a fish, when legal, for dinner. It allows me the opportunity to teach my kids how to properly clean and cook fish.

I am in full support of turning Munn Lake and Susan Lake into year round Selective Gear Rules lakes. We are in desperate need of such lakes in the lower Puget Sound region.

Please pass on my support of this effort.

Larry W. Gibbs - Member of:

Puget Sound Flyfishers Club in Tacoma and newsletter editor of same. Alpine Fly Fishers club on Puyallup and President of that club and newsletter editor as well. Board member of the Washington State Council Federation of Fly Fishers and their Auction Coordinator. Life member of the Federation of Fly Fishers and their Auction Coordinator. Member of five fly fishing website groups.

The proposal is for a total catch and release of all species in these lakes. An experimental fishery took place and it was a success but having an across the board catch and release does not seem to be the way to go considering the abundant spiny ray fishery there. I do like to catch a nice crappie once in a while and harvest it as they are very good eating. There are not that many really good crappie lakes close by. I would propose this: Have a full catch and release fishery starting Feb. 1 and go to say May 31 with full Select fishery rules. Then split that for June 1 to Oct. 31 with catch and release for trout and allow a fishery for catch and keep for spiny ray fish, statewide rules, with electric motors allowed. This would solve, I think,, the issue of both fisheries.

As a member of the Puget Sound Fly Fishers, I would heartily support making Munn lake a barbless hook, catch and release fishery. Thank you for all your hard work,

I am in favor of the proposal to turn Munn Lake and Susan Lake into a year round "Catch & Release" fishery with selective gear rules. I love to fly fish and this would be a wonderful opportunity to establish a lake in the south sound area for a bigger and healthier fish. Thank you for your consideration. Mike Clancy, Puget Sound Fly Fishers, South Sound Fly Fishers & Washington State Council FF.

I am an avid fly fisher, living in Gig Harbor and a member of Puget Sound Flyfishers. I support the changing of the regs. on Munn Lake to Special Regs as proposed.

Please add me to the support of this change. We need to protect our Stated resources and catch and release is an easy way to conserve assets.

I know we're getting close to the dead line for comments on the 2010-11 rule proposals, but I'd like the record to show that Clark-Skamanian Fly Fishers support sportsfishing rule changes #87, and #88.

Our members occasionally fish Capitol Lake, Munn and Susan Lakes, and believe catch and release and selective gear

rules would benefit the angling experience on those lakes.

I ask that you please support passage of rule #87 and rule #88 to improve public access to non fee quality fishing in our area. This is a long overlooked way to improve our quality of life with no new tax!!! Thank you for considering this request.

This email is to address the proposal to open Munn Lake to a “year-round catch-and-release fishery with selective gear.” I have fished on Munn Lake for years, and I commend the Department of Fish & Wildlife for stocking and opening up Munn Lake early this year to the same catch-and-release guidelines. That experiment seemed to be a great success, judging by the number of anglers and the quality of fishing that I saw on the lake.

I strongly support the proposal in place for Munn Lake to become a “year-round catch-and-release fishery.” I’m please to hear that local fly fishing clubs have agreed to purchase the stock, and I plan to contribute to their efforts if enacted.

I support the proposal to make Munn and Susan lake year-round C/R with selective gear rules.

I wish to add may support for rule changes #87 and #88 - requiring catch and release of cutthroat trout in Capital Lake and making Munn and Susan Lakes subject to selective fishing rules - both for the reasons stated in the proposals. We need to extend the cutthroat protection to make it effective and improving fishing on these two Thurston County lakes will make them immensely popular with a large group of anglers who will have a vested interest in the lakes' continued health and preservation.

Thank you for your attention and conservation efforts.

I’m writing this note to voice my support of making Munn Lake a selective gear regulations trout fishery. It would be great to have a quality catch and release lake in the Olympia area. There are a lot of fly fisherman as well as spin fisherman who really appreciate a quality fishing experience and would like more of these kinds of fishing opportunities closer to home. Munn Lake seems a perfect candidate for the selective gear regulation.

I strongly support this proposal and would like to see at least one such year-round C&R fishery in each county!

South Sound Fly Fishers and a coalition of fishing clubs ask for passage of this proposal. Unofficially represent hundreds of members. Volunteers will pick up trash, monitor fishery, also purchase fish to plant in Munn Lake.

See Appendix 3 for more testimony on this proposal.

Staff Recommendation: Adopt as proposed.

#89. South Sound Lakes (Pierce, Mason, Kitsap Jefferson, and Thurston Co)

Proposal: This proposal would change the trout limit in American, Clear, Carney, Crescent, Kapowsin, Ohop, Rapjohn, Silver, Spanaway, Steilcoom and Tanwax lakes in Pierce County; Aldrich, Benson, Clara, Devereaux, Hatchery, Haven, Howell, Isabella, Island, Kokanee, Lost, Maggie, Nahwatzel, Panhandle, Phillips, Robbins, Spencer, Tee, Tiger, Trails End, Twin, Wood, and Wooten lakes in Mason County; Buck, Horseshoe, Island, Kitsap, Mission, Panther, Wildcat, and Wye lakes in Kitsap County; Leland, Ludlow, Sandy Shore, Silent, and Tarboo lakes in Jefferson County; and .: Summit, Clear, Ward, Long, Pattison, Hicks, Deep, McIntosh, Black, St. Clair, and Lawrence lakes in Thurston County to: daily limit 5, no more than 2 over 14” may be retained, except no minimum size for kokanee.

Explanation: In response to angler requests for larger fish, WDFW’s Eells Springs Hatchery will begin producing additional jumbo (>14”) rainbow trout in 2010. In order for the overall cost and hatchery space required to remain the same, fewer catchable (8-10”) rainbow trout will be produced. The intent of the proposal is to provide a quality fishing experience, spread out the harvest of the jumbo (>14”) rainbow trout across more anglers, and possibly result in less high-grading (and potential release mortality). The minimum size is not necessary for kokanee because they are planted as fry and enter the fishery as a group that are all much the same size.

Testimony:

I support proposed rules #87, 88 and 89 related to Capitol Lake, Munn & Susan Lakes and South Sound Lakes.

Shouldn’t this say “...no maximum size for kokanee.” instead of “...no minimum size...” if the intent is to apply this rule only to oversize hatchery reared rainbow? The way it is written it looks like you can’t keep more than 2 kokes over 14 inches either.

Modification: Make it clear that there is not size restriction for kokanee.

Staff Recommendation: Adopt as modified.

#90. Stump Lake (Mason Co)

Proposal: This proposal would make the trout daily limit in Stump Lake 5, with no more than two fish over 15”.

Explanation: The reduced daily limit for 2 fish over 15” from a total daily limit of 5 fish is intended to extend the time these fish are available for harvest.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#91. Lake Symington (Kitsap Co)

Proposal: This proposal will add a season from the 1st Saturday in June through Oct 31 to Lake Symington, with selective gear rules for all species, and catch-and-release for trout.

Explanation: Lake Symington and Big Beef Creek above Lake Symington provide spawning and rearing habitat for ESA-listed wild steelhead. The lake is not currently stocked with any hatchery-reared trout. In addition, Big Beef Creek is one of four study streams in the Hood Canal Intensively Monitored Watersheds (IMW) project. The IMW project, conducted by WDFW, is a long-term study that compares salmonid survival before and after restoration. Survey and trapping data are collected annually on Big Beef Creek. Harvest of wild salmonids will affect study outcomes and data quality.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#92. Tarboo Lake (Jefferson Co)

Proposal: This proposal would give Tarboo Lake the standard “Opening Day” season of the last Saturday in April through October 31 and remove the landlocked salmon rules.

Explanation: The salmon season was originally implemented because we intended to release surplus coho adults from Quilcene National Fish Hatchery into the lake to provide a fishery. However, due to potential health risks to fish in Tarboo Creek, these releases will not take place. The proposal would return the season to Last Saturday in April – Oct. 31, consistent with other Opening Day lowland lakes in the area.

Testimony: none.

Staff Recommendation: Adopt as proposed.

Housekeeping

#93. Housekeeping Change to Selective Gear Rules Definition

Proposal: This proposal would remove the restriction of fishing from a floating device equipped with an internal combustion engine from the definition of selective gear rules. All other provisions would remain unchanged. The internal combustion restriction would be added separately to areas where it is currently in force.

Explanation: The selective gear rules definition was developed to include a suite of restrictions that were put in place where to provide a “quality fishing” experience in our fisheries for game fish. However, selective gear rules are now also being used to reduce impacts on non-target species. The restriction on the use of bait, requirement for knotless nets, and requirement for single-point barbless hooks, are all tools that we use to increase the survival of released fish. If this

proposal is adopted, areas that currently have the selective gear rule will keep the restriction on fishing from a floating device equipped with an internal combustion engine.

Testimony:

This proposal is internally inconsistent. One place it says the rules about using devices with internal combustion engines will be removed and elsewhere it says the rules will be retained; which is it?

Comments from Public Meetings:

One person at the Yakima meeting asked why do some places say selective gear rules and no fishing with internal combustion motors while others do not? We explained about the changing uses of selective gear rules and why the motor restriction was separated out in the above proposal.

Staff Recommendation: Adopt as proposed.

#94. References to “Disability License”

Proposal: Remove WAC and pamphlet references to “Disability License” and replace them with “reduced fee license or designated harvester card.”

Explanation: There is no such thing as a “Disability License.” The intent of these rules is to allow anglers who have a reduced fee license or those who have a designated harvester card to be able to fish in the designated areas, and allow these anglers to fish with a hand-operated gate on a dip net while fishing for forage fish.

Testimony: none.

Staff Recommendation: Adopt as proposed.

Marine Area 8-2 Description

Proposal: Update the reference to the light referenced in the boundary description to refer to light #4 in Camano Island.

Explanation: This is not a change to the boundary; just an update to make sure the correct light is referenced. The correct description of the boundary should read: Area 8-2 (Port Susan and Port Gardner): East of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light #4 on Camano Island (Fl red 4 sec.) and north of a line from the south tip of Possession Point 110 degrees true to a shipwreck on the opposite shore.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#95. Housekeeping Change to Oyster Rules

Proposal: This proposal will remove conflicting language from the rules and make it clear that oysters must be shucked before they are removed from the intertidal zone and the shells replaced on the tidelands at the approximate tide level from which they were taken.

Explanation: Prior to 1998, our sport fishing rules required that all oysters harvested on public tidelands by sport harvesters be shucked. In May 1, 1998, this was changed, and we began requiring harvesters to shuck in Hood Canal (south of Tala Point) and the Pacific coast, but not to shuck in Puget Sound. Suffice it to say this change was very confusing for harvesters and Enforcement, and on May 1, 2002, the F&W Commission (at Fish Program’s recommendation) returned to the old “shuck oysters everywhere” rule. This change was effected on May 1, 2002. The rule defining daily limits for shellfish now correctly reads: (5) Oysters: 18 oysters, shucked and the shells left on the beach. However, the old language requiring shucking only in certain areas of the state was also contained in another rule, and due to an oversight the language in that second rule was not deleted in 2002. This proposal will fix this oversight, and retain the rule that requires shucking oysters before their removal from all public tidelands.

Testimony: none.

Staff Recommendation: Adopt as proposed.

#96. Snoqualmie River Housekeeping Proposal

Proposal: Currently, there is a catch-and-release season from November 1 – May 31 in the Snoqualmie River from the Falls upstream, including the North and South Forks. This proposal would change the end date of that fishery to the Friday before the first Saturday in June, to match up with the beginning of the retention fishery on the first Saturday in June.

Explanation: This is a housekeeping change to match the end of the catch-and-release season with the beginning of the retention season.

Testimony: none.

Staff Recommendation: Adopt as proposed.

Eastside Salmon Proposals

Rules for salmon fisheries are adopted through the North of Falcon (PFMC) process. None of these proposals are recommended for adoption through this process. Including these salmon regulation proposals in the major regulation public comment/review process will extend/expand public input for consideration in the North of Falcon process. So we welcome your comments on these proposals and appreciate your review, and will pass all comments on to the North of Falcon process, where these and other rules will be evaluated and considered for adoption early next year.

#97. Yakima River Fall Salmon Rules

Proposal: This proposal would close the fishery for salmon in the Yakima River (from Hwy. 223 Bridge at Granger to 400 feet below Sunnyside Dam) from September 1 through October 22.

Explanation: This section is managed jointly by WDFW and the Yakama Nation and will be managed annually with fisheries opened based on abundance of returning fall salmon.

Testimony: none.

#98. Snake River Fall Salmon Rules

Proposal: This proposal would remove the night closure in the Snake River during April 24-June 15, from Texas Rapids boat launch upstream to the Corps of Engineers boat launch approximately 1 mile upstream of Little Goose Dam for all species **except** salmon. Retain night closure for sturgeon.

Explanation: The night closure for all species associated with the salmon fishery conflicts with catfish and other angling that normally occurs at night. Fishing for catfish at night is a very common practice in the Snake River, and elsewhere. Salmon fishing could include a night closure, but only for salmon fishing, not for other species.

Testimony:

No. Do not allow nightfishing for other species. It will only encourage poaching. The recent incident of poaching by Lyons Ferry Hatchery just underscores that this would be a bad idea.

I support this rule it would be a good change. (7 e-mails)

#99. Columbia River Salmon "Angler's Choice"

Proposal: This proposal would change the daily limit in the salmon fishery in the Columbia River from Priest Rapids Dam to Rocky Reach Dam AND From Rocky Reach Dam to Wells Dam July 1 – Oct 15. All other rules for these fisheries would remain unchanged. The daily limit would be 1 wild or 3 hatchery (marked) adult salmon plus 3 wild or hatchery jacks. So the limit becomes the angler's choice for adult salmon - A) **one wild** (adipose fin present) adult: **OR B) three hatchery** (adipose fin clipped) adults may be retained. With either choice, up to three jacks (hatchery or wild) may be retained. Coho and sockeye must be released. Anglers may not continue to fish for salmon after the adult portion of the daily limit has been retained.

Explanation: While there are adequate wild summer Chinook for a fishery, there is arguably an over-escapement of hatchery fish. This regulation is intended to encourage anglers to target the hatchery Chinook.

Testimony:

I guess it's a good move, if it's based on sound science.

I am against the adoption of the proposed "Anglers Choice" regulation.

First: In my experience fishing the Columbia river in the effected sections for the last twelve years, only one(1) in four(4) chinooks I catch is a hatchery origin fish. Using that ratio I would have to catch twelve(12) total salmon in order to have three of those fish be of hatchery origin. The other nine would have been fought to near exhaustion in warm summer water. If anglers persue the "carrot" or "prize" of a three fish limit I fear the mortality on released wild fish will undo any

good done by removing hatchery fish. Second: In my experience most salmon anglers catch one or more often no salmon per fishing trip in the effected area. Most anglers, including myself, would be happy to take one wild fish and go home. Under the proposed regulation an angler's opportunity to fish for additional hatchery fish after taking a wild fish is removed. In effect most anglers will take home one wild fish and no hatchery fish 3 out of 4 times fish are caught. I think that this regulation could be a thinly disguised attempt to reducing the number of salmon taken home. Politically this regulation sounds good but in practice would be ineffective.

Third: The "Explanation" section of the proposal states that "there are adequate numbers of wild summer chinook for a fishery". If there are adequate numbers, what is the reason for change? It seems that the existing system of salmon management is working in this area while many other places are struggling. I don't think that this new regulation will improve anything, but it will have a negative effect for fish and anglers. If the hatchery fish are causing a negative impact and there are sufficient numbers of wild fish, maybe we shouldn't be planting hatchery fish. I know that WDFW isn't in total control the hatchery system, but please think about what I wrote. There are other ways to reduce hatchery impacts, such as using 100% wild brood stock.

Last: If the goal of the rule is truly to reduce hatchery fish impact, make the daily limit three(3) adult chinook salmon only one of which may be wild. This would allow anglers to keep fishing for hatchery fish after one wild fish has been retained instead of just going home with one wild fish. This is really no better for the fish than the proposed "Anglers Choice" regulation, but at least it would be better for anglers. Please don't over regulate this fishery, I truly think that no change is needed and the proposed "Anglers Choice" regulation can have only negative effects.

Angler's choice - Please change the proposal to where you are done as soon as a "wild" adult fish is retained instead of 3 hatchery OR 1 wild. Ex: if you keep a 10 pound hatchery fish and then catch a 25 pound native, this would force you to let the native fish go. This new rule will have people releasing the "small" adult salmon in case they catch a big hatchery or wild one. Why not let the person retain the hatchery fish in this example and then also keep the native. At that point they could no longer fish for the day. My proposal would be to change the rule to say: limit is 3 adult salmon (and 3 jacks) or until a native adult salmon is retained, whichever comes first.

I do not want to have these proposals accepted. I would like to keep the current regulation in effect, or possibly changing it to a one wild and two hatchery daily limit. My reasons are that in the last two years the Colville tribe has been harvesting the hatchery fish at the mouth of the Okanogan river and the sport catch of hatchery Chinook has dropped significantly during this time. The creel checks taken at the Brewster city boat ramp show the results. A rule requiring you to stop fishing after retaining one wild Chinook from a healthy stock is too restrictive. I would like to be able to continue fishing for hatchery fish. The Tribe will be opening a new salmon hatchery in 2012 and maybe this rule could be looked at in the future. Please don't pass these proposals.

#100. Upper Columbia River Salmon "Angler's Choice"

Proposal: This proposal would change the daily limit in the salmon fishery in the Columbia River from Wells Dam to the Hwy 17 bridge at Bridgeport -July 1 – Aug 31, and from Hwy 173 bridge at Brewster to Hwy 17 bridge at Bridgeport September 1 – October 15. All other rules for these fisheries would remain unchanged. The daily limit would be 1 wild or 3 hatchery (marked) adult salmon plus 3 wild or hatchery jacks. So the limit becomes the angler's choice for adult salmon - A). **one wild** (adipose fin present) adult: **OR B) three hatchery** (adipose fin clipped) adults may be retained. With either choice, up to three jacks (hatchery or wild) may be retained. Coho and sockeye must be released. Anglers may not continue to fish for salmon after the adult portion of the daily limit has been retained.

Explanation: While there are adequate wild summer Chinook for a fishery, there is arguably an over-escapement of hatchery fish. This regulation is intended to encourage anglers to target the hatchery Chinook.

Testimony:

I guess it's a good move, if it's based on sound science.

I am against the adoption of the proposed "Anglers Choice" regulation.

First: In my experience fishing the Columbia river in the effected sections for the last twelve years, only one(1) in four(4) chinooks I catch is a hatchery origin fish. Using that ratio I would have to catch twelve(12) total salmon in order to have three of those fish be of hatchery origin. The other nine would have been fought to near exhaustion in warm summer water. If anglers pursue the "carrot" or "prize" of a three fish limit I fear the mortality on released wild fish will undo any good done by removing hatchery fish. Second: In my experience most salmon anglers catch one or more often no salmon per fishing trip in the effected area. Most anglers, including myself, would be happy to take one wild fish and go home. Under the proposed regulation an angler's opportunity to fish for additional hatchery fish after taking a wild fish is removed. In effect most anglers will take home one wild fish and no hatchery fish 3 out of 4 times fish are caught. I think that this regulation could be a thinly disguised attempt to reducing the number of salmon taken home. Politically this regulation sounds good but in practice would be ineffective.

Third: The "Explanation" section of the proposal states that "there are adequate numbers of wild summer chinook for a fishery". If there are adequate numbers, what is the reason for change? It seems that the existing system of salmon management is working in this area while many other places are struggling. I don't think that this new regulation will improve anything, but it will have a negative effect for fish and anglers. If the hatchery fish are causing a negative impact and there are sufficient numbers of wild fish, maybe we shouldn't be planting hatchery fish. I know that WDFW isn't in total control the hatchery system, but please think about what I wrote. There are other ways to reduce hatchery impacts, such as using 100% wild brood stock.

Last: If the goal of the rule is truly to reduce hatchery fish impact, make the daily limit three(3) adult chinook salmon only one of which may be wild. This would allow anglers to keep fishing for hatchery fish after one wild fish has been retained instead of just going home with one wild fish. This is really no better for the fish than the proposed "Anglers Choice" regulation, but at least it would be better for anglers. Please don't over regulate this fishery, I truly think that no change is needed and the proposed "Anglers Choice" regulation can have only negative effects.

Angler's choice - Please change the proposal to where you are done as soon as a "wild" adult fish is retained instead of 3 hatchery OR 1 wild. Ex: if you keep a 10 pound hatchery fish and then catch a 25 pound native, this would force you to let the native fish go. This new rule will have people releasing the "small" adult salmon in case they catch a big hatchery or wild one. Why not let the person retain the hatchery fish in this example and then also keep the native. At that point they could no longer fish for the day. My proposal would be to change the rule to say: limit is 3 adult salmon (and 3 jacks) or until a native adult salmon is retained, whichever comes first.

I do not want to have these proposals accepted. I would like to keep the current regulation in effect, or possibly changing it to a one wild and two hatchery daily limit. My reasons are that in the last two years the Colville tribe has been harvesting the hatchery fish at the mouth of the Okanogan river and the sport catch of hatchery Chinook has dropped significantly during this time. The creel checks taken at the Brewster city boat ramp show the results. A rule requiring you to stop fishing after retaining one wild Chinook from a healthy stock is too restrictive. I would like to be able to continue fishing for hatchery fish. The Tribe will be opening a new salmon hatchery in 2012 and maybe this rule could be looked at in the future. Please don't pass these proposals.

The permit does not allow the season to open until July 8th. *"The Columbia River from Wells Dam to Chief Joseph Dam ... may be opened from July 8 to October 15."*

Comments from Public Meetings:

One person from the Mill Creek meeting stated that the Colvilles tested purse seines for selective harvest of Chinook and sockeye. Since then the numbers of hatchery Chinook retained by sport fishers have gone down while wild retention is up (because tribes are now releasing wild fish). Odds of catching 3 hatchery Chinook are very low. Leave the rules as they are – allow 2 fish wild or hatchery or one wild with 2 additional hatchery fish.

#101. Okanogan River Summer Chinook "Angler's Choice"

Proposal: This proposal would add a salmon fishery in the Okanogan River upstream from the Hwy 97 Bridge upstream of the mouth July 1 – Sept 15, with a minimum size of 12". The daily limit would be 1 wild or 3 hatchery (marked) adult salmon plus 3 wild or hatchery jacks. So the limit becomes the angler's choice for adult salmon - A). **one wild** (adipose fin present) adult: **OR B) three hatchery** (adipose fin clipped) adults may be retained. With either choice, up to three jacks (hatchery or wild) may be retained. Coho and sockeye must be released. Anglers may not continue to fish for salmon after the adult portion of the daily limit has been retained. A night closure and the anti-snagging rule would be in effect for all species.

Explanation: This proposal will encourage the release of wild fish, while still allowing some harvest of summer Chinook that move into the tributaries early, but due to warmer summer water temperatures, die before spawning. Permit 1554 with NOAA Fisheries allows for tributary harvest of summer Chinook above Wells Dam.

Testimony:

I guess it's a good move, if it's based on sound science.

I am against the adoption of the proposed "Anglers Choice" regulation.

First: In my experience fishing the Columbia river in the effected sections for the last twelve years, only one(1) in four(4) chinooks I catch is a hatchery origin fish. Using that ratio I would have to catch twelve(12) total salmon in order to have three of those fish be of hatchery origin. The other nine would have been fought to near exhaustion in warm summer water. If anglers persue the "carrot" or "prize" of a three fish limit I fear the mortality on released wild fish will undo any good done by removing hatchery fish. Second: In my experience most salmon anglers catch one or more often no salmon per fishing trip in thie effected area. Most anglers, including myself, would be happy to take one wild fish and go

home. Under the proposed regulation an angler's opportunity to fish for additional hatchery fish after taking a wild fish is removed. In effect most anglers will take home one wild fish and no hatchery fish 3 out of 4 times fish are caught. I think that this regulation could be a thinly disguised attempt to reducing the number of salmon taken home. Politically this regulation sounds good but in practice would be ineffective.

Third: The "Explanation" section of the proposal states that "there are adequate numbers of wild summer chinook for a fishery". If there are adequate numbers, what is the reason for change? It seems that the existing system of salmon management is working in this area while many other places are struggling. I don't think that this new regulation will improve anything, but it will have a negative effect for fish and anglers. If the hatchery fish are causing a negative impact and there are sufficient numbers of wild fish, maybe we shouldn't be planting hatchery fish. I know that WDFW isn't in total control the hatchery system, but please think about what I wrote. There are other ways to reduce hatchery impacts, such as using 100% wild brood stock.

Last: If the goal of the rule is truly to reduce hatchery fish impact, make the daily limit three(3) adult chinook salmon only one of which may be wild. This would allow anglers to keep fishing for hatchery fish after one wild fish has been retained instead of just going home with one wild fish. This is really no better for the fish than the proposed "Anglers Choice" regulation, but at least it would be better for anglers. Please don't over regulate this fishery, I truly think that no change is needed and the proposed "Anglers Choice" regulation can have only negative effects.

Angler's choice - Please change the proposal to where you are done as soon as a "wild" adult fish is retained instead of 3 hatchery OR 1 wild. Ex: if you keep a 10 pound hatchery fish and then catch a 25 pound native, this would force you to let the native fish go. This new rule will have people releasing the "small" adult salmon in case they catch a big hatchery or wild one. Why not let the person retain the hatchery fish in this example and then also keep the native. At that point they could no longer fish for the day. My proposal would be to change the rule to say: limit is 3 adult salmon (and 3 jacks) or until a native adult salmon is retained, whichever comes first.

I do not want to have these proposals accepted. I would like to keep the current regulation in effect, or possibly changing it to a one wild and two hatchery daily limit. My reasons are that in the last two years the Colville tribe has been harvesting the hatchery fish at the mouth of the Okanogan river and the sport catch of hatchery Chinook has dropped significantly during this time. The creel checks taken at the Brewster city boat ramp show the results. A rule requiring you to stop fishing after retaining one wild Chinook from a healthy stock is too restrictive. I would like to be able to continue fishing for hatchery fish. The Tribe will be opening a new salmon hatchery in 2012 and maybe this rule could be looked at in the future. Please don't pass these proposals.

The permit does not allow the season to open until July 8th. *"The Okanogan River upstream of the Hwy 97 Bridge at Brewster to 11<1 mile below the railroad trestle near Zosel Dam may be opened from July 8 to September 15."*

#102. Similkameen River Summer Chinook "Angler's Choice"

Proposal: This proposal would add a salmon fishery from the mouth to Enloe Dam July 1 – Sept 15, with a minimum size of 12". The daily limit would be 1 wild or 3 hatchery (marked) adult salmon plus 3 wild or hatchery jacks. So the limit becomes the angler's choice for adult salmon - A) **one wild** (adipose fin present) adult: **OR B) three hatchery** (adipose fin clipped) adults may be retained. With either choice, up to three jacks (hatchery or wild) may be retained. Coho and sockeye must be released. Anglers may not continue to fish for salmon after the adult portion of the daily limit has been retained. A night closure and the anti-snagging rule would be in effect for all species.

Explanation: This proposal will encourage the release of wild fish, while still allowing some harvest of summer Chinook that move into the tributaries early, but due to warmer summer water temperatures, die before spawning. Permit 1554 with NOAA Fisheries allows for tributary harvest of summer Chinook above Wells Dam.

Testimony:

I guess it's a good move, if it's based on sound science.

I am against the adoption of the proposed "Anglers Choice" regulation.

First: In my experience fishing the Columbia river in the effected sections for the last twelve years, only one(1) in four(4) chinooks I catch is a hatchery origin fish. Using that ratio I would have to catch twelve(12) total salmon in order to have three of those fish be of hatchery origin. The other nine would have been fought to near exhaustion in warm summer water. If anglers pursue the "carrot" or "prize" of a three fish limit I fear the mortality on released wild fish will undo any good done by removing hatchery fish. Second: In my experience most salmon anglers catch one or more often no salmon per fishing trip in thie effected area. Most anglers, including myself, would be happy to take one wild fish and go home. Under the proposed regulation an angler's opportunity to fish for additional hatchery fish after taking a wild fish is removed. In effect most anglers will take home one wild fish and no hatchery fish 3 out of 4 times fish are caught. I think

that this regulation could be a thinly disguised attempt to reducing the number of salmon taken home. Politically this regulation sounds good but in practice would be ineffective.

Third: The "Explanation" section of the proposal states that "there are adequate numbers of wild summer chinook for a fishery". If there are adequate numbers, what is the reason for change? It seems that the existing system of salmon management is working in this area while many other places are struggling. I don't think that this new regulation will improve anything, but it will have a negative effect for fish and anglers. If the hatchery fish are causing a negative impact and there are sufficient numbers of wild fish, maybe we shouldn't be planting hatchery fish. I know that WDFW isn't in total control the hatchery system, but please think about what I wrote. There are other ways to reduce hatchery impacts, such as using 100% wild brood stock.

Last: If the goal of the rule is truly to reduce hatchery fish impact, make the daily limit three(3) adult chinook salmon only one of which may be wild. This would allow anglers to keep fishing for hatchery fish after one wild fish has been retained instead of just going home with one wild fish. This is really no better for the fish than the proposed "Anglers Choice" regulation, but at least it would be better for anglers. Please don't over regulate this fishery, I truly think that no change is needed and the proposed "Anglers Choice" regulation can have only negative effects.

Angler's choice - Please change the proposal to where you are done as soon as a "wild" adult fish is retained instead of 3 hatchery OR 1 wild. Ex: if you keep a 10 pound hatchery fish and then catch a 25 pound native, this would force you to let the native fish go. This new rule will have people releasing the "small" adult salmon in case they catch a big hatchery or wild one. Why not let the person retain the hatchery fish in this example and then also keep the native. At that point they could no longer fish for the day. My proposal would be to change the rule to say: limit is 3 adult salmon (and 3 jacks) or until a native adult salmon is retained, whichever comes first.

I do not want to have these proposals accepted. I would like to keep the current regulation in effect, or possibly changing it to a one wild and two hatchery daily limit. My reasons are that in the last two years the Colville tribe has been harvesting the hatchery fish at the mouth of the Okanogan river and the sport catch of hatchery Chinook has dropped significantly during this time. The creel checks taken at the Brewster city boat ramp show the results. A rule requiring you to stop fishing after retaining one wild Chinook from a healthy stock is too restrictive. I would like to be able to continue fishing for hatchery fish. The Tribe will be opening a new salmon hatchery in 2012 and maybe this rule could be looked at in the future. Please don't pass these proposals.

The permit does not allow the season to open until July 8th. *"The Similkameen River from the confluence with the Okanogan River upstream to the city bridge at Oroville may be opened from July 8 to September 15."*

Appendix 1 –

Stream Strategy Tables

See attached Spreadsheets page 242

Appendix 2 –

Proposals Not Supported or Modified by Staff

See Attached Tables page 279

Testimony on Proposals Not Supported:

It seems that many, if not most, of these proposals from the sport fishing public were dismissed without appropriate consideration. Many of the proposals were dismissed because they are "Not a sportfishing proposal." while many of them are or at least impact sport fisherman. The Department's own publications point out that the sport fishermen have a much larger impact on the economy of Washington than any other aspect of fishing. Protecting and preserving this basis of the Washington economy needs to be considered as these rules are considered and adopted.

Proposal 45 (Changing anti-snagging rule back to NBL on Columbia River tribes above Bonneville) The reason for rejecting this proposal is questionable; the anti-snagging rule has already been changed since it was put in place. Why could it not be changed back to what folks already understood? The reason provided is incomplete, or wrong, too; barbless, single hooks are only proposed for the Columbia River downstream of McNary Dam.

Testimony received on the public proposals to allow fishing from boats on several sections of the Green River November 1 – February 15 that were not supported by staff: (**Proposals 78, 88, 110, 123, 124, 153, 154, 155, 160, 161**) Two different form letters (the same as the ones received at the Mill Creek meeting) described below – were also received by mail as testimony. See Appendix 3 for copies of these letters. one letter (6 copies – Form Letter #3) requests opening

the Green River to fishing from a boat in the winter, and one letter (8 copies Form Letter #2) recommends opening the Green River to fishing from a floating device in the winter and notes that a closure of January 15 would protect wild fish.

We received one letter requesting opening the Green River to boat fishing until January 15.

I have attached a revised request to extend the Green river boating season for 45 days to Jan 15th to provide increased angling for Coho,Chum,and hatchery Steelhead.This updates the data on rack count at the Soos creek hatchery to include 2008-2009.This year they collected 82 fish as compared to a goal of 60 fish,which was a low count due to the worst flood in the Green river valley in 48 years since Howard Hanson dam was constructed.

In the second attachment I have included the trapped data from Soos creek for the last 3 years showing that in all recent years enough Steelhead have been collected to meet broodstock needs.The use of boats for fishing would not result in a high take of these hatchery fish because the return rate recently is low and pressure would be expected to be low.Most of the boat fishers would be targeting late-running Coho and Chum in the period from Nov1st to December.As noted in the attachment,in a normal year such as 2007-2008, 221 fish were trapped,far in excess of needs.

Also noted is the Tribes catch of only one wild Steelhead in 2008-2009 when they terminated their fishery early,by Jan 15th.In earlier years,they fished through January and the wild harvest was 84 fish in 2006-2007 so it would not be advisable to increase pressure on the wild fish via boat fishing after Jan 15th .

We think we have made changes that resolve the WDF&W department concerns. Please notify me of your decision on this request by October 22nd.

Hal Boynton representing

The Green river Steelhead Club ,the Steelhead Trout Club of Washington,the Save Our Fish Chapter the Puget Sound Anglers,and the 38 individuals who submitted signed letters at the Mill Creek meeting.

Request WDF&W Extend the Boat Fishing Season to Include Fishing for Coho,Chum,and Hatchery Steelhead

Proposals were made by individuals and members of the Green River Steelhead Club,the Save our Fish Chapter of Puget Sound Anglers,and the Steelhead Trout Club of Washington to extend the Green River Boat fishing which is open in the summer to the period from Nov1 to Feb 28th . This was amended to terminate boat fishing on Jan 15th to protect declining wild Steelhead..These proposals were made to increase the opportunity to fish for surplus hatchery Coho,Chum,and surplus hatchery Steelhead in an area where bank access has been severely reduced due to invasive blackberries,private property,and streamside vegetation planted by King County to improve fish habitat.These fishing clubs have worked with the city of Auburn which has provided boat launch at 2nd St,and a takout at the Auburn golf course.

The WDF&W department rejected this proposal due to the impact to wild Steelhead which have been declining in recent years and also because of the fear that hatchery broodstock needs would not be met.

Very few wild Steelhead are in the river before Jan 15th as evidenced by the Tribal catch of only one wild fish in this period last year when they terminated their fishery in early January.In previous years their fishery went through January and there was a harvest of 84 wild Steelhead in 2006-2007.

This reason is not valid with the change from Feb 28th to Jan 15th closure of boat fishing.

The hatchery broodstock needs have been exceeded at Soos creek in the past 5 years and last year,the hatchery collected 82 hatchery winter Steelhead when they only needed 60 to meet broodstock needs even after the trap blew out due to the worst flood in 48 years.The hatchery manager supports the opening of the river to boats because there was a surplus of 16,000 Coho above broodstock needs and most years the hatchery has surplus Steelhead and they expend large amounts of manpower collecting these surplus fish which are in excess of foodbank needs. (See attached hatchery rack counts).

The rack count data does not support the argument that hatchery brood stock needs will not be met if boat fishing is allowed.

For the above reasons and because the anglers strongly support boat fishing as evidenced by the letters you have received,we request that WDF&W support this amended proposal.

Hal Boynton representing

The Steelhead Trout Club of Washington,Green River Steelhead Club,and Save our Fish Chapter of the Puget Sound Anglers and the 38 individuals who have submitted personal letters

We also received a copy of this letter signed by the Secretary of the Green River Steelhead Trout Club See Appendix 3 for additional data and letter from Auburn Mayor sent with this letter

Adaptive Management & a Green/Duwamish C&R Float Device Research Fishery

"Gathering and analyzing information on the success of various strategies and decisions is an essential component of adaptive management. Strategies and decisions affecting salmon recovery almost always involve the need to balance policy and scientific considerations — in other words, deciding what we want for fish and people given what is scientifically effective and politically tolerable." Puget Sound Chinook Salmon Recovery Plan

Rule making, such as the use of a floating device on the Green/Duwamish denied just because of a "concern by staff" without scientific data should not be an approval process this Commission endorses. After the last rule making decision session prohibited the use of floating devices, a project of gathering research data should have been designed, and initiated by the department to confirm that the decision was founded on scientific principles, or a way found to accommodate a recreational opportunity to float device fish.

The current desire to prohibit fishing from a floating device during the winter months on the Green/Duwamish River should be lifted and a research project initiated. Since this ban was decided previously during another rule change opportunity, I would guess no research has been conducted or designed in the intervening time to scientifically justify not allowing fishing from a floating device during this request period.

The "Justification" comment cites a survey but the comment about parks and pedestrian bridges which indicates to me, a citizen, either a flippant answer or a complete lack of fishing knowledge. I will withdraw this comment if the State has constructed without my knowledge on the Green/Duwamish, desirable fishing habitat under and below each pedestrian bridge, and in parks have lowered the dikes, cleared the vines and formed the bank and river bed geology for successful fishing opportunities.

I have no boat. In rivers: flow, channels, bank habitat and obstructions are all geologic river features which makes it worth my money, time and effort to go fishing with friends. During the time of year float device fishing is requested, it is difficult at best to cast 20 feet through trees to reach fishable waters. That is if you can get your feet out of the mud to even walk on the flooded river trails. The dikes are high, steep and the banks, both are covered with brush and blackberry vines to the point of blocking and making access to the river difficult. Access paths which were cut through dike berry vines reaching small plots of ground along the river were great, but the small openings, no longer lead to small safe flat bank areas available during low flow months, when you reach the water which is now deep, on a slippery dike slope, you cannot enjoy the outing because you cannot fish the proper technique on the steep dike without danger of falling in and drowning. Holes available during spring or summer flows have changed or are non existent and so fishing requires a different strategy, and float device fishing is an opportunity.

Let us look at a possible opportunity for this commission and the co-managers to conduct research on the Green/Duwamish River using a C&R floating device and/or bank fishing format

Float Device Fishing Research Project

- 1- Special Research Participant Permit application required to C&R using single barbless hooks, fish on the Green/Duwamish from November 1-March 31st. (Possible fee)
- 2- Allow Catch and Release single barbless hook fishing from a floating device below log jam in Auburn to the mouth and bank fish on the whole river from November 1st -March 31st. If hatchery brood fish quotas are met, allow the harvest of hatchery fish.
- 3- Allow the retention of one hatchery fish caught above the Soos Creek hatchery, thus removing hatchery fish off of the spawning grounds.
- 4- Require Volunteer Trip Reports from November 1-March 31st to be filled out by floating device owner and all bank fishermen and send the report to the department.
- 5- Trip recording on the catch record card, **before** fishing, to record the trip even if no fish are caught.
- 6- If Tribal fishing occurs during this period, Volunteer Trip Reports are also required for the statistical data base.
- 7- Enforcement should be both educational and punitive. Educational to inform about the study, hand out Trip Report documents, insure trip recording on catch record cards is done, gathering information, and punitive if fish are retained in violation of catch and release.
- 8- Information gathered will initially build a data base of scientific information for future study and more informed decisions.

Expected results of this C&R research fishery:

- 1- The first year is to see if there is a statistical difference in return information between the trip report information and the current measuring methods.
- 2- Second year is to see the correlation between before, first year and second year collected data.
- 3- If results indicate decisions about the fishery are adverse, Adaptive Management decisions can be made from research gathered information in consultation with the Advisory Group..
- 4- Good will for enforcement if educational and research information is communicated to the public.
- 5- Record of every trip to the Green/Duwamish during the time period for the development of an annual mini economic impact report.

The intent of the above eight points and results are to add scientific data to the decision making process and provide a publicly tolerable recreational opportunity. Catch and Release with single barbless hooks would be enjoyable fishing and will stimulate several segments of the economy within an urban urbanizing area of the State of Washington. During the Boldt trial, information indicated \$60.00 per Steelhead fisherman trip was added to the economy of the State. What is it today? Fishing opportunity spells economic stimulus.

I request the Commission allow a recreational fishing opportunity Floating Device Research Study of at least two years beginning in November 2010 along the lines of the above proposal.. Form an Advisory Group composed of members

from the South King County, Lake Washington, Renton and Save Our Fish Chapters of PSA, Sea-Tac Chapter CCA, Green River Steel Head Club, and the Steelhead Trout Club of Washington. Tribal participation is up to their governing body as a Sovereign Nation.

Thank you for the opportunity to comment.

Ken Kumasawa

Anadromous Fish And Marine Resources Sports Fishing Advisory Group Member

PSA: South King County – Save Our Fish – Lake Washington Chapter and CCA member

Proposals 1, 4, 11, 15, 19, 35, 39, 49, 54, 89, 92, 101, 105, 107, 122, 144, 157, 188, 211 -Proposals that were not supported for wild steelhead release year-round. The number of rivers where you may harvest wild fish has been steadily decreasing. Use of the precautionary principle is in order.

I am writing in support of the rules proposed by several individuals to discontinue the harvest of wild steelhead on every river in Washington State year round. Clearly, with recent emergency early closures and chronic underescapement on major steelhead rivers in the State, including the Hoh River, which is open to wild fish harvest, the staff's response is ill-considered and out of compliance with the principal tenets of the Statewide Steelhead Management Plan as adopted by the Commission.

In Appendix 2 - Proposals Not Supported or Modified by Staff - of its 2010-2012 Sportfishing Rule Change Proposals, the WDFW staff responded in an identical manner to each person who proposed mandatory wild steelhead release year round in WA State with no exceptions. Their "Justification" column reads as follows:

"No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest. Will still evaluate run strength on a case-by-case basis."

This Angler Preference Survey referred to by the WDFW staff **is not a scientific study**, as implied here. Rather, it **is a public opinion poll** using statistical measures commonly used in such surveys. The Department appears to have missed the important distinction here between science and opinion. Further, the survey question referred to here was clearly designed to elicit the answer received by those surveyed on it. The specific question asked (Q157) reads:

"Current regulations allow keeping one wild steelhead per license year from 1 of 11 specific rivers that **meet or exceed spawning requirements** for wild fish. Do you support or oppose the regulation allowing anglers to harvest wild steelhead on these rivers?" Asked in this manner, 57% of licensed fishermen replied that they strongly or moderately supported wild steelhead retention. Yet only 23% of licensed fishermen surveyed even fish for steelhead and surely only a minor portion of the overall survey group could be expected to have any knowledge of the status of steelhead runs and whether they are or are not healthy enough to ensure the continued viability of the fishery. **Further, the Department is currently allowing the killing of wild fish on rivers that do not meet or exceed spawning requirements.**

Our wild steelhead fisheries are in serious decline throughout the entire State and we have repeatedly requested that real science, not public opinion, form the basis for WDFW policies and practices. Past Department decisions have been a major factor in the current sorry state of wild steelhead and it is imperative that the Department acknowledge this and take a new approach. The Statewide Steelhead Management Plan asserts that wild fish recovery is the Department's primary responsibility and this is now Commission policy. I am requesting that the WDFW staff follow the principles the Commission has established, however, if the Department is so mired in its past, so burdened by its history that it is incapable of acting responsibly, then the Commission must set the lead on this matter.

Proposal #49 – (No kill of wild steelhead in all state waters).

Based upon the dismal situation for wild steelhead in this state, I and several others requested: "no kill of wild steelhead in all state waters."

I was shocked, disappointed, and surprised that my request was denied and substantiated with the following justification: "NO -- Angler Preference Survey (Scientific Survey) shows significant support for wild fish harvest."

The Angler Preference Survey IS NOT A SCIENTIFIC STUDY. And, a state agency supposedly run by competent individuals should know better. It is a PUBLIC OPINION POLL using statistical measures in a very unscientific way. Furthermore, the question regarding harvesting wild steelhead was written in a manner designed to elicit the response hoped for by the WDFW. Still, only 57% of licensed fishermen strongly or moderately supported wild steelhead retention. Yet, only 23% of fishermen surveyed even fish for steelhead.

The WDFW supposedly prides itself on making decisions based on the best science. This is NOT SCIENCE!!!

When this was shared with Dr. Robert Behnke, a well-known fisheries scientist, he was shocked that a natural resource agency was attempting to justify decisions based upon the "will of the people" and said it was "analogous to a medical institute that decides on a direction of research and type of treatment based on a vote of the patients."

Our wild steelhead are in serious trouble. Science, not public opinion, must be used to establish WDFW policies and practice.

Proposal #82 -Beda Lake (Grant Co)

I disagree with the dept's answer. One could say the same thing about any C&R lake so why have any? As the lake is SGR, there should be very few 'mortally wounded' fish. While C&R may not stop the rampant poaching, it may slow it down as well as provide a higher quality fishing experience. There are plenty of kill fisheries in this area, but very few C&R opportunities.

Proposal #86 – Lenice Nunnally and Merry Lakes

I disagree with the dept's answer. One could say the same thing about any C&R lake so why have any? As the lake is SGR, there should be very few 'mortally wounded' fish. While C&R may not stop the rampant poaching, it may slow it down as well as provide a higher quality fishing experience. There are plenty of kill fisheries in this area, but very few C&R opportunities.

Proposal #87 – Lost River

It is crazy allow harvest of bull trout in an ESA-listed drainage until the survey is completed and it is known if/how much harvest can be tolerated and/or the interaction these fish have in the rest of the listed part of the system. At a time when the Department is switching its management paradigm to a more conservative strategy of providing increased protection in the absence of data, it seems bull trout from an ESA-listed drainage should be afforded greater protection until more data is available. If we can protect moon snails, bonito and NF & SF Snoqualmie trout until more is known, why not these bull trout?

Comments from Public Meetings:

Several comments were made at the Mill Creek on the public proposals to allow fishing from boats on several sections of the Green River November 1 – February 15 that were not supported by staff: (**Proposals 78, 88, 110, 123, 124, 153, 154, 155, 160, 161**)

This is the only river in Puget Sound with this restriction. It began in the past when there were lots of guides on the river, causing conflicts with bank anglers. This river is no longer popular with guides. The problem now is many more private property owners along the banks, and the loss of some easements that allowed angler access. HSRG says we should remove hatchery fish from the river – allowing fishing from boats in these areas would increase the effectiveness of angling. There are very few productive fishing areas where you could anchor your boat, get out, and fish from the bank. Fishermen around the Green River support the proposal. They put in time volunteering on many projects. There are excess hatchery coho, chum and steelhead available in this area. The claims that we don't get enough hatchery fish back are not true. The Muckleshoots netted the river during this time period and only caught one wild fish.

Three form letters were provided encouraging opening the river to fishing from a boat. (See Appendix 3 for copies of the letters)

One letter (23 signatures) requests opening the Green River to boat fishing until January 15. (amendment to some of the original proposals). A cover letter notes strong angler support for this amended proposal in the Steelhead Trout Club of Washington, the Green River Steelhead Club, and the Save our Fish Chapter of Puget Sound Anglers. (See Appendix 3 for a copy of the entire letter – Green River form letter #1).

One letter (99 signatures) requests opening the Green River to fishing from a boat in the winter. (See Appendix 3 for a copy of the entire letter – Green River form letter #3).

One letter (6 signatures) recommends opening the Green River to fishing from a floating device in the winter and notes that a closure of January 15 would protect wild fish. (See Appendix 3 for a copy of the entire letter – Green River form letter #2).

You are proposing shortening the season on other river systems to February 15 – the Green already closes then. There is no enforcement problem with boats on the river in the summer – why is the winter any different?

One person stated that the city of Auburn put in a take out. You could amend the proposal to only allow boats until January 15 to protect wild fish. Anglers want to harvest coho- (there were 16,000 excess fish at Soos Creek), also chum. The will of the public is clear that they want to fish from boats in this area. Early winter fish are all hatchery fish. Wild winter broodstock are no longer collected. Letter submitted supporting amended proposal (Jan 15 end date) and stating that bank access has been severely reduced. Auburn has provided a launch at 2nd street and a take out at the gold course. Hatchery brood stock numbers for 2007-8 were provided, along with a draft historical data base. A letter from the Mayor of Auburn was attached, stating that they will open the gate at 2nd street to allow access and that they allow take out at a natural boat ramp along the Green River road.

The Steelhead Trout Club President spoke in support of the proposal and provided a letter to that effect. The amended proposal (January 15 end date) would protect wild fish and increase opportunity on hatchery coho, chum and steelhead when few wild fish are in the river. The Steelhead Trout Club supports the amended proposal.

The Vice President of the Steelhead Trout club agreed with above comments. He also supports the amended proposal.

Proposal 76 Proposal to close harvest of Dolly Varden/bull trout statewide that was not supported – At the Mill Creek meeting, the author of this proposal noted that there is a strong conservation theme in the package even for unregulated species. He was stunned that the proposal to protect ESA-listed Dolly Varden/bull trout was not supported. Anglers are

allowed to keep 2 of these fish over 20" long in several areas. Catch-and-release only for these fish would simplify the rules and make enforcement easier too. It is a principle of biology to protect the core of a population as well as the periphery. Encouraging anglers to harvest an ESA-listed species brings disrespect to the Department. His proposal was endorsed by a number of well-respected scientists and anglers. It makes no sense to shove it to a corner.

Another person at Mill Creek noted that bull trout are listed throughout the state. It is irresponsible to keep the retention fishery open even though some small populations are healthy. These fish could help with the recovery of other populations that are not healthy. For instance, Skagit fish have been shown to stray to other systems – this could help colonize areas that have small or no populations of bull trout.

Testimony on Proposal #76

To the Commission:

I am taking this opportunity to write to you as part of the process of proposing changes to the Washington recreational fishing regulations. Before getting to my proposal, let me state emphatically how much I appreciate the opportunity to participate in the regulatory process. I thank and praise all the WDFW staff involved, as they have been extremely helpful and courteous in all our interactions.

I propose that all recreational fishing for bull trout and Dolly Varden (henceforth, in this letter, "char") in Washington be on a catch and release basis. The current regulations allow retention of two char per day over 20 inches in length on several of the major rivers (e.g., the Skagit River) but they are closed to retention in salt water, and are also closed to retention in some rivers, including some tributaries of rivers that are open (e.g., the Sauk River). My proposal carries five benefits and essentially no drawbacks.

First, the proposal will simplify the regulations. Many anglers are puzzled by the incredible complexity of the current regulations, with variation in size limits, bag limits, permitted gear, stipulations about boat use, times of the year, and precise definitions of the areas that are open and closed. It is difficult to adhere to the regulations without considerable knowledge of the area in which one tries to fish. In some rivers the regulations explicitly refer to char but in others they do not, only referring to salmon, trout, and "other game fish". The definition of "game fish" in the regulations includes Dolly Varden and bull trout, so are they open in those rivers or not? I am honestly not certain. My proposal would not resolve all the regulatory complexities but, at least with respect to char, it would be a step in the right direction. "Catch a char? Let it go." It would be as simple as that. The complexity of the current regulations arose out of necessity in many cases, and simplification alone is not a powerful argument for change. However, I think everyone would agree that simpler is better, all other things being equal.

Second, the proposal will simplify enforcement. At present, an angler can catch a char illegally in the Sauk River and then move to fish in the Skagit River. If checked by an enforcement officer, the angler could claim that the fish was caught in the Skagit and there would be no argument. Under the proposed rule change, possession of any char would be a violation. I do not know how often such situations arise, but all other things being equal, this is also a step in the right direction.

Third, the proposal provides a greater likelihood of catching a "trophy" sized fish, with no loss of fishing opportunity, and no change in regulations regarding legal gear. At present, one can retain two char each day over 20 inches during much of the year in the Skagit, Skykomish and Snohomish rivers, for example. Retention of these larger fish diminishes the opportunity to catch (or entertain the realistic hope of catching) very large fish. Many anglers are especially interested in catching a large fish, and the proposed change would address this desire, though very large fish will probably not dominate the catch even if there is no retention.

Fourth, the proposal works towards the conservation of the species. At present, all "distinct population segments" of bull trout in Washington are listed as "Threatened" under the United States Endangered Species Act. It is, on the face of it, startling that the regulations explicitly allow retention of two large, breeding individuals per day in several rivers. I have had lengthy and lively discussions on this subject with retired WDFW biologist Curt Kraemer, widely recognized for his knowledge of this species, and with James Uehara, WDFW Native Resident Fish and Invertebrate Program Manager. Their arguments, briefly summarized, are more or less as follows. In rivers with weak populations, closure has not increased char abundance, and the opportunity to retain bull trout in other rivers (e.g., the Skagit) does not seem to have depleted the populations. Therefore, the current regulations seem to meet basic conservation needs and this is the mandate of the department. While this may be so (I do not have access to any survey data and I do not dispute the ability of the biologists to do their jobs), the science of conservation biology has been conducted on many depleted species and the lessons can be applied here. When species exist as metapopulations, as bull trout seem to do in Puget Sound, the persistence of the metapopulation depends on the strength of the core populations because the weak or peripheral ones rely on gene flow and numerical rescue from the core. Thus if the metapopulation (i.e., distinct population segment or DPS, in ESA terminology) is in jeopardy, it is especially important to keep the core as strong as possible. The fact that the Skagit River bull trout population may be able to withstand some level of harvest does not mean that this is in the best interest of the conservation of the species in Puget Sound. After all, it is the whole DPS that is listed, not just one river or another. In addition to the numerical value of a large population in the core areas, there is also scientific literature that shows an increase in life history diversity as density increases, and this diversity is important for the stability and resilience of the population. All things considered, allowing retention of the largest fish (with the greatest breeding potential) does not seem consistent with the "precautionary principle" that should guide our management of listed species.

In addition to these scientific arguments for eliminating retention in recreational fisheries for this ESA-listed species, there is also a simple, practical argument. If the Sauk River population is not strong enough to support retention, the bull trout (presumably anadromous, given their body size) in that river become vulnerable as soon as they enter the Skagit River on their way to Puget Sound. They are vulnerable again when they return from Puget Sound on their way back to the Sauk River. Should they then enter the Suiattle River they are again subject to harvest from June through October. Ultrasonic tracking by Ed Connor (Seattle City Light) and Fred Goetz (US Army Corps of Engineers and UW School of Aquatic and Fishery Sciences) reveals the movements of bull trout within the Skagit River system, and in Puget Sound. How are we protecting these migratory fish with this patchwork of open and closed areas?

With all catch and release fishing, there is some handling mortality. However, Mr. Kraemer commented that char are resistant to such mortality, compared to the more "fragile" rainbow and cutthroat trout. This toughness, he indicated, makes char especially well suited to catch and release regulations.

Fifth, the proposal has great symbolic value. We are in the 21st century, and the prevailing paradigm for the world, the nation, and our state is sustainability. We must learn how to manage our land, water, air, and other natural resources for the long term. We have the responsibility to give our children and future generations a region with fish, wildlife, and other benefits that we now enjoy. Given the increasing demands from the public that we step up and acknowledge this responsibility, why not make the simple but important symbolic step and protect this species? Char are fully native and entirely wild in our state. We have a new director of WDFW, and what better way to show the department's stance in favor of conservation than to protect this listed species from retention in sport fisheries?

Why not adopt this proposal? Is there a huge well-spring of resistance among the angling community to this proposal? I cannot say for sure but frankly I doubt it. I quickly got support from some of the best known fisheries scientists in the state, from professional guides, clubs, staff in fishing shops, and many anglers. I had people that I had never met or even heard of e-mailing me asking to be included in the proposal. I find it hard to believe that the ears of the commission will be deafened by howls of protest from fishermen demanding their right to eat bull trout. Thus there is essentially no drawback to adopting this proposal, and five good reasons why you should do so.

But WDFW biologists did not support the proposal. Will it undermine the biologists if the commission decides to adopt this proposal? On the face of it this might seem to be the case but closer analysis reveals that it is both the right and the duty of the commission to weigh factors beyond those considered by the biologists. The philosophy and stance of the agency when confronted by broad societal issues are beyond the purview of regional staff but they are most certainly within the purview of the commission. Just as there is no disrespect when the United States Supreme Court over-rules a decision by a lower court, there is no disrespect to the agency staff when the commission sees fit to support a proposal such as this for reasons that go beyond the mandate of the staff. As a citizen of the state, a parent, a recreational angler, and a natural resource professional with over 30 years experience working on salmon and trout behavior, ecology, and conservation, I ask you to carefully consider this proposal, and take a substantive and symbolic stand for the conservation of this species in our state.

As a general comment should become familiar with WDFW existing policies and be loyal to those – some proposals contradict those – one example is bull trout management plan – contradicts catch and kill fishery for bull trout in Lost River Okanogan County. .

Proposal #66

Please do not allow boats on the Willapa River in Pacific County, above the Monoham Farm. The river is too small for boats. Spawning areas will be ruined. There was a large area available to bank fishermen on the Burkhalter Farm, until WDFW allowed boats last year. Presently that area is not available to bank fishermen. That area was very popular for many years. The owner of that property allowed access to his land along the river. He will again if boats are not allowed. There are other larger rivers available to boaters. In Pacific County North River which is very difficult for bank fishermen to fish. There are only a few places that a fisherman can fish on that river. There are several other large rivers for boaters in nearby counties. I was born and raised in Raymond and have had many happy fishing trips on the Willapa River. Now I live in Tumwater but still make fishing trips to the Willapa River as well as other rivers in that county. I wish you well in your deliberations and hope you will consider my concern.

In the past floating devices were prohibited from us on the Willapa River for the purpose of fishing. Last year the rules were changed to allow such activity which I disagree with. I discussed this issue with the regional biologist and enforcement officer requesting that an emergency rule be pass to prohibit the use of floating devices for the purpose of fishing on the Willa[a] River. The rule was not change because they did not believe it was an emergency. They said through normal annual review it would be brought up. In the propose 2010 and 2011 rule review no change was proposed by the Fish and Wildlife.

I request that the rules for fishing from floating devices be prohibited on the Willapa River from the confluence with Trap Creek to Camp One Bridge located near the Camp One grange Hall.

The Willapa is too small to allow fishing from floating devices and is in direct conflict with the bank fisherman in such a small space. This year there has been conflicts between boat fisherman and bank fishermen on the lower river. Rocks have been thrown at the boat fishermen because they have parked their boats in the fishing holes that are accessible by the bank fisherman.

It is also my opinion that the few native fish that are present (which is varying few) can be harassed by the boat fisherman who has access to the total river in process of catching and releasing while the fish are on their spawning beds. Bank fisherman does not have this access to the total river due to brush and debris that is present in the river.

Thank you for considering my request to prohibit fishing from floating devices on the Willapa River.

I am writing to voice my opposition to the rule change allowing sports fishing from floating devices on the Willapa River. I request that the rules for fishing from floating devices be changed to prohibit such activity on the Willapa River from the confluence with Trap Creek to Camp One Bridge located near the Camp One Grange Hall.

The river is accessible from the bank in many locations, floating devices are not necessary to fish the river. The Willapa River is too small to allow fishing from floating devices and is in direct conflict with bank fisherman in such a small space.

I have heard several accounts of arguments between boat fishermen and bank fishermen on the lower river. Boat fisherman have parked their boats in the fishing holes accessible by the bank fisherman, causing disputes and conflict where there should be none. Showing the river is too small to accommodate both activities.

Also it is my opinion, and others, that the few native fish that are present can be harassed by the boat fisherman who have access to the total river. A bank fisherman does not have this access to the total river due to brush and debris that is present along the banks.

Thank You for considering my request to prohibit fishing from floating devices on the Willapa River.

In the past, floating devices on the Willapa River was prohibited for the purpose of fishing. I understand the rules were changed to allow such activity on the Willapa which I disagree.

In my estimation the Willapa River is too small to allow such activity and that the native fish that are present (few) can be harassed by boat fishing while on their spawning beds. Bank fisherman do not have access to the total river, due to brush and debris that is in the river.

I request that the rules for fishing from a floating device be prohibited on the Willapa River from the confluence with Trap Creek to Camp One Bridge located near the Camp One Hall.

Proposal #67

I was VERY disappointed to see that my proposal to close the Tahuya River to salmon fishing was not enacted (Region 6 - Proposal #67).

In your reply, you stated that closing the river to night fishing addressed my proposal. Night fishing has NOTHING to do with my proposal.

As you know, the activity on the Skokomish river this year was an embarrassment to the State. Over the last few years, the same fishing crowd visits the Tahuya river as evidenced by snagging salmon and littering the river bank with trash and human waste.

The river has been open to taking of silver salmon (1-mile upstream from the mouth) for many years - Sept 16 - Oct 31. The river is just a trickle during this period and the salmon don't stand a chance.

Most of the salmon that enter the river end up in one deep spot in the river called "The Snagging Hole". This year, on a weekend day, between 40 and 100 people were in the hole snagging fish. Triple hook is the lure of choice, but some use a snagging technique called "flossing". Many of the locals will not go near that spot as it makes them sick to see dads teach their sons how to snag fish. A sentry is often posted to look out for the game warden. This is during the day and has nothing to do with night fishing.

Over the last three years I personally told your wildlife agents of the activity -they are well aware of what is going on. This year (2009) your Agent told me he had written a number of citations, but they could not be on the river at all times.

I am extremely concerned that this run of wild coho will soon be lost. Hundreds of salmon were snagged this year. There is no hatchery on the river to keep the run going. In addition, many Summer chum (just reestablished) were snagged as they school up in the same hole. Does it make sense to put taxpayer dollars into reestablishing Summer chums that are snagged when they reach the spawning beds?

Taylor Shellfish beds are also in danger as the human waste could contaminate their beds off the Tahuya. There are NO porta-potties on the river. I believe the Hood Canal Salmon Enhancement Group would also support the closure.

Please reconsider my proposal before it's too late. This river could be a model for the State Fisheries if properly managed.

Proposals on Wild Salmonid Management Zones (Proposals 191-209)

Statement from the Wild Steelhead Coalition

A number of proposals were made on behalf of the Steelhead Summit Alliance members regarding Wild Salmonid Management Zones (WSMZ). The WSC continues to support the concept of WSMZ as these areas will provide

ecosystem protection by supplying reserves for juvenile salmonids, resident rainbow trout and genetic protection of wild fish. We continue to request the WDFW and Commission to provide further attention to developing these areas to aid in recovery of listed stocks and rebuilding the last few remaining unlisted stocks. We urge WDFW and the Commission to make this priority as a step to help recover stocks and managing for abundance.

The Washington Council of Trout Unlimited welcomes the opportunity to comment on the proposed changes for the 2010/2012 Recreational Fishing Rules. Our views here closely conform to those offered by Rich Simms and Dick Burge, for the Wild Steelhead Coalition reflecting our close collaboration with the WSC and the Steelhead Summit Alliance workgroup in developing proposals for Wild Salmonid Management Zones in the current rules cycle. We fully support the WSC comments and, like our partners, applaud the WDFW's efforts to move towards a more comprehensive strategy to protect and recover wild steelhead. Our remarks below will differ only in emphasis.

In closing, we also have serious concerns over the larger issue of Wild Salmonid Management Areas. Several days ago we signed off on a joint letter with our partners in the Steelhead Summit on a joint letter to Director, Phil Anderson, asking for a reconsideration of the package of 19 proposals for Wild Steelhead Management Areas. These were well researched, scientifically defensible, fully consistent with the goals of the WDFW's newly adopted Hatchery Reform Policy and by using the framework provided by the Department's Statewide Steelhead Management Plan effectively integrated the specific provisions of the Hatchery Scientific Review Group for each of the reaches and watershed covered. Both directly and indirectly, there are a number of benefits that came out of this process that might suggest it as a model for future collaborations between the WDFW and the conservation community. Not the least of these is that in face of the realities of short budgets and cuts in staffing it provides the means to advance important departmental goals that otherwise might have fallen by the wayside. By using a large group of experienced volunteer researchers, several of whom are former WDFW biologists, the Alliance work group was able put together a coordinated set of proposals for WSMA that a shorthanded Department has been unable to accomplish on its own in the previous 18 months and may find difficult to accomplish in the next two years in an era of deficit driven budgets. Secondly, these proposals present innovative best science management options by stressing the importance of rainbow trout in contributing to the viability of of the steelhead populations and by calling for a new regime for managing trout fisheries. Additionally, by including hatchery fish free zones it closes the circle by both directly implementing the provisions of the department's newly adopted Hatchery Reform Policy and significantly increasing the long range viability and success of the WSMA's covered by the proposal. In short, this should be a win/win for all parties. At little or no cost to the Department, it advances department policy in two conspicuously important areas. At the same time, it publically underlines in a positive way the Commission and the Director's commitment to move the department into a new era of progressive, conservation driven management. Finally, it raises the possibility of profitable direct partnerships and collaborations between the WDFW and the conservation community.

With the above in mind, we strongly urge reconsideration of the Steelhead Summit Alliance's package of proposals for creation of Wild Salmonid Management Areas. This might mean there will be a need to postpone the Commission's final decision on this part of the 2010/2012 Regulation Proposals. However, we think it will be worth the inconvenience and effort. A careful review of the package will suggest long range benefits for all parties. Approval would put us on the threshold of a new era of steelhead management.

Chair of Steelhead Summit Alliance, WSC, Wild Fish Conservancy, FFF, TU. Wild salmonid management zones were requested in 19 areas of the state. RWDFW refused to establish WSMA's. Steelhead management plan is too slow. Headwaters of rivers are proposed. Would not affect existing fisheries. See Appendix 3 for more information.

Testimony on Other Issues

I am writing to submit my comments for consideration during review and update of the 2010-2011 Washington state fishing regulations. If it is at all possible, could the regulations be written so that the common person could understand what is legal or illegal per the specific river that is being fished. It would be so much easier if a person upon seeing "selective gear rules" didn't have to locate in a separate section of the rule book to determine what is legal or illegal for that said river. For instance, some rivers listed in the regulations call for selective gear rules which upon review state that a single point barbless hook must be used, and some rivers listed state it right right up front on the river. For example the Stillaguamish river vs the Green (Duwamish) river, the Stillaguamish river calls for selective gear rules which requires referring to a different section of the book and having to review several rules to determine what type of hook can be used, whereas, the Green (Duwamish) river states in its discription that single point barbless hooks are required. By having these separate pages with multiple discriptions leads to mis-interpretation and confusion by many anglers. This mis-interpretation led to an encounter with myself and my two young sons this past weekend. We were fishing for pink salmon and using sand shrimp for bait which reading the regulations for the particular river we were on was legal. Another fisherman on a pontoon boat was floating by and saw that I was using sand shrimp and stated that it was illegal

and that a game warden was in the area and writing tickets. I stated that I had read the regulations and felt that it wasn't illegal, but since he had put doubt in my mind as to the legality of what I was doing, I pulled in my sons and my gear and stopped fishing. I then called and consulted a friend of mine who went to the DFW website to review the rules and he determined that we were not doing anything wrong, but still I was not at ease. I have since read and re-read the regulations for use of bait and to the best of my interpretation cannot determine that I was doing anything illegal. Unfortunately, the mis-interpretation of the passing fisherman ruined a wonderful experience that my sons were having by seeing fish jumping in front of them and the excitement of them stating that if they had had their gear in the water they were positive they would have caught that fish. Coming from my nine year old son, that was priceless. So as you can see, the way the rules are currently written leads to considerable confusion and mis-interpretation of the rules. Since I have never had and will never have any intention of knowingly breaking any rules when I fish, if I can't determine what is legal or illegal by the written word of the Washington DFW, I will not put myself or my sons at risk of breaking the rules and subjecting ourselves to possible fines and legal action thus removing three people from the active roles of Washington state outdoorsman and thus taking away our freedom to enjoy the outdoors in Washington state. Thank you for your time and consideration.

Proposal submitted to allow one sea-run cutthroat to be retained per day in Marine Area 13 year-round. Reason for change: fairness for all fishermen – now only freshwater fishermen get to keep them. Juveniles especially need to be able to bring their catch home.

something should be done to prevent killing so many unclipped coho. why can't rules say the first 2 coho caught is the limit instead of only clipped fish. this year i caught approx. 10 coho to get one clipped fish. i know a lot of big coho was killed this year because of this.

Finally, this season's chinook salmon fishery was outstanding for us. Our two man best day, on the fore-mentioned metal jigs, were approximately 80 chinook (only one native) and 20 pink salmon...all along our revered kelp beds. The state's superb job of reviving our salmon runs is sincerely appreciated by all!

How much longer is the little guy have to give up on fishing the pacific northwest is the only area left in the us that still has gillnetting we the fishing public can't keep giving back every tome there is a change in rules it's The little Guy That pays The tribes get there quotes and they should. They were here before us. But the gillnets must go Get the gillnetters out of the rivers and see the great returns.

This email is to address two very important points. I think that it goes without being said that I don't feel the commission made the right decision in hiring the new director, in fact it would be my belief that a worse choice could not be made as far as the sportsman goes.

That being said I would like to see a performance detail from the commission stating what exactly they want and expect from the director as far as job performance. If he is going to be our leader for using that term loosely, it is time for him to start to work with the sportsman for the inland rivers. That did not happen in his last duties. I had the opportunity to speak to him by phone a couple years ago and he was far from attentive to my concerns about the tribe netting the chehalis river all the way through the month of April 4-5 days a week, killing mostly native steelhead. Which leads me to my first point. We as a state cannot agree to a 5-10 year agreement with the tribe in the management of Salmon and Steelhead. How do we know the conditions of which the returning fish spawned or the outflow for the smolts to migrate, or the ocean conditions in which they will spend 2-3 years.

My comment refers to the many rules and regulation changes that we must try to keep up and follow. The past few years of just trying to comply within the law is becoming almost impossible. There are too (many rules and weekly changes) that we cannot keep up or comply with. I find that this is becoming too much of a challenge! I am losing interest in hunting and fishing because of over regulation in this state. Can't you find a way to make it easier to comply without so many weekly and daily changes. I am considering of hunting and fishing in other states. I have thought that there are too many in your department with the authority to make change? If so, there should be someone that can stop this so we can get on to hunting and fishing without the worry of breaking your way over zealous rules. Thank's, Please consider!

Why don't you save the state taxpayers a lot of money and anglers a lot of frustration by either opening or closing whole rivers.

Example: Humptulips River: Open Oct. 1 - Oct. 15 1 Salmon per day.

1) With this system you could fire about 30 reg. writers whose sole purpose seems to be to confuse and frustrate people. I even heard one of the experts on radio talk about getting fined because the regulations were so confusing.

2) With this system you could save printing costs

3) With this system you could regulate the fishing just as or possibly more effectively than is currently happening.

Right now, I defy anyone including you to be able to adequately interpret the regulations.

I've called our local Fish & Wildlife people about some of the regs, and they didn't understand them.

FIRST OF ALL, THERE IS NO SUCH THING AS A NATIVE SALMON. State of Washing has been in the hatchery business since some time in 1890.

Now to the hatchery salmon that are caught in the ocean. If the fin has not been cut, it is called a wild salmon. Since the hatcheries don't have the personal to do this job only about thirty percent are clipped. Now those returning to the hatchery, the hatchery only will take a few of them and then SELL THEM ON THE MARKET. A lot of them are sold for cat and dog food, but end up on the market as smoked salmon

If the Dept of Wildlife could get their act together, there could be a lot more fish in the ocean for all to catch.

State of Washing use to know as the state where you could catch salmon, today it is far from it. The commercial fishermen could make a living, today it is a joke. I believe this is what the State really wants is to do away with the commercial fisherman, they sure don't help him out. to me as well as many others, the Dept of Wildlife and Fishery is nothing but a big joke

The only dept, rather man that is doing anything is Dan Ayers the man that works the clam season on the coast

Thank you for allowing input from the public regarding the future for fishing in Washington state.

Something is seriously wrong with the salmon fishing in our state. I have lived here all my life and been fishing since I was in grade school, I'm now 57. I have lots of great memories over the years. However I have noticed a drastic change in the coho fishing in areas 6, 9, 10 and 12 in the past two years. I've been retired the last 2-1/2 years and have been fishing a lot more than ever before. However, I have not caught a coho (native or hatchery) in the last 2 years. My fishing friends have had similar results. I'm sure you would agree my zero cohos per year hasn't had a negative effect on the runs.

I only hope you have the power and courage to fix the problem by putting pressure on those who are destroying the runs of cohos.

I would like to request the committee to consider moving the line father north than Ayock Point in Hood Canal, when you open for Chinook salmon fishing; preferable all of Hood Canal, at the same time.

Where do I start. There is nothing that makes any sense when it comes to fishing regs. In relation to gillnet regulations. We can only fish with one pole – salmon etc. The gillnets well they are restricted to what? 300 or 400 ft or whatever the boat can hold? We 5 sturgeon per year – them 7 (the latest) per day per boat! And anymore you can't hardly catch 5 shakers. The gillnets always go in before sport fishermen get a chance at anything! Springer count is always too high, then based on that high estimate the gillnetters get first pick – OH! Don't forget they get to use the "Honor system. I could go on and on – Here's one you can't fish for shad and steelhead at the same time. Or springers and squaw fish at the same time.- Good news for you as an Oregon Res. I truly believe that Wash. Cares and realizes the economic value of the sport fishermen, but you're killing us. I buy a Wash. Lic. To help Wash. Economy – (believe it or not). You should see the # of boats the opening day of June salmon season – the see how few the SECOND day PM. The gillnets were in the week before! Now go to the airport and see how many OR. And Wash. People go to Alaska to catch fish – people the world over could be coming here! Well, anyway, want more info call me. Semper Fi.

I would like to express my concern to your board whom make the decisions regarding fishing regulations.

I would like you to consider eliminating the fishing nets that are now allowed to be used To catch fish in Puget Sound. I believe that Puget Sound should be left for recreational Fishermen on ly. Commercial fishermen have the whole ocean, and with the decline in the catch records of both commercial and recreational fishermen, I believe that would be The most fair response, while we try to build up our fish populations. I'm not wild about Barbless hooks either, but can live with them if we can keep the huge nets out of the Inland waters. After the commercial fishermen return from Alaska, they then take on the Chum salmon.

I support your regulations, and I have no problem with two fish limits, but let's keep the Commercial fishermen out of the straits and Puget Sound.

Require all hatchery released coho and Chinook smolts (state and tribal) to be fin clipped, since so much of the marine sport fishing opportunity depends on clipped fish retention.

Is there a way to encourage the no kill of searun cutthroat trout in freshwater?

I was just reading some of the proposed rule changes for the 2010 – 2012 sport fishing season. I frustrates me to see proposals that only effect sport fishers. I have seen firsthand the waste that goes on in the commercial fishing industry

and have to wonder, why punish the people that pay the lion's share of the bill? I paid \$172 last year for my annual licenses and permits to go fishing or crabbing on three or four different occasions and hunting for two or three weekends. I have been paying these fees every year for over 25 years. It is an extremely rare occasion that I come home with my full limits. I can assure you that neither I nor the people I go fishing with are depleting fish & shellfish resources. I can also assure you that increased fees and decreased opportunities will be the reason I no longer spend my hard earned dollars on licenses in this state. I would suggest that rather than shortening or closing seasons altogether, put a yearly limit on the number of a given species that any one person can harvest. That way people like me that have to work for a living have the same opportunities as other more fortunate individuals that can fish whenever they want to.

Isn't it about time we give a little back to our senior citizens that have been buying hunting and fishing licenses all their lives. How about free licenses for those 65 years of age and older. It would sure look like the state is trying to help out those who are probably on fixed incomes. And the state government image could use a little boost.

I have to start off by saying please give me the courtesy of reading this in its entirety. If any of this angers you I'm sorry it's just my opinion.

I just finished reading the WDFW News Release, "WDFW accepting comments through Dec. 1 on 2010-12 sportfishing rule proposals". More than a hundred proposals? You've got to be kidding. I can't really say that I'm surprised. As it stands now I feel like I need to hire an attorney to interpret the fishing regulations prior to fishing. They have become way too convoluted. Some rules I have to read multiple times to try to get an understanding of the rule and even then I am not 100% sure. I have emailed both the WDFW and the ODFW the same question regarding annual limits for sturgeon and have gotten back different answers. So I guess you guys are just as confused with your rules as I am.

If the goal of all these rules and regulations are to confuse and frustrate the average angler, congratulations you win. If the goal is conservation, sorry you've probably already lost that battle. It's just another case of too little too late. The salmon and sturgeon are doomed; it's just a matter of time. All you have to do is look at the dam counts, the ten year averages just keep going down. And why on earth would you increase the sturgeon catch days because there was a surplus of quota? I don't feel that the WDFW or the ODFW have any idea of how many sturgeon there are, you only know what the fish checkers count. I have been on hundreds of sturgeon trips and have never been checked. At least with the salmon you can get a close count of how many fish make it through the dams.

I am so tired of going out on multiple trips, not catching anything and listening to the "old timers" next to me who say, "I remember when we would catch fish every time we came out.". Something drastic needs to be done and done soon. How about just closing all fishing in all areas for 10-20 years for both recreational and commercial fishing to let all species recuperate? If not, just throwing out all of the rules, catch all of the fish and then we can just remember when....., cause really why put off the inevitable?

I would like to see the state change our fishing pamphlet to be more like Canada's. It is good for 2 years and durable and sized right. Also our fishing licenses and punch cards could all be on one sheet off paper that does not require a suite case to pack them in.

Allow chinook retention in the Snohomish / Skykomish system for fin clipped hatchery fish, up to the Wallace river.

The dept of Game keeps using the word Native. There is no such fish. Since the late 1800's, we have had hatchery fish and they also interbreed. Not all hatchery raised fish end up at the hatchery, but go on up stream and breed there. Most of our steelhead are of a trans plant fish so not native in many so call steelhead streams, same goes for our salmon. Just when does the fishery dept plan to start using the sportsmen as well as the comercial fees and start using the hatcheries as planned from the start. Look at the hatcheries and look at all the empty trays that are there. I still can remember when those trays were full of young fish, then came the idea, if we don't raise as many fish and can up the user fees, we'll be able to have more money for salaries and other things. STATE OF WA. SHOULD LOOK AT THE HATCHERY PROGRAM THAT aLASKA has.

We are a 30yr plus Fishing & Hunting club in Whatcom county and have been involved with rules & regulations with the Dept all thru those years including habitat projects, collections of fish & data, and helping of transporting & planting of warm water fish per WDFW permitted systems.

One of our favorite bass fishing waters is Lake Whatcom.

Lake Whatcom is currently under the April opener primarily set during the time period when trout only waters were managed.

The small mouth bass fishing on this lake has become statewide famous with tournaments being held monthly by all different clubs in the state including ours.

We are aware that the rules & regulations are now being addressed for the next 3yr package. We would like to see the opener for bass & the warmwater fishery changed to a Jan 1 opener, thereby allowing more recreational time in our local

area. We realize there is a Kokanee fishery that is popular and a cutthroat fishery that has been protected and the normal April opener was set for those many years ago. Recreational hours on that lake has changed these last few years dramatically, whereby we feel an earlier opener for bass is now in order and would help the community utilize a time period during a dead time of year for anglers.

We feel that enforcement issues of this are workable since the warmwater fishery is quite distinctly different in appearance from that of the cold water fishery. Our State river system regulations presently allow fishing of one different species from another, during different time periods, with different catch limits, and those are involved within their own anadromous category.

Thank you for your dedication of time to our fishing & wildlife resources, and please let us know if this can be accomplished.

Retention of any wild steelhead, chinook, and coho salmon in all bodies of water in Washington should be prohibited no matter what the run size is expected to be. Retention of hatchery fish open all year long. If Washington is expecting a huge run of fish don't raise the retention limit. ie 2009 pink salmon run. All rivers can handle more fish than any run we are going to get.

Area 7 fishing rules this year are great. The December January fishing for hatchery salmon was a long time coming. The only thing I would change is there should be no retention of wild salmon at any time of year. Also the lingcod fishery should be open during salmon season. To many boaters are going out and targeting lingcod and it feels to me that the number of lingcod have gone down drastically in Area 7 ever since the may fishery was started.

Somehow I don't know how. Try to make commercial tribal fishing illegal on Washington rivers.

Why don't you start by reducing or eliminating the Indians netting the rivers, that is where most of the fish are going. Most of the fish are wasted by them, they sit in the beds of their trucks rotting while they try and sell them to unsuspecting buyers. The problem is not the sport fishermen it is the nets.

I realize that we all trying to make things better for wild fish. However in my opinion we focused on scraps... The number of fish caught by sport fishers is small in the first place. The number of those that are wild and need to be released smaller yet. Those fish who die because of a barbed hook tiny "scraps" of the whole. We can focus on topics like this and ignore the elephant in the room. Or we can address issues that really would make a difference. Remove all non-discriminate gill-nets for the river both commercial and tribal, **use the Colville Indian purse seine model**. They choosing to lead the way in selective fishing in the Columbia with selective netting. The fish that are caught in gill nets are both wild and hatchery and most all die. Both wild and hatchery, both targeted species and by-catch are all just as dead. Second the non-native sea lions that make their live bunching both wild and hatchery fish need to be stopped. I fish barbed hook as I hook very few fish a year with the limited amount of time I have to fish. I enjoy eating a fish now and then, and my family is happy to see one come home when I have spend time away. All wild fish I catch are respected and released quickly. The barb rarely plays a significant part in few moments I spent with a wild fish. However I am should that the barb has played a role in keeping the hook in place while playing the fish and has made My few trips are year more successful.

Thank you in advance for your consideration in this matter.

a) Single barbless hooks in selective fisheries. no closer than 4" from the shank of lead hook to the eye of trailing hook. Rational: Trailing hook damage to vital organs such as tongue, eye and gill arch.

B) Banned use of bait in selective wild ocean fisheries.

C) Banned use of double hooks in selective wild ocean fisheries

Rational for B & C: Wild salmon / hatchery salmon retention in actively feeding ocean coho. Prohibitive high hooking mortality of wild stocks.

Why don't you just put a total ban on all fishing in WASHINGTON for 5-10 years. Then you can quit nit picking the sportsman, fire 90 percent of fish and game because you will not need them. We are in a budget crisis by the way if you have not heard. We pay your salary with fee's and taxes from fuel to go fishing. Now you take more rights away add more rule's. This is what you do for me the tax payer I have had enough. If this is such a problem shut all fishing down. I will sell all my fishing gear that was bought and paid taxes on in Washington and my boat that I pay taxes on every year in Washington because your Idea's all suck.

Are you crazy, why don't you just close fishing down completely !!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

Print the regulations book and then limit the number of rule changes to a few. Its very difficult to know what's legal and what's not, when there are rule changes put out seemingly every week. There are still many people that don't have access

to these online changes that seem to never stop flowing. I am on the email list, and I still can't keep it straight. Every time I go out, I actually hope I don't get anything because then I'll wonder if I am legal or not.

Everytime there is a rule change it comes on the backs of the sports fishers. What is being done for the commercial fishing reductions. If the crabbers do not get their quota you let them crab until they get or exceed their quota. Salmon netters kill a large amount of by-catch that they are not supposed to keep. Also they keep wild along with clipped salmon while the fishers on get to keep the clipped ones.

I would hope that restrictions on sport fishing always be the last means for conservation. Commercial and native fisheries should always be the first focus of restricted catch limits.

3. I hope that WDFW continues to produce the "Fishing Prospects" reference for freshwater fishermen.

4. Although significant progress has been made in the sport fishing licenses, I would hope that WDFW finds a better solution for printing licenses and access permits. Carrying a "bundle" of paper slips, catch cards, tags,... is troublesome. The waterproof aspects are appreciated, but the heat sensitive paper always turns color or even black. Window clings might be an option for access permits.

As the cost licenses increasing to the point that they have now reached. Almost no season on the sound or limited as to what you can catch. For many of us who grew up fishing, and hunting in this state, hoping to give that same opportunity to our children. A lot of us, do not fish or hunt for pleasure or trophies but to put food on our tables. Many of our income levels are at or in many cases below the poverty level. Your increasing our licensing fees every year as you have been doing, only causes many people to either for go fishing or hunting, or I am sure there are those who poach fish for no reason other than to put a meal on the family table. If you want to do something that would carry real meaning, how about finding a way to provide fishing and hunting licenses at lower fees based on income levels. This would accomplish a couple of things.

1. Lower fees would lead to less poaching

2. More people buying licenses would increase revenue.

3. More people out there fishing and hunting means more eyes to catch those who are always going to poach.

I grew up here in Port Orchard from the time I was able to use a .25 cent drop line and small crabs for bait to catch piling perch to help feed our single parent house hold. Because we were able to fish, and hunt we always had meat for dinner. Now days it is sad to say this in no longer possible, yes there are many causes as to what has caused the problems to our fisheries. None of which have been caused by the sports fisherman. The greatest damage to our wild runs are and always have been the hatcheries, a few years ago I read an article that stated such. I man came up with a low impact and low cost alternative to the hatcheries. Yet he received no support from the state. The next one that has an impact is the failing septic systems. As well as waste plants who every rainy season have over flows of untreated waste into the sound as well. Then you have commercial fishing up next, the tribes I know have their rights by treaty, but they are commercial fishing, which was not part of the treaty and never was intended for it to be that. Keeping all commercial fishing out of the Hood Canal, and Puget Sound we would see a lot of these problems solved. How about for once take a look at how much the sports fishing industry used to contribute to the states coffers and what it does now, I am sure you would be able to see the drop in all areas over the years. If you would take a look at the fees for licensing and find a way to make my proposal work I feel you would see a drastic increase in the future and a decrease in poaching as well. Thank you for reading this email and feel free to respond to me if you can.

To: WDFW Rules Coordinator.

Dear Sirs:

Enclosed find my proposal for inclusion into the 2011 and 2012 Rules Adoption Process. This in part parallels my proposal form request for 2008 and 2009 copy enclosed. This basically opens the bottom fish fishery from the Triton Cove State Park and launch ramp to the Hood Canal floating bridge.

I find it difficult to understand the bottom fish closure in area 12. Area 12 has probably the cleanest water in all Puget Sound and the northern portion good oxygen supplies and is the only area in the state with a bottom fish closure. The Washington Department of Health reported in 2008 that area 12 water was at it's peak condition so assumed we would have an opening in 2009.

Following are some adverse conditions in our area and statewide from this closure. Being a very popular recreational and retirement area, we have many kids here during the summer months. My children and grandchildren cut their teeth on fishing in Hood Canal, learning the phases of gear set-up, setting the hook, care and cleaning of their fish, and their responsibilities in being able to support and maintain this gift. I now have 14 great grandchildren that I haven't taken fishing. It is hard to explain that we can't go fishing when they ask. I have many neighbors with the same problem. In addition, the state is missing much income from this closure. Most of my friends do not buy fishing licenses, my wife included, with the shellfish license being all they can use. Friends in the south canal buy few licenses, even tho' they have a summer fishery in salmon. The summer salmon fishery appeals to a small number with only a small troll area, Quilcene Bay, Aycock point and south, and a September opening for Coho, after the summer vacation time. The fisheries at the Hoodport hatchery, the mouth of the Quilcene river and the Skokomish river do not appeal to the locals and no place to start your grandkids on the joys of fishing. The winter salmon season is the only reason for a fishing license but many neighbors are south for the winter, it's too cold for fishing or the grandkids are in school. I would suggest you run a comparison on the number of fishing licenses sold in Mason and Jefferson counties with the number of shellfish licenses sold in these counties. The feelings I get from my neighbors is that the number would shock you. Add the out of state licenses for shellfish only and I would estimate a 30 to 40 thousand dollar loss in license income.

The bottom fish closure was effective in early 2004, based on the oxygen supply problems centered around Twanoh State Park. In addition, we had a state representative much in favor of making Hood Canal a marine sanctuary because of it's beauty. He called it Hood Fjord, the only fjord in the United States. He had some support from a few WDFW personnel also. On page 2 of appendix A of the current rules pamphlet I see a request for opening a bottom fish fishery in Hood Canal by a Mr. Bloomfield. The reason for rejection was the matter of closing the entire canal to develop a surplus in the north areas in case of another fish kill in the south end. These surplus fish would migrate to the south end to restore the balance. This theory started in 2007 having no other reasons to open the north end for bottom fish. I wrote two letters at this time showing why this theory wouldn't work. My letters were based on Alaska's attempt to improve the bottom fish population (mostly ling cod) off Sitka. An area was selected for closure in the center of their bottom fishing areas. After some years went by without improvement in their fishing areas, divers found the closed area glutted with cod but very happy in their life style. The only thing that would cause a movement would be a lack of food seemed the only conclusion, they felt secure in their lifetime home. I would surmise that any surplus developed in the upper reaches of Hood Canal would continue on north to deep and cold water rather than migrating to the shallow lower canal. The fish now living in the lower Hood Canal have adapted to their surroundings and are probably spawning and repopulating their area. This area probably has a good population currently with little or no fish kills in the last years. It should be noted that the north Hood Canal has never had a fish kill.

I have been writing many letters over the last years concerning this closure. In an answer to a letter to Rep. William Eickmeyer dated May 31, 2006, "We are monitoring and testing the entire canal. The studies will not be completed (in part) for another year. Once the science base is established, we will begin some action plans and you will be given that information."

An answer to a letter to Greg Bargman dated Feb. 7, 2007, "It is our intent to protect the aquatic life in the canal until the problem of dissolved oxygen can be corrected. To do so will require that fishing be restricted at least in the water south of Pleasant Harbor. While the waters to do the north of that point could be opened, I recommend against that. I would like to use the fish life in the northern portion of the canal as insurance in case the oxygen levels in the Canal get worse and fish kills become more frequent and more severe. We may need to reserve the fish in the northern part of the canal to help replenish the southern part. For these reasons, I do not foresee the parts of the Canal south of Pleasant Harbor open to fishing in the near future."

An answer to a letter to WDFW dated March 3, 2008 by Lew Atkins. "As you suggest, the waters north of Pleasant Harbor do not seem to have the same problems as the waters farther south. We are now investigating the movement and distribution of fish within the Canal throughout the year. The results of these surveys are encouraging, and indeed it may be possible to reopen certain types of fishing in the northern portion of the Canal. However, we wish to have confidence that allowing harvest in the northern portion will not impair the rebuilding of populations in the southern portion. While we are not currently in a position to make decisions, we intend to work throughout the summer of 2008 and possibly make a recommendation to the Fish and Wildlife Commission regarding reopening part of the Canal in 2009."

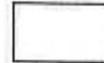
This seems to be properly timed for opening the northern portion of the Canal. The State Health has good reports, we have had no recent fish kills the residents would be happy with a reopening and the State can use the extra money!

Sincerely,

William Aker



State of Washington
Department of Fish and Wildlife
Fish Program



Proposal Number
(WDFW use)

2008-2009 Sportfishing Rule Proposal Form

To propose a sportfishing rule, please fill out this form completely - one proposal or idea per form, please! Feel free to make copies of this form or share it with friends. Rule proposals need to reach us by June 1, 2007, to be included in this year's process.

Name WILLIAM AKER Phone# 360 877 5563

Mailing Address 303 N. WEBSTER LANE E-mail address B.N.H.AKER@AFCO.COM
LILLWAP 98555 May we contact you by e-mail in the future?
Yes No

- Current rule you would like to change: CLOSURE OF ENTIRE HOOD CANAL
- Your proposed rule: AREA 12 FOR BOTTOM FISH.
 - Species affected: BOTTOM FISH - SAME RESTRICTIONS AS AREAS 1-13
 - Geographic areas affected: AREA NORTH OF TRITON COVE STATE PARK TO BRIDGE
 - Time of year in effect: SAME AS AREAS 1-13
 - Other details: SEE ATTACHMENTS.
- Why this change is needed: TO ALLOW FISHING ACCESS TO 30-35 MILES OF HOOD CANAL, AREA NOT AFFECTED BY LOW DISSOLVED OXYGEN OR POLLUTION.
- Public or Agency Involvement:
 - Names of individuals or groups with whom you have discussed this change: ① TRITON HOOD COMMUNITY GROUP, ② GREG BARGMAN, ③ REP WILLIAM EICKMEYER.
 - Describe their support or concerns: GROUP A IS VERY ANXIOUS TO HAVE AN ADJUDICATE FISHERY B & C BOTH AGAINST ANY OPENINGS - SEE ATTACHMENTS.

Please mail completed form(s) to:
Washington Department of Fish and Wildlife
Sportfishing Rules Committee
ECO Capitol Way North
Olympia, Washington 98501-1081
(360) 902-2844
sportfishing@dfw.wa.gov

This file may be downloaded and printed from our Web site:
www.wa.gov/dfw/suffin

Or FAX to:
Or e-mail to:

ALSO HAVE 100% SUPPORT BY FOLLOWING:
TRITON COVE ESTATES COMMUNITY CLUB }
OLYMPIC CANAL TRUSTS BOARD OF DIRECTORS }
SEAHUNT ESTATES BOARD OF DIRECTORS }
ADDED TO UPDATE INTERESTED PARTIES

Dear Sir:

Page 19 of your Sport Fishing Rules emphasizes taking juveniles fishing. You give a free license up to 15 years old, give free fishing weekends and encourage teaching a friend or neighbor how to fish. I agree 100%, however you should exclude area 12, Hood Canal.

I have submitted my reasoning for opening bottomfish in the Canal in a prior letter to you but also feel our salmon seasons are in need of revisions also if we are going to teach or introduce fishing to our upcoming generations.

Living on Hood Canal for many years, I taught my children and grandchildren how to fish, care for your catch and most importantly, what a blessing we have in our state with our fishing opportunities. I now have 14 great grandchildren and have not taken one of them fishing. With bottom fish closed, the only option is the summer salmon fishery as follows: Starting at the north end of the Canal, our first summer fishery is the Quilcene. This fishery is comprised by the upriver section which is partially controlled by the WDFW and private ownership available for a \$50 permit. The lower river below the river mouth has been channeled into a short section along the mouth of the little Quilcene causing much crowding with the drastically shortened fishing area. Quilcene Bay does get a small troll fishery for Coho but is a long drive to launch. This is a spot however for some training opportunities. The Canal from the bridge to Auock Point is closed for the rest of the summer with a September opening for Coho only with no other species. The species south of Ayock point can be taken which causes some question, however, the September opening is too late for training as that is the end of school vacation. Not a teaching time. South of Ayock Point has a troll fishery starting in July but this is a 10 mile run to good fishing area from the Triton Cove launch ramp. This area is good for teaching but too time consuming for a yard full of kids waiting a turn. The salmon fishery in the lower canal leaves only the Hoosport hatchery and the mouth of the Skok river. These are basically a cast and jerk fishery (hopefully hooked around the mouth), and usually crowded. These places are not a place to introduce salmon fishing to a new fisherman.

Hood Canal gets a very adequate supply of hatchery kings. The Canal should be open for this fishery with emphasis on releasing and non fin clipped fish. This seems to work well in the straits and other areas of Puget Sound. The existing dividing line for the Canal came from the attempt to build up the wild King run in the mid Canal rivers. The Hamma Hamma river was included in the mid Canal rivers but has never had a Kind salmon run. The attempts done by the private hatchery sponsors had proved that the river will not support a run. The fish spawned at this Hamma Hamma hatchery over the past few years are transported to Hoosport and fin clipped and released with other hatchery fish. Moving the current boundary line from Ayock point to Hood Point would still protect the Duckabush run and allow another 15 miles of fishing with lots of room and a good area for teaching. This area is also served by two state launch ramps, something badly needed in the current south Canal fishery. Fish caught in this area would be in much better condition than those caught in the Hoosport hatchery or a river mouth. The winter blackmouth fishery would be a great training time but again is a winter fishery.

Opening more of the Canal to the summer king fishery would also be a great financial boost to the state and/or the WDFW in the sale of fishing licenses. With the bottom fish being closed and the salmon fishing being marginal as a sport fishery, many of my friends and neighbors buy only shellfish licenses (including my wife). Many go south for the winter and the full timers find it a little too cold for winter fishing which is your best Canal fishery.

The Hood Point to Ayock point opening would give an uncrowded area and readily accessible for Jefferson, Kitsap and Mason counties. The release of any unmarked fish would give the wild kings complete protection. I personally feel that no wild fish would be in this area.

Your opening of this area would be greatly appreciated!!!

Tough decisions... I'm sure everyone would agree something must be done to stop the rapid decline in various species of fish and crab. I personally notice an incredible decline in coho salmon in areas 6, 9 and 12 where I fished for the last 25 years. Since I didn't catch one coho this year or last, I don't feel I am causing the shortage. I wonder how many cohos the commercial and native American fishermen caught last year and this year... Wherever the problem lies, I hope your department can fix it.

- 1 Make the halibut season a quota system so we can fish when ocean conditions are safer and families can plan outings. This could be implemented with quota catch cards and card readers carried by the fish counters.
- 2 Let's stop killing un-clipped Coho in the ocean. Let us use the brains that God gave us, and keep as part of our limit those fish that are gill hooked and are going to die .

I would like to add one more proposal to help solve the Puget Sound Shrimping problem.

Move the last (should be two licensed non-tribal) commercial shrimpers into the San Juan region MA 7 with the other 17 non tribal shrimpers. This will open up the Puget Sound Metropolitan area to the recreational shrimpers in the lower sound from MA 6-13, thus making it easier to manage. This would solve a huge problem for our shellfish managers.

Sorry for the late request but I think this could make a huge difference in our seasons.

Thank you

Ron Garner

Puget Sound Anglers

State Board Vice President
Puget Sound Anglers
Sno-King President.

I am glad to see that you are accepting comments on the proposed rule changes for 2010-2012. I would like to comment on the retention of Wild Steelhead in Washington, especially the Olympic Peninsula Rivers. In the effort to keep this species of fish from becoming extinct I would think that it would be in our best interest to NOT ALLOW ANY RETENTION OF WILD STEELHEAD. These fish have a hard enough time reaching their spawning grounds and then possibly returning to sea. Once they are gone then they are gone. The sport-fishery should demonstrate honorable ethics and release all wild steelhead throughout the state, especially on the Olympic Peninsula Rivers, until their populations recover to exceptional numbers.

Thank you for taking the time and consideration of my opinion and I hope WDFW doesn't contribute to the extinction of one of Washington's greatest game fish.

Lori, I have 2 questions or thoughts on the fishing rules. (A) I enjoyed freshwater fishing years ago but have not purchased a fishing license for over 30 years. The reason being is I don't believe I should have to read through hundreds of pages of rules annually to simply fish just a few days a year. Why can't the rule be limited to (1) the number of fish (regardless of species), (2) the number of hooks and poles, (3) all barbless hooks, and (4) identify or limit the bait. Why does it matter in which county, which body of water, which fish, etc. etc. Do you get my point? Why can't the rules be simplified. My second point is (B). I like to camp when I travel throughout the country. I rarely stay in a state longer than 3 days. It is cumbersome and some times nearly impossible to try and find a licensed dealer to purchase a fishing license. My idea is "why can't I just add add 1\$ - 2\$ per night stay in a Washington or other campground to the camping fee to cover my fishing experience?" My fishing would be limited to maybe 1 hour per day in each camping venue. My goal is to make this a nation wide or at least abutting states agreement for short term users to enjoy fishing. I refer you to the "Kiss principle" "Keep it simple _____".

If u get rid of the nets , all of them the fish will come back on their own

Eliminating nets in the Puget Sound is the solution. You folks just don't want to see it.

There are two other issues that you and I have discussed in the past that I would like to see be added to the proposal..

- 1) Requirement and verification of a USCG operators license for anyone who applies for a fishing guides license and intends to use a motor boat.
- 2) Requirement and verification of liability insurance for all applicant fishing guides. Anglers using Washington fishing guides who are participating in fishery that WDFW promotes should be protected! Not to mention that the quality of the guide trips that these anglers go on will be much higher because only the professional guides will carry insurance.

I have lived in Washington for about 30 years, and I used to enjoy going fishing with my friends for a week or so every year. Now, not so much.

My friends and I have been increasingly aware of the decline in decent fishing in both the ocean and fresh water. All of us have discussed this quite a bit -- especially when we have a line in the water and are waiting for some kind of bite. These moments seem to become much longer and more frequent in recent years.

Each year, we find that the restrictions on fishing in Washington increase, grow more convoluted and hard to interpret. We are told that these restrictions are effected because of the decline in the numbers of fish. Yet, despite the tightening of fishing restrictions on the sport fishermen, the numbers of fish continue to decline. The problem is evidently not in the sport fishing venue. Overfishing in the ocean and nets strung across the mouths of our rivers are the culprits. Perhaps Washington and other Pacific Northwest states should ask the Federal government to take action where these states have no jurisdiction. My friends and I are tired of spending good money for lousy fishing opportunities, and we are currently planning on taking our annual fishing trip elsewhere, probably outside of Washington.

I speak almost daily with other folks who like to fish, and we all appear to be of the mind that the answer may be a total ban salmon fishing for a couple of years -- commercial interests, Native Americans, and the sport fishermen -- to allow the fish stocks to repopulate. Let the fish reach the rivers, and then let them get upstream to spawn. We understand that this would create an economic hardship for some, but in the long run, it would be a definite boon for everybody and for the fish.

thank you for considering my comments..... retired a couple of years ago and fortunately I was able to do a LOT of salmon fishing this year..... thus, my comments are first hand and deserve some honest consideration.....

I believe the most stupid rule the department ever conceived was the release of non-clipped salmon..... I tossed-back at least a dozen salmon this year.....many were bleeding badly----- all had been touched and fish scales were left in the net.

Simply I don't believe the crap your department spits out about the overall survival rate for released fish..... obvious your department doesn't do much fishing.... I feel terrible about "wasting an injured fish.....

If you think I'm off beat, come to Illwaco and talk to the charter boat captains----- interview the sport fishing crowd as they return from a day out.....

Come on folks,,, your loosing our support,,,,,,come and talk to us or better yet, try a of day of fishing and releasing bleeding fish.....please return a comment..... I want to know if anyone really reads our comments.....

The second comment is somewhat personal but I feel like it may be of interest. Because of family and work responsibilities, I don't have the time to spend fishing as I once did. I am able to fish areas of the Satsop because of special access rights which I pay for. It was quite discouraging to see that no wild COHO are able to be kept after September 15. Not even one. The run of wild COHO are what people enjoy about this river. A thought might be to allow a single fish every other year at the very least?

If I were to make recommendations out of the ordinary, they would be the following:

Get serious about enforcement!

- o I fished the Puyallup this year and noticed way too many anglers not tag their cards, noticed that none had cards, and snagging was rampant. These actions made me ashamed to be an angler.
- o Fine people fishing illegal, take their equipment and sell it. All proceeds go to enhancement funds.

Enforce litter control

- o The amount of garbage that people leave at rivers is unacceptable. Fines need to be assessed and proceeds go to fund enhancement.

I could go on for awhile but that is not what you are requesting. My main point with enhancement funding is because of what I have noticed. Salmon enhancement it great but I think it is motivated by commercial and tribal fishing. They have lobbyists which will help pass legislation to help their causes. Sportfishing has no lobbyists and they seem to be overlooked. Unfortunately they pay good money in a difficult economy only to support the commercial and tribal fisheries which are both motivated by net dollars.

Finally, catching a steelhead somewhere besides the Cowlitz would be nice. It may also lead to better overall fishing since catching fish everywhere would spread the wealth and big fisheries would receive less pressure.

Also, jack harvest regulations should be consistent for simplicity: This fall on the Snake, you could tag wild fall Chinook jacks. Yet we have never been allowed to tag wild spring Chinook jacks. Make the rules consistent.

We realize that the rule making process is a challenging one, with many conflicting interests. As you proceed with this difficult task, we encourage you to focus on targeted problem solving rather than broad-brush regulatory strokes that in many cases are unnecessary.

Every time I look on WFDW website I get ticked off! Reading your bottom fish and salmon plans, obviously this game commission is nothing but a bunch of environmentalists. every decision they make screws the sportsmen, charge more money for licenses and tags then shorten the seasons. Reduce the size of lingcod, cut limit on crab, close areas of bottom fishing, open river fishing a month later. But lets raise the price on licenses, makes absolutly no sence to me, I am about to quit buying licenses in this state completly. You put all these regulations out and then you let the tribes do whatever they want. You want the salmon and steelhead to come back close all fishing sport and tribal for five years see what happens. Dont just screw the license buyers or it wont be long and you wont have any! You need to start listening to your sportsmen. It seems to me like every decision that is made is from a special interest group. It takes alot to make me write a letter like this I am sure its a waist of time but maybe someone will pull there head out and wake up before this states recources and sportsmen are history.

If you think I'm unhappy, you're right. I would also let you know that I'm one of the few citizen advisors on the shellfish and continue to find that the rules for all species is getting to a point that would suggest that moving out of Washington State seems the only real answer, even though I find Washington State to be the best fish and wildlife state in the lower 48. It's just got the worst management and the most anti-success policies of any state.

My point is this, why should I continue to purchase any fishing or hunting licenses, boats, gear or support any activity for being an outdoor enthusiast if the target of the Fish & Wildlife Department continues to be prevention of success and an increase in license requirements.

Recent history has shown the consequences of not adequately protecting our anadromous fish runs. There is something to learn and avoid about the Sacramento and Klamath River disasters that apparently you are ignoring. Natural and man caused disasters happen in almost the blink of an eye yet are visible to any who care to look. Sturgeon are in trouble yet we do not stop but charge right up to the edge of disaster. Winter steelhead have been in trouble ever since tangle nets obliterated them and still we don't stop. Spring salmon have been in trouble since the 1990s so we count summer chinook as spring chinook to look good. So called wild jacks are protected in some river systems yet most jacks are returning to hatcheries and you claim you don't know why the fish you bred and raised are returning as jacks. Why is this? Barbless hooks will help but not solve our problems and gillnets and tangle nets make things worse every year. Like the old fisherman answered when asked, what can be done? He said "it is too late." Your problem is that it is happening on your watch and still you don't stop. Ladder the big dams and put all the controversies to rest.

The idea of allowing more fish to cross Bonneville Dam to provide a more equitable distribution between the treaty tribes and parties below the dam makes sense but not because the present situation might be wrong, it is very wrong. The overfishing of the front end of all salmon runs had caused some very serious problems that can only be fixed by stopping this practice. This practice makes each run appear to be migrating later and later and stealing fifteen days from the summer Chinook run and adding it to the spring run is dead wrong. A fishing season or monthly date has never indicated fish species and never will. The summer run begins crossing Bonneville about mid May and are easily identifiable from springers, you know this. The spring run ends about mid June and this was why May 31st was chosen to separate these two runs, you get some of ours and we get some of yours. Large multiyear wild steelhead spawners have suffered out of proportion to their numbers. Early gillnet and tangle net fisheries have effectively wiped them out along with smaller winter steelhead where they are discarded as bycatch. This is how it is in November, December, January, February and March. Using Bonneville as the line between upriver and downriver is a problem, pick another, McNary is best and John Day second.

Now that the early returning Willamette and Klickitat springers have been fully exploited and destroyed for years to come, I guess it is time to move to greener pastures. The early returning Snake River springers were exploited and destroyed years ago by gillnets and then dams without fish ladders finished them off forever. Early returning upriver brights are currently being exploited and a couple more years will finish them. August Klickitat brights are all but gone and a couple more early August gillnet fisheries below Bonneville will end them.

You should have done the right thing ten years ago and began protecting the fish instead of the commercial gillnetter at the expense of the tribes, sport fishing, the fish and our state economy. Commercial gillnetting cannot produce more jobs, only less as salmon and sturgeon decline. The tribes are producing more jobs as they ramp up to fish processing and upgrade equipment. Sport fishing is producing some jobs but you take some away with shorter seasons, lower bag limits and closed areas on short notice. This certainly does not promote tourism. Less fish equals less taxes, less license revenue, less economic activity, less gas purchased, less food bought, less tackle purchased and less travel up and down river, denying small and large communities and stores needed dollars.

Unrealistic catch rate formulas for sport fishing with no back up from catch card reports makes one wonder what you are hiding. You could use Oregon catch card reports but then you are caught lying, cheating and stealing. Where are Washington catch card reports?

The tax paying public would not be happy if they knew the fish they paid for are being gillnetted then thrown back into the river dead, dying, or injured as bycatch so commercial gill-netters can only make enough money for four or five families. There are about 194 commercial licenses, so figure it out, although not all participate but most do in spring, summer, fall or winter gillnetting periods. The commercial gillnetter exists because state and federal authority subsidize their activities, so where are the state and federal audits that justify this expenditure of state and federal funds?

Gillnetting twelve months a year is excessive as salmon, steelhead and sturgeon decline. Does anyone realize that spring salmon crossing Bonneville Dam has exceeded 200,000 only four times since counts began at Bonneville Dam? Stop gillnetting during November, December, January, February, and March and begin the rebuilding of winter steelhead and at least give sturgeon a chance to rebuild. Winter steelhead might even dare to cross your line drawn between the Klickitat and Fifteen Mile Creek, a line in the water is ridiculous.

How is it that a federally protected species has less protection in the ocean than another species? Endangered salmon are exploited in the ocean with no mercy, they're silver so can them. Tuna and shrimp fisherman had to change yet salmon fisherman have not as we spend billions in river and we are losing. This begs the question, where are we losing and why is the problem not being addressed? No fish have been destroyed by sportfishing, only unregulated unreported commercial fishing can bring things to the edge of disaster. Sportfishing and the public paid for these fish, so where are our fish?

Invasive species that prey on anadromous fish are fully protected in the Columbia River system. Predator fishes such as walleye, large mouth bass, small mouth bass, various catfish, perch, crappie and northern pikeminnow are called game fish but should not in the Columbia River system, this ain't Georgia sugar pie. You could do a lot more by opening the Columbia system to no limits on these fishes. Sport fishing won't harm them but will check their population growth or have the Army corp of Engineers deny habitat, they know how because they have been doing it to salmon, steelhead and sturgeon for over 100 years. It looks like they have done a fine job too. Predator birds are easy too, deny them habitat or

enhance the habitat of their predators, there is lots of food for bird predators. Same for pinnepedes, deny haul out areas except for the traps, move the traps to other areas also. Stop this stupid harassment, you are wasting gas, manpower and noise, lets move on.

Back to this equal sharing idea, it is way past time to bury the hatchet with the tribes. You have wasted too much money, manpower and effort fighting a battle you cannot win. Trade, in the time honored way, what you want for what they want. Money is not the answer.

We are pushing the cost of fish to almost a billion a year and still we stand in the same spot unable to move forward, afraid of something that is undefined. You can do many little things on many river systems, all will help.

They will come if we let them, they have nowhere else to go to do what salmon, steelhead and sturgeon do. All they need is a little help from us, many little things. Ladder the big dams, tear out the useless ones, open the ancient spawning grounds of salmon are the big things. Put all the controversies to rest by better protection of the fish, then no one can say you did not try.

Increasing the jack length to less than 26 inches makes some sense when you consider a few things. There are going to be sportfishing take aways in the 2010-2012 regulation period. Such as a later starting date in 2010, decreased bag limits gear restrictions and maybe 5 days a week fishing periods. Some pluses are warmer weather, longer fishing hours, more hatchery fish which are smaller on average, more available jacks at their peak and maybe a longer season. This could be a good way to show you are being sympathetic to sportfishings situation. A 23 ¾ inch jack won't make a family meal but a 25 ¾ inch jack will. If this scares you, lower the bag limit to one adult Chinook 26 inches or longer and four jacks less than 26 inches and delete the adult portion for the daily bag limit rule, Pg. 25 paragraph 8 left hand column.

Does it make any sense to purchase hatchery sturgeon instead of running our own sturgeon hatchery? About 5,000 fish in three age classes should do it, 2,000 McNary pool, 1500 John Day pool, 1000 Dalles pool and 500 Bonneville pool. Most in McNary and least in Bonneville because a certain amount are going to be washed downstream during high water and during lock operations! A redundant tagging system would be required for tracking success.

Have you considered raising the minimum fork length to 40 inches. Small fish provide a minimum amount of edible meat but would we be providing more sea lion food? If this is scientifically defensible and increases fishing this length bracket, maybe you should do it. Everyone knows sturgeon are declining and this might buy one more year to decide what to do but you better hurry, sea lions are growing bigger and hungrier.

I can't just stop without bashing the gill netters and the John Englund cartel a few more times. Look at the mess that has been created by allowing gillnetting in the greatest salmon producing river in the world and the only one that allows it.

Salmon are in trouble, winter steelhead are in trouble and sturgeon are in trouble. Wild salmon, wild steelhead and wild sturgeon are being tossed back into the river dead, dying or injured as bycatch, so gillnetters can make 7,000 dollars per boat. The wool is being pulled over our eyes, our ears filled with empty words and our mouths muzzled with gillnets. They have the ocean, Puget Sound, and Alaska, they don't need or deserve the Columbia River because the damage they cause is way out of proportion to their profit, one million dollars. Is the Multnomah Channel next?

PS – I understand that criticism is a two way street and I accept this, I might learn something I can write about. Before this is all over, Governors and legislators will not be reelected and new commissioners and a new director appointed. Anyone can see this, we have the votes, business interests and right no our side. Thanks for listening.

First, thank you for your work and efforts to maintain the sporting fishing in our state.

I thought I must share my feelings which are shared among my fellow sport fishermen. When it comes down to the bare logistics of raising and maintaining a fish population it is a matter of dollars. It is becoming more and more painful to see the amount of dollars invested by the sport fishermen for every pound of fish harvested compared to the dollar spent by the commercial fishermen who then sell this public fish for their benefit. Please share with your peers that the financial base of sport fishermen is deteriorating and this is the life of our state fishery program.

The state waters once held fishing wheels but our forefathers removed these commercial devices now it is time to start pulling back on the current commercial harvesting activities and direct more effort towards the sports fishermen. Imposing more restrictions on the sport fishermen will only increase the rate that you will lose the financial support.

Thank you for taking time to read and consider my concerns.

I would think if we are trying to prolong our spring fishing season we should look at ways to make the fish harder to catch by restricting it to artificial lures only. This would be a good option not only because it would save quite a bit of money on bait but also on fuel...hundreds of kicker motors hanging quietly on the transoms would be good for the environment as well.

Now. Let's talk about other possible restorations through natural reproduction. There was once a self sustaining cutthroat population in the Washougal River. That much is indisputable. The habitat is much the same today. Why can't it be re-seeded with cutthroats, mmm?, 'say, .. from upstream parts of the same drainage where there must still be remnants of those former numbers? Sure, they spawn in the Spring like Steelhead, but in the past Nature always seemed to have no problem sustaining ample numbers of each. Re seed it and give Nature a chance. 'Can't be any worse Washougal

fishing than there is now.

And on another note while you're at it I am tired of wasting fossil fuels (gas) while chasing the last fish in an ocean limit. Let us catch the Indian raised (Native/Wild) fish and go back over the bar instead of keeping Exxon, Texaco and Shell in the money. We're not sure if you're clipping our State fish but the Fed's and Indians are not and the odds are neither of these reared fish are wild. Give our wallets a break and let us go fishing.

I want to propose three changes to the sport fishing rules for 2010-2012, in regards to fishing at Chambers Creek in Region 6.

The Water is: Chambers Creek from mouth (Burlington Northern RR bridge) to markers 400' below the Boise-Cascade Dam (near West Tacoma Mill)

Change 1: End the season on Oct 31 instead of Nov 15.

Reason: This will give more protection to the returning native Coho which are a depressed stock in Chambers Creek. Oct 31 will also be consistent with the ending date of fishing for the rest of Chambers Creek.

Change 2: Replace "Daily limit 6. Up to 2 adults may be retained." with, Daily limit 2 plus 4 jacks.

Reason: This clarifies what the other 4 fish are. A jack is an early maturing male between 12 and 20 inches.

Change 3: Change "Boise-Cascade Dam" to read Abitibi-Consolidated dam.

Reason: Boise-Cascade was purchased by Abitibi-Consolidated about 10 years ago.

Regarding a very specific river: The North Fork of the Lewis River frequently has restrictions on the stretch of the river from Johnson Creek to Colvin Creek. Those provisions usually restrict fishing from a floating device, ie. boat, while still allowing bank fishing. Either close it to all fishermen or allow boats. In fact, boats actually protect the fish from the snaggers. Boaters can effectively release protected fish. You could also have a barbless rule but most of the chinook are hooked in the lip area of the mouth. I am 70 years old and several of us older fishermen find it difficult to fish from the bank. Bankees can effectively cast and drift the whole river and when they foul hook, or snag one, extreme stress to the fish results, unlike from a boat. This year we were able to fish until Oct. 1 while the bankees continued to fish. That effectively shuts down several of us seniors who find that stretch of the river ideal for boat fishing. If the fall chinook run ever rebounds, and we get to keep them again I would suggest you consider one adult a day with a season of no more than maybe 10 fish kept, or whatever the number might be to still ensure adequate spawning numbers.

Again, I appreciate your time. Please consider the livelihoods and income these rule changes affect. Sport anglers bring a lot of revenue to the State of Washington through taxes. Additionally, they also support local businesses.

As a guide I observe a lot on the river. It is hard to digest the restrictions you propose when you see commercial and tribal gillnetters in the river, often setting nets from one side of the bank to the other, capturing every fish that is within that area, wild or not. Many anglers correlate this to strip mining. It takes everything from the river without selection. This practice is not conducive to a future sustainable fishery. So when the fish counts are down, the sport angler feels they are the first target of restriction. Continued restrictions on the sport angler are not the answer to improving our fisheries.

The commission still trying get all the sport fishermen to quit fishing and putting money into the economy, and let the commercial fishermen kill them all for greed not their livelihood, the commercial fishery will be the downfall for all salmon and sturgeon in the end. Get a clue. The commissioners need to be more informed on what's really happening. They'll drag the Rivers till there all gone. and the commission will be responsible.

My main interest is the time of the spring Chinook season. Every year the same result, unhappy fishermen. I believe a better option would be to let the Bonneville dam count get to an acceptable level and then open the Columbia to sport fishing.

Please hold Tacoma Public Utilities to their legacy.

The Department under the previous leadership has not listened to our concerns regarding the Cowlitz River. We as sport fishermen and sport fishing guides were excluded from the process to develop the Cowlitz Fish Management Plan. We would appreciate a new look at our concerns.

The Cowlitz River should remain a hatchery production river system because of the Dams limiting access to spawning habitat. Hatchery production is part of a negotiated agreement with Tacoma City Light. Tacoma City Light must be accountable to the agreements. Economies depend on these agreements.

Cowlitz River summer and winter steelhead fishing generates millions of dollars for small local communities and the State of Washington. This area depends on these hatchery programs and the state benefits significantly.

Hatchery reform should focus on rivers that have the capacity and habitat to support wild fish runs. Bonneville Power has credible studies that wild fish passage by the Cowlitz River dams is a losing battle. It will not work.

The Cowlitz River can play a "KEY" role in restoring wild fish runs by creating less pressure on other rivers where we are attempting to restore wild runs. People need a place to fish and our economy needs the revenue it generates. Idaho has demonstrated it can plant millions of hatchery reared steelhead in the Clearwater and Salmon Rivers and still maintain healthy wild populations. Why can Idaho have strong hatchery returns and millions of dollars in economic benefits and we cannot.

The director should review the history of our Cowlitz River Fisheries and the philosophical management approach the Department has taken on the Cowlitz River for the last 15 years.

We hope a new vision and direction can be achieved that benefits all interests and restore the economic benefits of the Cowlitz.

Tacoma Public Utilities should be held accountable for their impacts!

Sport fishing rules are extremely important to the management and protection of our resources. However, each and every year these rules become more restrictive on user specific groups, while little is done to address the significant and long outstanding issues on how we manage our resources.

We get muddled down in the weeds instead of looking at the "REAL ISSUES" of harvest, allocation, co-management with tribes and return on investment in building our resources.

Case in point. The proposed rockfish rules do absolutely nothing to preserve and protect rockfish in Neah Bay or along the outer coast. The primary depths that all fishing occurs for rockfish is shallower than 120 feet of water. The REAL ISSUE that needs to be dealt with is harvest limits. We should not continue to side step the real issues by placing limits on the periphery of the issue and making it look like we did something important. This culture of continuously side stepping issues by placing relatively less than substantial regulations to protect the end user must end. If you were to propose restriction of rock fish in 40 to 120 feet of water, you would actually begin to protect rockfish but substantially impact the charter boat industry and recreational fisherman.

In order to guide and balance future decisions on regulations the Department and the Commission must engage in a future and very strategic planning exercise to set a new vision and culture for the management of our resources.

This is further evidenced by the review of many of the policies and procedures listed on the commissions website. Many are out of date. Many are likely not consistent with new initiatives. **Disturbingly absent is a policy on how the state should be negotiating with the tribes on the allocations of Salmon and Steelhead, especially wild salmon and steelhead returning to our rivers on the still wild Olympic peninsula.**

I find it hard to believe we are still negotiating agreements without an updated Salmon Stock Inventory (SaSi) that are available to the public. These are some of the last places on earth that wild steelhead have a truly wild environment to survive in and we should be protecting them. If we are proposing further restrictions on retention of wild steelhead, surely the tribes will be joining us by cutting back on the days they are netting between December and April and staggering days to allow for fish to get up the river during rain events which trigger their migration.

I was recently forwarded an email that had two very detailed files related to WDFW regulations attached. I have attached those same files for your review and urge your consideration. They were composed by individuals that are far better educated and informed on the issues than myself. As such, I will not try to paraphrase them herein. There are a number of issues addressed in these files. I feel strongly enough about a couple of these issues, that I specifically want to call them to your attention.

Please pay particular attention to the references about sustaining a sufficient hatchery run on the Cowlitz River. The economic benefit to the State from a sport fishery has been well documented for numerous years. During the present economic hard times, it is unimaginable not to take every opportunity to sustain this beneficial and popular resource. The second point I wanted to address here - is for WDFW to take a more proactive negotiating posture with the tribes in an effort to sustain our wild fisheries. The current approach that permits the unmonitored and indifferent harvests of our wild fish by the tribes is unacceptable. I understand the Boldt Decision has far reaching and has deep implications. However as the official representatives of the residents of the state, I urge you to push to protect and sustain our wild fish. This effort is also consistent with sustain sport fishing opportunities on the Cowlitz.

To: Washington Department of Fish and Wildlife Commissioners
From: SW Washington Sport Fisherman and Fishing Guides
Date: September 9, 2009
Re: Cowlitz River Fish Management Issues

Thank you for the opportunity to speak at the July 10, 2009 meeting. We appreciate the patience and interest you expressed during the meeting as many of us attempted to express many concerns we have had for several years. As you experienced, there is a great deal of concern and interest in the management of the Cowlitz River. We ask for your consideration of the following issues and respectfully request they be dealt with. We also request that we could be part of a special meeting on the Cowlitz River issues. A summary of our issues include:

Our concerns regarding management of the Cowlitz River have received little attention for the last 10 years. We hope to create new energy to improve adult returns and flow regimes that will enhance harvest rates and increase revenue for local communities and businesses.

- The majority of sport fisherman and fishing guides were excluded from participating in development of the Cowlitz River Fish Management Plan. We wish to be involved in the required review and rewrite of this document in 2011.
- The Cowlitz River must remain and be enhanced for hatchery production because of its importance to the State's economy and severe limitations for passage of wild fish by dams owned and operated by Tacoma City Light.
- The Cowlitz River, as a hatchery production and harvest river, plays a key role in protecting wild fish populations by drawing fishing pressure away from other rivers in western Washington that have wild fish runs and the capacity and habitat to restore runs.
- We believe a minimum of 700,000 "healthy" summer steelhead smolts and 700,000 "healthy" late winter steelhead smolts should be planted every year to ensure strong hatchery returns which will generate fishing opportunity and economic gains for local communities.
- We need significant improvements in Spring and Fall Chinook smolt plants and adult returns to stabilize or spring and fall salmon fisheries.
- We are extremely concerned about the water quality and the type of food being used in the hatcheries for Salmon and Steelhead as it has led to declining overall health of the juveniles when released at smolt stage.
- Ensure that Tacoma City Light releases ample water when smolts are released from the hatchery to stimulate good migration of the smolts to the ocean which will improve adult return rates.
- The new outflow at the Blue Creek boat launch has drastically changed where hatchery fish congregate and severely limited where fish can be caught. This has created a navigation and public safety hazard due to boating traffic and bank angling congestion. It is an accident waiting to happen which we believe WDFW could be held liable.

These issues have been evolving for years with little attention being paid to them. Any attention the Department has provided seems to have made things worse for the local communities and businesses that depend on the river. Many local businesses, fishing guides, tackle and bait shops, tackle manufactures and distributors, boat builders, motels, convenience stores, and campgrounds depend heavily on this river. Without these fisheries many of businesses and local communities will lose significant revenue and will go under. Our last hope rests with the Commission and the appointment of a new director. Please take these issues seriously.

A detailed summary of these issues is attached to this letter with our thoughts for resolving them. Again thank you and we look forward to a formal response. I can be reached at (360) 304-0771 and would be happy to discuss a time to meet with you.

Sincerely,
Lee Barkie

President of Sport Fishing Guides of Washington, *On behalf of the members of Sport Fishing Guides of Washington and the hundreds of our customers and sport fisherman who wish to maintain and enhance the Cowlitz River Salmon and Steelhead Fisheries:*

Chuck Wicken, Chucks Fishing Adventures
Clancy Holt, Clancy's Guided Sport Fishing
Mike Sexton, Mike's Guide Service
Mike Pallas, Bears Fishing
Sean Orr, Washington West Fishing Adventures
Nic Norbeck, Elite Guide Service
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CC: Governors Office
Town of Toldeo
City of Castle Rock
Lewis County Commissioners
Senator Dan Swecker
Representative Richard Debolt

Representative Gary Alexander
Senator Joseph Zarelli
Representative Jaime Herrera
Representative Ed Orcutt
Senator Brian Hatfield

Detailed Summary of Issues

Special meeting on the Cowlitz River

It was suggested a special meeting or possibly a presentation to the fish committee by department staff be scheduled to evaluate the concerns expressed during testimony at the July 10, 2009 meeting. Furthermore, at the July 10, 2009, 1:30 pm, hearing on the State's Hatchery Reform Policy it was suggested and moved that a decision on the Hatchery Reform Policy be deferred until September to allow time to evaluate and consider options for the Cowlitz River. We applaud this decision and respectfully request that a small number of representatives from our sport fishing group be able to attend a special meeting to hear what the department has to share and share our concerns as well.

Cowlitz River Fish Management Plan

As we have stated, the majority of sport fisherman and fishing guides were excluded from participating in development of the Cowlitz River Fish Management Plan as a result of favoring special interest groups. This plan as implemented has impacted our fisheries and local communities in a negative way. We wish to be involved in the required review and rewrite of this document in 2011. We also hope the Commission will also be involved in this process to ensure the State's interests are presented and meaningful revisions to the plan are made that helps local communities.

The Economy and the Cowlitz River.

The Cowlitz has four distinct fisheries that draw thousands of sport fisherman each year - Spring Chinook, Summer Steelhead, Fall Salmon (Chinook and Coho) and Winter steelhead. This river, if managed appropriately, has the capacity to deliver significant fishing opportunity for 12 months of the year providing a significant revenue stream for the state. Washington's citizens and people from all over the nation come to fish the Cowlitz River bringing with them millions of dollars in revenue for the state and local communities. Fishing guides, tackle and bait shops, tackle manufactures and distributors, boat builders, motels, convenience stores, and campgrounds depend heavily on this river. Without these fisheries many of businesses and local communities lose significant revenue. Most of them say without the Cowlitz River fisheries our business will go under.

As a result of economic downturns in other resource dependant industries such as logging and mining, local communities are looking more and more to the fisheries on the Cowlitz as a meaningful way to generate needed revenue. For example, the Towns of Castle Rock and Toledo are going to considerable expense to take advantage of these fisheries by installing new boat launches in hopes of drawing more people to their towns. If there are less than desirable salmon and steelhead fisheries their investments will be for not. Many other cities, towns and communities along the way to the river such as Chehalis, Centralia, Longview, Kelso, Salkum, Ethel, and Vader, have and will continue to be impacted if our fisheries are not maintained and enhanced. With extremely high unemployment rates and little business industry in these areas the Cowlitz River fisheries are vitally important to the well being of these rural communities. We encourage you to do everything you can to strengthen these fisheries.

Historical Fish Plants

The Cowlitz River has historically been Washington's most popular steelhead fishing river. Historical plants of 650,000 summer run and 900,000 winter run smolts generated magnificent steelhead fisheries in the summer and winter months. Local businesses prospered and the state's economy received significant revenue. Over the last 15 years the numbers of fish being planted have been changed and the smolt to adult return ratio has been very inconsistent, even alarming. The timing of the plants has also changed leading to poor returns.

Our winter runs typically returned from thanksgiving to mid January and in some years adult returns exceeded 15,000 fish. Since then the number of fish being planted has been reduced from over 900,000 to about 500,000 and the plant has been split into an early and late plant with the late fish returning in March and April. This has basically eliminated the winter steelhead fishery as we knew it. Fish do not return in great enough numbers to generate a strong fishery which provides revenue for local communities.

Summer run plants have ranged from 300,000 to 650,000 for many years now. The large range of fish being planted is due to fish survival in the hatchery and a failure of the Department to have an additional 300,000 for back-up in case of a problem. Our catch statistics show that when plants drop below 550,000 the smolt to adult to return ration drops significantly. The summer run fishery is critically important for all local communities and must be maintained.

We believe a minimum of 700,000 "healthy" summer steelhead smolts and 900,000 "healthy" winter steelhead smolts should be planted every year to ensure strong hatchery returns which will generate fishing opportunity and economic gains for local communities. The winter steelhead runs should be one run, not split into two.

The Spring Chinook Run used to be the pride and glory of the Cowlitz. Just as the Columbia River Spring Chinook Fisher does today, The Cowlitz Spring Chinook Fisher drew fisherman from all over the nation to come a fish for these magnificent fish. For the last 10 years , the Spring Chinook run has been poor at best and local communities suffer

immensely during this time of year. We request that the Commission become very involved in looking at these spring Chinook runs. We need to increase production and improve the health of these fish. One good run of spring Chinook in the Cowlitz river will generate millions of dollars for all the referenced communities. We also have similar concerns for our Fall Chinook which has also experienced problems. The Town of Castle Rock is critically dependant on the fall Chinook Salmon fishery as the fish stage and bite well in that part of the river.

Upriver Passage – Cost versus Benefits

For several years there have been millions of dollars invested in trying to return fish above the dams owned and operated by Tacoma City Light with little success. This effort has transferred attention away from problems with hatchery production which has significantly impacted local revenue. These dams are virtually impassable due to the nature and placement of their construction. It would be great to return the Cowlitz River to what it once was but based on the construction of these dams it would be impossible to do so. Mitigation agreements were established to ensure local communities and the state's citizens would not be severely impacted and there would continue to be fishing and recreational opportunities from this great river. This policy shift has had an extreme impact on local communities because it has not worked and will take many years to restore runs to a point where there could be a modest fishery at best. Local communities depend on strong hatchery returns right now and cannot afford to wait years to restore the runs. We do not argue against restoring runs to the upper river but it should not be done by reducing or eliminating the hatchery programs that were set forth under mitigation agreements to provide for local communities. The river system is large enough to maintain and enhance hatchery programs while at the same time efforts are continued to restore fish up river.

Role of the Cowlitz River in helping restore wild fish in Washington State

As mentioned in our testimony, we believe the Cowlitz River does and can continue to contribute to wild fish restoration in Western Washington if it is maintained as a hatchery production river where people have a place to **harvest fish**. When there are good numbers of salmon and steelhead in the Cowlitz River there are significantly fewer fisherman and boats on other rivers like the Kalama, East Fork Lewis, Satsop, Wynoochee, Skykomish, Chehalis, and Humptulips – all rivers with prime habitat for maintaining and restoring wild fish runs. Having people fishing the Cowlitz for hatchery fish significantly reduces the risk of wild fish in these other rivers being disturbed or handled. Drawing pressure off these rivers is a critical component of restoring wild fish.

Health of Juveniles

For years the Cowlitz hatcheries have struggled with raising healthy juveniles for release into the river. Water quality, water temperature, the type of food and disease all affect the ultimate health of the fish that are released to the river. Their overall health when they are released plays a key role in survival and ultimately how many return to the river as adults. We have asked the Department on several occasions how healthy are the smolts that are released. We get varying answers. Many of the smolts that we encounter in the river after they are released do not seem to be as large or as healthy as they were 10 years ago. We request that the Department provide you with information on the health of these fish and options on what can be done to improve their health. The ultimate goal is to increase adult return rates.

We are very alarmed that the State of Idaho's Clearwater River Hatcheries some 600 miles from the ocean up the Columbia and Snake River over several dams has a much better adult to smolt return rate than the Cowlitz River which has a direct path to the ocean. Something is terribly wrong and its time we find a solution so our return on investment improves.

We believe the problems include a combination of water quality, type of food used, numbers and size of fish in ponds and adequate flows in the river when smolts are released.

Food

One critical issue that we know significantly impacts the health and heartiness of these fish is the type of food used to feed them. We have researched the history of food supply to the Cowlitz River Trout Hatchery. Our information shows that in the 1980's and 90's under the leadership of previous hatchery managers various grades of food were used depending on the type and size of fish being raised in the hatchery to bolster the health of smolts. Bottom line high quality food served in the right way to the right size fish produced extremely good results for returning adults. Over the last several years, a standard food and standard feeding cycle was instituted as a cost cutting measure resulting in lower return rates. This strategy has not paid off on the return on investment. The state has saved a little money but lost millions in revenue due to lackluster returns. Lost revenue from one lackluster fishing season would pay for 30 years worth of good food. We respectfully request the Department manage the funding that Tacoma City light provides in such a way as to buy the best food for the fish being raised in these hatcheries. We as sport fisherman are also interested in funding better quality food. We hope the Commission and the Department are willing to ask fisherman to pay a little more if the money can go directly to better food that will in return help us get more fish back.

Water Quality

We have been informed on several occasions of fish kills as a result of poor pond maintenance, overcrowding of fish in pods, poor water quality and poor operations and maintenance of the ozone treatment at the Cowlitz Trout Hatchery. There are also significant concerns with the water supply for the hatchery. We hope that you ask the department serious question about the operations at the Cowlitz Hatcheries and ensure everything possible is done to grow health fish.

Water flow to ensure safe smolt migration

We believe that one of the most important factors to good returns is having strong spring flows when smolts are released into the river. We plotted several years of data obtained from USGS and found a sharp correlation between flow and returns.

I urge the commission to please access, consult, and utilize accurate science only, versus political agenda, for considering WDFW proposals and future recreational fishing regulations.

With regards to the salmon rules, sportsmen can live with existing rules if these rules are applied to all fishers. As they now exist, only the sportsmen have to use selective harvest methods. Change commercial fishing to pursein nets and eliminate gill nets. This would allow those same ESA targeted fish that sportsmen must release be released undamaged by commercial fishers. This would eliminate the use of the Magnuson Act in regards to by-catch catches. The Puyallup river fishery of 09 was a prime example of what wild fish are capable of given a chance. The pink run of wild fish was tremendous and in two years should be in excess of 1.5 million fish.

Change rule for bottom fishing to barbless hooks.

Limiting access to our state fisheries without sound facts and science really doesn't make sense.

In general I would like the commission to assure that its actions and those of WDFW are consistent with the values and mission they undertake on behalf of Washington citizens. The citizens of this state must be allowed to participate in various fisheries and outdoor activities without undue burdens upon them. While many of the proposals contained in this package are guided by valued concern for the welfare of a species; too often, regulations are being proposed with no identified biological benefit or associated, measurable science. The commission needs to place a high value upon the ability of citizens to freely participate in our fisheries and the economic and social benefits that occur.

Please up the steelhead limit on the Calawah River to 3 fish during the summer months. The excess hatchery fish in the fall can be unreal at times and it is a terrible shame to see those fish get stripped and left to die as "surplus" fish. Please contact me with any further questions as I have been fishing that area for nearly 20 years and can't, for the life of me, understand why the limit isn't increased.

Thank you so much for this consideration.

Per our phone conversation, I received the following comments over the phone on the sport regulation proposals from Cliff Schleusner, president of the Olympic Peninsula Flyfishers, a club located along the Strait of Juan de Fuca. He canvassed members (80 some strong) for these comments. Please include them in the comments received on the proposals.

Indian Creek, tributary to the Elwha River, Clallam Co.: because Eastern Brook Trout, an introduced exotic species, are in Indian Creek, the regulations for this stream should encourage retention of these fish to lessen the chances of their spreading to other parts of the system and competing with native species, including the anadromous species these regulation proposals are designed to promote. The size limit for Eastern Brook should be lowered, and the daily bag limit increased.

Make fishing for blackmouth salmon year round, fish for fin clipped fish only. Minimum length =22". Limit= 2; Marine areas 5,6,7,8-1,8-2,9,10,11,12,13.

1. "Boat Safety" – Include specific rules "pertaining to small water craft such as, Row Boats, Float tubes, and Pontoon Boats. This information is not readily available to many of us and some of your enforcement agents are very picky on some of these items not listed in the pamphlet.

2. "Catch Limits" – Waters designated as "1 Fish daily Limit should be 2 Fish. If the first fish caught is harmed and will not survive and has to be kept, then the whole outing for the day is legally over!

I would appreciate a response as to why we don't see fit to raise non-resident license fees. Next year (2010) Oregon is asking me for over \$100 to fish in their state. You let them fish here for \$45! Why do we not reciprocate?

RESOMMENDATION FOR REGULATION CHANGE, SALMON CREEK, CLARK COUNTY, WA TO CATCH & RELEASE FOR ALL INCOMING SALMON AND STEELHEAD

This recommendation includes all wild and hatchery fish because---

In 2008, the total of 9 fish returned. Thus far (mid November 2009), 8 have returned, most are hatchery fish.

We recommend making this stream catch-and-release to preserve all salmon and steelhead. Based on the 20,000, one year old smolts released into the stream last spring, 55,000 incubated fingerlings and 3500 salmon from the "Salmon in The Classroom" releases, the few that made it back deserve protection.

HOOD CANAL WATERSHED				
ALL RIVERS , STREAMS and BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS				
WATERBODY	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
Anderson Creek (Kitsap Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
BEAVER PONDS In Kitsap Co and ponds in Mason Co. on Tahuya Peninsula west of Hwy 3	TROUT	Last Sat. in Apr-Oct. 31	No. min. size. Daily limit 2.	--
BEAVER PONDS In Kitsap Co and Mason Co. east of Hwy 3	Other Game Fish	Last Sat. in Apr-Oct. 31	Statewide min. size/daily limit.	--
BIG BEEF CREEK (Kitsap Co.) from Seabeck Hwy. Bridge to Lake Symington	TROUT	First Sat. in June-Oct. 31	No. min. size. Daily limit 2.	--
BIG BEEF CREEK (Kitsap Co.) from Lake Symington upstream	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	--
Big Mission Creek (Mason Co.)	CLOSED WATERS - Aug. 1-Aug. 31: within 100' of the Seabeck Hwy. NW Big Beef Creek Bridge.			
DEWATTO RIVER (Mason Co.) from mouth to Dewatto-Holly Rd. Bridge	All Game Fish	First Sat. in June-Aug. 31	Catch-and-release. Selective gear rules.	F
DEWATTO RIVER (Mason Co.) from Dewatto-Holly Rd. Bridge upstream	TROUT	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
Donovan Creek (Jefferson Co.)	All other game fish	First Sat. in June-Oct. 31	Statewide minimum size/daily limit. Selective gear rules.	--
DOSEWALLIPS RIVER (Jefferson Co.) from mouth to Hwy. 101 Bridge	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
DOSEWALLIPS RIVER (Jefferson Co.) From Hwy. 101 Bridge to the Olympic National Park boundary about ¾ mile downstream of falls	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
Rocky Brook Creek (Jefferson Co.) From mouth 1000' upstream to falls	ALL SPECIES - Sept. 16-Oct. 31: night closure.			
Rocky Brook Creek (Jefferson Co.) from falls	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
DUCKABUSH RIVER (Jefferson Co.) from mouth to Mason Co. PUD #1 overhead electrical distribution line	SALMON	Sept. 16-Oct. 31	Min. size 12". Daily limit 2 COHO only. Selective gear rules.	--
	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
	All Game Fish	First Sat. in June-Aug. 31	Catch-and-release. Selective gear rules.	F
	SALMON	Nov. 1-Dec. 15	Min. size 12". Daily limit 2 CHUM only.	--
	All Game Fish	First Sat. in June-Aug. 31	Catch-and-release. Selective gear rules.	F
	Closed Waters			
	All Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
	All Game Fish	First Sat. in June-Aug. 31	Catch-and-release. Selective gear rules.	F
	SALMON	Nov. 1-Dec. 15	Min. size 12". Daily limit 2 CHUM only.	--

WATERBODY	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
DUCKBUSH RIVER (Jefferson Co.) from Mason Co. PUD #1 overhead electrical distribution line to the Olympic National Park boundary	All Game Fish	First Sat. in June-Aug. 31	Catch-and-release. Selective gear rules.	F
Fulton Creek (Mason Co.) mouth to falls	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
Fulton Creek (Mason Co.) upstream of falls at river mile 0.8	All Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
Gamble Creek (Kitsap Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
HAMIMA HAMIMA RIVER (Mason Co.) from mouth to 400' below falls	All Game Fish	First Sat. in June-Aug. 31	Catch-and-release. Selective gear rules.	F
HAMIMA HAMIMA RIVER (Mason Co.) from falls upstream	All Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
Jefferson, Lena and Washington creeks (Mason Co.)	All Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
Jorsted Creek (Mason Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
LILLIWAUP RIVER (Mason Co.) from mouth to 200' below falls	All Game Fish	First Sat. in June-Aug. 31	Catch-and-release. Selective gear rules.	F
LILLIWAUP RIVER (Mason Co.) from falls upstream	All Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
Little Mission Creek (Mason Co.) from falls upstream	All Game Fish	First Sat. in June - Oct. 31	Catch-and-release. Selective gear rules.	F
LITTLE QUILCENE RIVER (Jefferson Co.) from mouth to the Little Quilcene River Bridge on Penny Creek Rd.	CLOSED WATERS ^L - Sept. 1-Oct. 31: mouth to Hwy. 101 Bridge. All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
LITTLE QUILCENE RIVER (Jefferson Co.) from Little Quilcene River Bridge on Penny Creek Rd. upstream	All Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
Leland, Ripley, and Howe creeks (Jefferson Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
Ludlow Creek (Jefferson Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F

WATERBODY	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
QUILCENE RIVER (Jefferson Co.) from mouth to Rodgers St.	All Game Fish	First Sat. in June-Aug. 15	Catch-and-release. Selective gear rules.	F
QUILCENE RIVER (Jefferson Co.) from Rodgers St. to electric weir at Quilcene National Fish Hatchery	WDFW access easement is from Hwy. 101 Bridge downstream approximately 1 mile on north side of river only. CLOSED WATERS - from Hwy. 101 Bridge to electric weir at Quilcene National Fish Hatchery. ALL SPECIES - First Sat. in June-Aug. 15: selective gear rules. Aug. 16-Oct. 31: night closure and only 1 single-point barbless hook may be used.			
QUILCENE RIVER (Jefferson Co.) from electric weir at Quilcene National Fish Hatchery to upper boundary of Falls View Campground	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release.	F
	SALMON	Aug. 16-Oct. 31	Min. size 12". Daily limit 4 COHO only. Only fish hooked inside	--
QUILCENE RIVER (Jefferson Co.) from electric weir at Quilcene National Fish Hatchery to upper boundary of Falls View Campground	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
	All Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
Penny Creek (Jefferson Co.)	All Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
Rendsland Creek (Mason Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
Shine Creek (Jefferson Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
SKOKOMISH RIVER (Mason Co.) from mouth to Hwy. 101 Bridge	ALL SPECIES - Aug. 1-Nov. 30: night closure, anti-snagging rule, and barbless hooks required. Aug. 1-Dec. 15: terminal gear (hooks, weights, lures, or baits) and line must not be within 25' of tribal gillnets.			
	All Game Fish	First Sat. in June-July 31	Catch-and-release.	F
	All Game Fish	Oct. 1-Dec. 15	Catch-and-release.	F
	SALMON	Aug. 1-Sept. 30	Min. size 12". Daily limit 1. Release CHUM	--
SKOKOMISH RIVER (Mason Co.) from Hwy. 101 Bridge to forks	SALMON	Oct. 1-Dec. 15	Min. size 12". Daily limit 6. Up to 4 adults may be retained. Release CHINOOK. Oct. 1-Oct. 15: release CHUM	--
	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
PURDY CREEK (Mason Co.)	All Game Fish	First Sat. in June-July 31	Catch-and-release. Selective gear rules.	F
SKOKOMISH RIVER, NORTH FORK (Mason Co.) from mouth to lower dam	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
	All Game Fish	First Sat. in June-Aug. 31	Catch-and-release. Selective gear rules.	F

WATERBODY	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
SKOKOMISH RIVER, SOUTH FORK (Mason Co.) from mouth to LeBar Creek	CLOSED WATERS from LeBar Creek to Rule Creek.	First Sat. in June-Oct. 31	Catch and release. Selective gear rules.	F
SKOKOMISH RIVER, SOUTH FORK (Mason Co.) from Rule Creek upstream	All Game Fish	First Sat. in June-Oct. 31	Minimum size 12", daily limit 2.	C
LeBar Creek (Mason Co.) upstream of falls at river mile 1.	Trout	First Sat. in June-Oct. 31	Statewide min. size/limit. Selective gear rules.	--
	Other Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
Cedar and Pine creeks (Mason Co.)	All Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
Church Creek (Mason Co.) upstream of bridge	All Game Fish	First Sat. in June-Oct. 31	Minimum size 8", daily limit 2.	A
Stimson Creek (Mason Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
TAHUYA RIVER (Mason Co.) from mouth to marker approximately 1 mile above North Shore Rd. Bridge	ALL SPECIES - First Sat. in June-Oct. 31: selective gear rules. Sept. 16-Oct. 31: night closure.	First Sat. in June-Oct. 31	Catch-and-release.	F
	All Game Fish	Sept. 16-Oct. 31	Min. size 12". Daily limit 2 COHO only.	
TAHUYA RIVER (Mason Co.) from marker approximately 1 mile above North Shore Rd. Bridge to Belfair-Tahuya Rd. Bridge	SALMON	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
TAHUYA RIVER (Mason Co.) from Belfair-Tahuya Rd. Bridge upstream	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
Tarboo Creek (Jefferson Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
Thorndyke Creek (Jefferson Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
UNION RIVER (Mason Co.) from mouth to North Shore Rd. Bridge	All Game Fish	First Sat. in June-Aug. 15	Catch-and-release.	--
	STURGEON	First Sat. in June-Aug. 15	Min. size 38" fork length. Max. size 54" fork length. Daily limit 1.	
UNION RIVER (Mason Co.) from North Shore Rd. Bridge to the lower bridge on the Old Belfair Hwy.	All Game Fish	First Sat. in June-Aug. 15	Catch-and-release. Selective gear rules.	F
UNION RIVER (Mason Co.) from lower bridge on the Old Belfair Hwy. upstream	CLOSED WATERS - from watershed boundary upstream (including all tributaries).			
	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F

**STRAIT OF JUAN DE FUCA
ALL RIVERS, STREAMS AND BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS**

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
CHIMACUM CREEK (Jefferson Co.) from mouth to Ness's Corner Rd.	All Game Fish	First Sat. in June-Aug. 31	Catch-and-release. Selective gear rules.	F
from Ness's Corner Rd. upstream, including all forks	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
JIMMYCOMELATELY CREEK (Clallam Co.) from mouth to confluence with East Fork	All Game Fish	First Sat. in June-Aug. 31	Catch-and-release. Selective gear rules.	F
from confluence with East Fork upstream, including East Fork	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
DUNGENESS RIVER ^L (Clallam Co.) (738) from mouth to hatchery intake pipe at river mile 11.3	TROUT	Oct. 16-Feb. 28	Min. size 14". Daily limit 2.	C
	Other Game Fish	Oct. 16-Feb. 28	Statewide min. size/daily limit.	
from the hatchery intake pipe at river mile 11.3 to the forks at Dungeness Forks Campground	SALMON	Oct. 16-Dec. 31	Min. size 12". Daily limit 4 COHO only.	C
	TROUT	Oct. 16-Feb. 28	Min. size 14". Daily limit 2.	
from the forks at Dungeness Campground to Gold Creek	Other Game Fish	Oct. 16-Feb. 28	Statewide min. size/daily limit.	
from Gold Creek upstream	CLOSED WATERS:			
	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
GRAY WOLF RIVER ^L (Clallam Co.) from mouth at Dungeness Forks Campground upstream to bridge at river mile 1.	CLOSED WATERS:			
from bridge at river mile 1 upstream	All Game Fish	First Sat. in June-Oct. 31	Catch and Release. Selective gear rules.	F
MCDONALD CREEK ^L (Clallam Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch and Release. Selective gear rules.	F
SIEBERT CREEK ^L (Clallam Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch and Release. Selective gear rules.	F
MORSE CREEK ^L (Clallam Co.)-782 from mouth to Port Angeles Dam	TROUT	Dec. 1-Feb. 28	Min. size 14". Daily limit 2.	C
from Port Angeles Dam upstream	Other Game Fish	Dec. 1-Feb. 28	Statewide min. size/daily limit.	
PEABODY CREEK ^L (Clallam Co.)	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
	Juvenile anglers only (under 15 years old).			
	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit	
	Juvenile anglers only (under 15 years old).			
VALLEY CREEK ^L (Clallam Co.)	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit	

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
ELWHA RIVER ^L (Clallam Co.) -742 from mouth to Aldwell Lake Dam	CLOSED WATERS ^L - from 200' downstream of the south spillway on Aldwell Lake Dam to Aldwell Dam. ALL SPECIES - fishing from any floating device prohibited.			
	TROUT	Oct. 1-Feb. 28	Min. size 14". Daily limit 2.	C
SALMON	Other Game Fish	Oct. 1-Feb. 28	Statewide min. size/daily limit.	
		Oct. 1-Nov. 15	Min. size 12". Daily limit 6 COHO only. Up to 4 adults may be retained.	
from Lake Aldwell upstream including all tributaries except Indian Creek up to the Olympic National Park boundary	TROUT	First Sat. in June-Oct. 31	Min. size 12". Daily limit 2. Selective Gear Rules.	D
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules.	
INDIAN CREEK ^L (Clallam Co.) from mouth to first Hwy. 101 crossing (trib. to Elwha River)	TROUT	First Sat. in June-Oct. 31	Min. size 12". Daily limit 2. Selective gear rules.	D
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules.	
SALT CREEK ^L (Clallam Co.) -814 from mouth to bridge on Highway 112	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
			Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective Gear Rules.	E
LYRE RIVER ^L (Clallam Co.) (768) from mouth to falls near river mile 3	All Game Fish	Nov. 1 to Feb. 28	Rules.	
	TROUT	First Sat. in June-Feb. 28	Min. size 14". Daily limit 2.	C
from falls near river mile 3 upstream	Other Game Fish	First Sat. in June-Feb. 28	Statewide min. size/daily limit.	
	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
EAST TWIN RIVER ^L (Clallam Co.) -740	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
WEST TWIN RIVER ^L (Clallam Co.) -882	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
	All Game Fish	Dec. 1-Feb. 28	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective Gear Rules.	E
DEEP CREEK ^L (Clallam Co.) -726	All Game Fish			
PYSHT RIVER ^L (Clallam Co.) 810	Wild STEELHEAD-retention-allowed-Dec-1-Feb-28-See-Wild-STEELHEAD-RETENTION-RULES-page-31.			
	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
CLALLAM RIVER ^L (Clallam Co.) -718	TROUT	Nov. 1 to Feb. 28	Min. size 14". Daily limit 2.	C
	Other Game Fish	Nov. 1 to Feb. 28	Statewide min. size/daily limit.	
	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
	TROUT	Nov. 1 to Feb. 28	Min. size 14". Daily limit 2.	C
	Other Game Fish	Nov. 1 to Feb. 28	Statewide min. size/daily limit.	

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
HOKO RIVER (Clallam Co.) -752 from mouth to cement bridge on Lake Ozette Hwy. (upper Hoko Bridge)	ALL SPECIES - Sept. 1-Oct. 31: fly fishing only. Wild STEELHEAD retention allowed Dec. 1-Mar. 15. See Wild STEELHEAD RETENTION RULES, page 31. TROUT Other Game Fish	First Sat. in June-Mar. 15 First Sat. in June-Mar. 15	Min. size 14". Daily limit 2. Statewide min. size/daily limit.	C
HOKO RIVER - from upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5)	All Game Fish	First Sat. in June-Mar. 31	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Fly fishing only.	E
LITTLE HOKO RIVER (Clallam Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
SEKIU RIVER (Clallam Co.)(818) from mouth to forks	All Game Fish TROUT Other Game Fish	First Sat. in June-Oct. 31 Nov. 1 to Feb. 28 Nov. 1 to Feb. 28	Catch-and-release. Selective gear rules. Min. size 14". Daily limit 2. Statewide min. size/daily limit.	F C
SEKIU RIVER from forks upstream	All Game Fish	First Sat. in June-Oct. 31	Catch and Release. Selective Gear Rules.	F

EAST KITSAP INDEPENDENT STREAMS
ALL RIVERS , STREAMS and BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
CHAMBERS CREEK from mouth (Burlington Northern RR Bridge) to markers 400' below the Boise-Cascade Dam (near West Tacoma Mill)	Marine Area 13 rules apply downstream of the Burlington Northern RR Bridge. ALL SPECIES - night closure and anti-snagging rule			
	TROUT	July 1-Nov 15	Min. size 14". Daily limit 2.	
	Other Game Fish	July 1-Nov 15	Statewide min. size/daily limit	C
CHAMBERS CREEK from Boise-Cascade Dam to Steilacoom Lake	SALMON	July 1-Nov 15	Min. size 12". Daily limit 6. Up to 2 adults may be retained. Release wild COHO.	
	ALL SPECIES - night closure and anti-snagging rule.			
	TROUT	July 1-Oct 31	Min. size 14". Daily limit 2. Selective gear rules	D
CLOVER CREEK from Steilacoom Lake upstream and all tributaries	Other Game Fish	July 1-Oct 31	Statewide min. size/daily limit. Selective gear rules	
	All Game Fish	July 1-Oct 31	Statewide min.size/daily limit.	A
MINTER CREEK from mouth to hatchery rack	Salmon	Nov 1-Dec 31	Min size 12". Daily limit 4 CHUM only. Open only from mouth to fishing boundary markers located approximately 50' downstream of hatchery rack. Night closure.	
NORTH KITSAP STREAMS (Illahee, Steele, Little Scandia, Big Scandia Dogfish, Groves, and Eglon creeks, and all streams on Bainbridge Island)	TROUT	1st Sat in June-Oct 31	Min. size 14". Daily limit 2. Selective gear rules	D
	Other Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit. Selective Gear Rules	
DYES INLET FRESHWATER STREAMS (Baker, Clear, and Kitsap creeks)	TROUT	1st Sat in June-Oct 31	Min. size 14". Daily limit 2. Selective gear rules	D
	Other Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit. Selective Gear Rules	
EAST KITSAP FRESHWATER STREAMS (Olalla, Crescent, Blackjack, and Salmonberry creeks)	TROUT	1st Sat in June-Oct 31	Min. size 14". Daily limit 2. Selective gear rules	D
	Other Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit. Selective Gear Rules	
BURLEY CREEK	TROUT	1st Sat in June-Oct 31	Min. size 14". Daily limit 2. Selective gear rules	D

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
	Other Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit. Selective Gear Rules	

PUYALLUP RIVER WATERSHED				
ALL RIVERS , STREAMS and BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS				
WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
PUYALLUP RIVER (Pierce Co) from 11th St. Bridge to City of Puyallup Outfall structure across the river from the junction of Freeman Rd. and N. Levee Rd.	ALL SPECIES	Aug 16 - Nov 30: night closure, anti-snagging rule, and barbless hooks required Open concurrently with salmon fishery, closed Feb. 28	Min. size 14". Daily limit 2.	C
	TROUT	Open concurrently with salmon fishery, closed Feb. 28	Statewide min. size/daily limit	
Other Game Fish		Open concurrently with salmon fishery, closed Feb. 28	Min. size 12". Daily limit 6. Up to 4 adults may be retained, of which only 2 may be any combination of Chinook, COHO, and CHUM. Release wild adult CHINOOK.	
	SALMON	Aug 16 - Aug 22	Min. size 12". Daily limit 6. Up to 4 adults may be retained, of which only 2 may be any combination of Chinook, COHO, and CHUM. Release wild adult CHINOOK.	
PUYALLUP RIVER (Pierce Co) from City of Puyallup Outfall structure across the river from the junction of Freeman Rd. and N. Levee Rd. to Carbon River.	ALL SPECIES	Aug 24 - Dec 31 Open concurrently with salmon fishery, and barbless hooks required		
	TROUT	Open concurrently with salmon fishery, closed Feb. 28	Min. size 14". Daily limit 2.	C
Other Game Fish		Open concurrently with salmon fishery, closed Feb. 28	Statewide min. size/daily limit	
	SALMON	Aug 16 - Dec 31	Min. size 12". Daily limit 6. Up to 4 adults may be retained, of which only 2 may be any combination of Chinook, COHO, and CHUM. Release wild adult CHINOOK.	
WHITE (STUCK) RIVER (Pierce Co) from mouth to R St. Bridge in Auburn	ALL SPECIES	Oct 1 - Oct 31 night time closure and anti-snagging rule.	Catch and release, Fly Fishing only.	
	TROUT	Oct 1 - Oct 31	Min. size 14". Daily limit 2.SGR	
WHITE (STUCK) RIVER (Pierce Co) from R St. Bridge to Hwy. 410 Bridge at Buckley	ALL SPECIES	Oct 1 - Feb 28 night time closure and anti-snagging rule.	Statewide min. size/daily limit. Selective Gear Rules	
	TROUT	Oct 1 - Oct 31	Min. size 14". Daily limit 2. Selective Gear Rules	C
WHITE (STUCK) RIVER (Pierce Co) from Weyerhaeuser 6000 Rd. Bridge (Bridge Camp) upstream	ALL SPECIES	Oct 1 - Oct 31 night time closure and anti-snagging rule.	Catch and Release, Selective Gear Rules	F
	Whitefish	July 1 - Oct 31		
BOISE CREEK (King Co) from Highway 410 crossing upstream	ALL SPECIES	Nov 1 - Jan 31	No min. size. Daily limit 15 WHITEFISH only, Whitefish gear rules.	
	Whitefish	Nov 1 - Jan 31		
RED CREEK (King Co)	ALL SPECIES	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
	Whitefish	1st Sat in June-Oct 31		
SCATTER CREEK (King Co) from Highway 410 crossing upstream	ALL SPECIES	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
	Whitefish	1st Sat in June-Oct 31		
LYLE CREEK (Clearwater River tributary) (Pierce Co)	ALL SPECIES	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
	Whitefish	1st Sat in June-Oct 31		
GREENWATER RIVER (King/Pierce Co) from mouth to Greenwater lakes	ALL SPECIES	Nov 1 - Jan 31	No min. size. Daily limit 15 WHITEFISH only, Whitefish gear rules.	
	Whitefish	Nov 1 - Jan 31		
GREENWATER RIVER (King/Pierce Co) from Greenwater lakes upstream	ALL SPECIES	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
	Whitefish	1st Sat in June-Oct 31		
PYRAMID CREEK (King Co) from Forest Service Rd. 7000 upstream	ALL SPECIES	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
	Whitefish	1st Sat in June-Oct 31		

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
PUYALLUP RIVER (Pierce Co) from Carbon River upstream	All Game Fish	Sept 1-Feb 28	Catch and release except up to 2 hatchery STEELHEAD may be retained.	
FISKE and FOX CREEKS (Pierce Co) from Fisk Rd. E upstream	All Game Fish	1st Sat in June-Oct 31	Selective Gear Rules	
KINGS CREEK (Pierce Co) from mouth upstream	All Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
CARBON RIVER(Pierce Co) from mouth to Voights Creek	ALL SPECIES Sept 1 - Nov 30: night closure, anti-snagging rule, and barbless hooks required.		Statewide min. size/daily limit.	A
	TROUT	Sept 1-Nov 30	Min. size 14". Daily limit 2.	
	Other Game Fish	Sept 1-Nov 30	Statewide min. size/daily limit	
	All Game Fish	Dec 1-Feb 28	Catch and release except up to 2 hatchery STEELHEAD may be retained.	
	SALMON	Sept 1-Nov. 30	Selective Gear Rules	E
			Min. size 12". Daily limit 6. Up to 4 adults may be retained. Up to 2 may be adult hatchery Chinook. Release wild adult CHINOOK and CHUM.	
CARBON RIVER (Pierce Co) from Voights Creek to Hwy 162 Bridge	All Game Fish	Nov 1-Feb 28	Catch and release except up to 2 hatchery STEELHEAD may be retained.	E
VOIGHTS CREEK (Pierce Co) from falls under power line upstream	All Game Fish	1st Sat in June-Oct 31	Selective Gear Rules	
SOUTH PRAIRIE CREEK (Pierce Co) from City of Buckley diversion dam upstream	All Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
WILKESON CREEK (Pierce Co) from confluence with Gale Creek upstream.	All Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
GALE CREEK(Pierce Co) from confluence with Wilkeson Creek upstream	All Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
BEAVER AND NEW POND CREEKS (Pierce Co)	All Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
EVANS CREEK (Pierce Co) (Carbon River tributary) from Carbon River-Fairfax Rd. upstream	All Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A
CAYADA CREEK (Pierce Co) (Carbon River tributary)	All Game Fish	1st Sat in June-Oct 31	Statewide min. size/daily limit.	A

DEEP SOUTH SOUND STREAMS					
ALL RIVERS, STREAMS and BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS					
WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY	
Woodland Creek (Thurston Co)	Trout	First Sat. in June-Oct. 31	Min. size 14". Daily limit 2. Selective gear rules.	D	
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules		
Woodard Creek (Thurston Co)	Trout	First Sat. in June-Oct. 31	Min. size 14". Daily limit 2. Selective gear rules.	D	
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules		
Percival Creek (Thurston Co.)	Trout	First Sat. in June-Oct. 31	Min. size 14". Daily limit 2. Selective gear rules.	D	
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules		
Black Lake Ditch (Thurston Co.) From the confluence with Percival Creek upstream to Black Lake.	Trout	First Sat. in June-Oct. 31	Min. size 14". Daily limit 2. Selective gear rules.	D	
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules		
DESCHUTES RIVER (Thurston Co.) From the Old Hwy. 99 Bridge on Capitol Blvd. in Tumwater upstream to the Henderson Blvd. Bridge near Pioneer Park (728)	TROUT	First Sat. in June-Oct. 15	Catch and release. Selective gear rules. Bait allowed Sept 1-Oct. 15th.	F	
	Other Game Fish	First Sat. in June-Oct. 15	Statewide min. size/daily limit. Selective Gear Rules. Bait Allowed Sept 1-Oct. 15th.		
	SALMON	July 1-Oct. 15	Min. size 12". Daily limit 6. Up to 2 adults may be retained. Release COHO. Selective gear rules except bait allowed Sept 1-Oct 15th.		
DESCHUTES RIVER (Thurston Co.) from the Henderson Blvd. Bridge near Pioneer Park upstream	TROUT	Year-round	Catch-and-release. Selective gear rules.	F	
	Other Game Fish	Year-round	Statewide min. size/daily limit. Selective Gear Rules.		
McLane Creek (Thurston Co.)	SALMON	July 1-Oct. 15	Min. size 12". Daily limit 6. Up to 2 adults may be retained. Release wild coho. Selective gear rules.		
	August 2 - October 31 - night closure.				
Perry Creek (Thurston Co.) from mouth to falls	Trout	First Sat. in June-Oct. 31	Min. size 14". Daily limit 2. Selective gear rules.	D	
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules		
Schneider Creek (Thurston Co.)	Trout	First Sat. in June-Oct. 31	Min. size 14". Daily limit 2. Selective gear rules.	D	
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules		
Schneider Creek (Thurston Co.)	Trout	First Sat. in June-Oct. 31	Min. size 14". Daily limit 2. Selective gear rules.	D	
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules		

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules	
Uncle John Creek (Mason Co.)	Trout	First Sat. in June-Oct. 31	Catch and release. Selective gear rules.	F
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules	
Campbell Creek (Mason Co.)	Trout	First Sat. in June-Oct. 31	Catch and release. Selective gear rules.	F
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules	
Sherwood (Mason Co.)	Trout	First Sat. in June-Oct. 31	Catch and release. Selective gear rules.	F
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules	
Coulter Creek (Kitsap/Mason Co.)	Trout	First Sat. in June-Oct. 31	Catch and release. Selective gear rules.	F
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules	
Rocky Creek (Pierce/Kitsap Co.)	Trout	First Sat. in June-Oct. 31	Catch and release. Selective gear rules.	F
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear Rules	

NISQUALLY RIVER WATERSHED				
ALL RIVERS , STREAMS and BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS				
WATER	SPECIES	SEASON	ADDITIONAL RULES	Stream Strategy
NISQUALLY RIVER ^L (Pierce Co.) from mouth to the military tank crossing bridge (located one mile upstream of mouth of Muck Creek)	TROUT	July 1-Nov. 30	Min. size 14". Daily limit 2.	C
	Other Game Fish	July 1-Nov. 30	Statewide min. size/daily limit.	
	SALMON	July 1-Jan. 31	Min. size 12". Daily limit 6. Up to 3 adults may be retained, of which only 2 may be any combination of PINK, COHO and CHUM. Release wild adult CHINOOK.	
NISQUALLY RIVER ^L (Pierce Co.) from the military tank crossing bridge (located one mile upstream of mouth of Muck Creek) to 400' below LaGrande Powerhouse	ALL SPECIES ^L - Aug. 1-Oct. 31: night closure and anti-snagging rule.			
Tanwax Creek (Thurston Co.)	All Game Fish	July 1-Oct. 31	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective gear rules.	E
Ohop Creek (Pierce Co.)	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release. Selective gear rules.	F
NISQUALLY RIVER ^L (Pierce Co.) From Alder Reservoir upstream	All Game Fish	July 1-Oct. 31	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective gear rules.	E
Mineral Creek (Lewis Co.)	Trout	July 1-Oct. 31	Min. size 8". Daily limit 2, selective gear rules.	B
	Other Game Fish	July 1-Oct. 31	Statewide min. size/daily limit. Selective gear rules.	
Little Nisqually River	Trout	First Sat. in June-Oct. 31	Min. size 12". Daily limit 2. Selective gear rules.	
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules	
MCALLISTER CREEK (Thurston Co.)	TROUT	First Sat. in June-Oct. 31	Min. size 10". Daily limit 2, selective gear rules.	C
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules	
	TROUT	First Sat. in June-Oct. 31	Min. size 14". Daily limit 2. Selective gear rules.	
Eaton Creek (Thurston Co.) Lake St. Clair Tributary.	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules.	B
	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules.	

SNOHOMISH WATERSHED			
ALL RIVERS, STREAMS, AND BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS			
WATER	SPECIES	SEASON	ADDITIONAL RULES
			STREAM STRATEGY
SNOHOMISH RIVER ^L (Snohomish Co.) from mouth (including all channels, sloughs, and interconnected waterways) upstream to confluence of the Skykomish and Snoqualmie rivers (all channels) (850)	ALL SPECIES - August 1- November 30: night closure and anti-snagging rule		
	Dolly Varden/Bull Trout	First Sat in June - Feb 15.	Min size 20". May be retained as part of the TROUT daily limit.
	All Other TROUT	First Sat in June - Feb 15.	Min. size 14". Daily limit 2.
	Other Game Fish	First Sat in June - Feb 15.	Statewide min. size/daily limit
	SALMON	Aug 16 - Dec 31	Min. size 12". Daily limit 2, pl;us 2 additional PINK. Release CHINOOK. Min. size 38" fork length. Max. size 54" fork length. Daily limit 1. Mar. 1-May. 31: Release all STURGEON upstream of Hwy. 2 Bridge.
PILCHUCK RIVER ^L (Snohomish Co.) from mouth to 500' downstream of the Snohomish city diversion dam (840)	ALL SPECIES - fishing from any floating device prohibited.		
	TROUT	Dec 1 - Feb 15.	Min. size 14". Daily limit 2.
	Other Game Fish	Dec 1 - Feb 15.	Statewide min. size/daily limit.
SKYKOMISH RIVER ^L (Snohomish Co.) mouth to Lewis St. Bridge in Monroe (844)	ALL SPECIES ^L - Aug. 1-Nov. 30: night closure and anti-snagging rule. Nov. 1-Feb. 15: fishing from any floating device prohibited from boat ramp below Lewis St. Bridge at Monroe to 2,500' downstream.		
	Dolly Varden/Bull Trout	June 1 - Feb 15.	Min size 20". May be retained as part of the TROUT daily limit.
	All Other TROUT	June 1 - Feb 15.	Min. size 14". Daily limit 2.
	Other Game Fish	June 1 - Feb 15.	Statewide min. size/daily limit.
	SALMON	Aug 16 - Dec 31	Min. size 12". Daily limit 2, pl;us 2 additional PINK. Release CHINOOK.
SKYKOMISH RIVER - Lewis Street Bridge in Monroe to Wallace River (844)	ALL SPECIES - June 1 - November 31 - night closure and anti-snagging rule		
	Dolly Varden/Bull Trout	June 1 - Feb 15.	Min size 20". May be retained as part of the TROUT daily limit.
	All Other TROUT	June 1 - Feb 15.	Min. size 14". Daily limit 2.
	Other Game Fish	June 1 - Feb 15.	Statewide min. size/daily limit.
	SALMON	June 1 - July 31	Min. size 12". Daily limit 2 hatchery CHINOOK only.
	SALMON	Sept 1 - Dec 31	Min. size 12". Daily limit 2, pl;us 2 additional PINK. Release CHINOOK.
SULTAN RIVER (Snohomish Co.) from mouth to 400' downstream of diversion dam (river mile 9.7) (854)	Dolly Varden/Bull Trout	1st Sat. in June - Feb 15.	Min size 20". May be retained as part of the TROUT daily limit.
	All Other TROUT	1st Sat. in June - Feb 15.	Min. size 14". Daily limit 2.
	Other Game Fish	1st Sat. in June - Feb 15.	Statewide min. size/daily limit.
	TROUT	First Sat. in June-Oct. 31	Statewide min. size/daily limit.
SULTAN RIVER- from diversion dam to 400 ft below Culmback Dam	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.
	ALL SPECIES - Nov. 1-Feb. 28: fishing from any floating device prohibited.		

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
(farthest downstream railroad bridge) to 363rd Ave. SE/Reece Rd. (Dike Road) (860)	Dolly Varden/Bull Trout	First Sat in June - Feb 28	Min size 20". May be retained as part of the TROUT daily limit.	C
	All Other TROUT	First Sat in June - Feb 28	Min. size 14". Daily limit 2.	
	Other Game Fish	First Sat in June - Feb 28	Statewide min. size/daily limit.	
	SALMON	Sept 1 - Nov 30	Min. size 12". Daily limit 2 COHO only.	
WALLACE RIVER - from 363rd Ave. SE/Reece Rd. (Dike Road) to 200' upstream of water intake of salmon hatchery. (860)	ALL SPECIES - Nov. 1-Feb. 28: fishing from any floating device prohibited.			C
	Dolly Varden/Bull Trout	Sept 1 - Feb 28	Min size 20". May be retained as part of the TROUT daily limit.	
	All Other TROUT	Sept 1 - Feb 28	Min. size 14". Daily limit 2.	
	Other Game Fish	Sept 1 - Feb 28	Statewide min. size/daily limit.	
WALLACE RIVER - from 200' upstream of water intake of salmon hatchery to Wallace Falls (860)	ALL SPECIES - Nov. 1-Feb. 28: fishing from any floating device prohibited.			A
	Dolly Varden/bull trout	Nov. 1-Feb. 28	Min. size 20". May be retained as part of TROUT daily limit.	
	All Other TROUT	Nov. 1-Feb. 28	Min. size 14". Daily limit 2.	
	Other Game Fish	Nov. 1-Feb. 28	Statewide min. size/daily limit.	
WALLACE RIVER - from Wallace Falls upstream	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	C
	ALL SPECIES ^L - June 1-Nov. 30: night closure and anti-snagging rule.			
	Dolly Varden/bull trout	June 1-Feb. 15	Min. size 20". May be retained as part of TROUT daily limit.	
	All Other TROUT	June 1-Feb. 15	Min. size 14". Daily limit 2.	
SKYKOMISH RIVER from Wallace River to 1,000' downstream of Reiter Ponds outlet (844)	Other Game Fish	June 1-Feb. 15	Statewide min. size/daily limit.	C
	SALMON	Sept. 1-Dec. 31	Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK.	
	ALL SPECIES ^L - Aug. 1-Nov. 30: night closure and anti-snagging rule.			
	Dolly Varden/bull trout	Aug. 1-Feb. 28	Min. size 20". May be retained as part of TROUT daily limit.	
SKYKOMISH RIVER (Snohomish Co) from 1,000' downstream of Reiter Ponds outlet to 1,500' upstream of Reiter Ponds outlet (844)	All Other TROUT	Aug. 1-Feb. 28	Min. size 14". Daily limit 2.	C
	Other Game Fish	Aug. 1-Feb. 28	Statewide min. size/daily limit.	
	SALMON	Sept 1 - Dec. 31	Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK.	
	ALL SPECIES ^L - June 1-Nov. 30: night closure and anti-snagging rule.			
SKYKOMISH RIVER (Snohomish Co) from 1,500' upstream of Reiter Ponds outlet to confluence of North and south Fork (844)	Dolly Varden/bull trout	June 1-Feb. 15	Min. size 20". May be retained as part of TROUT daily limit.	C
	All Other TROUT	June 1-Feb. 15	Min. size 14". Daily limit 2.	
	Other Game Fish	June 1-Feb. 15	Statewide min. size/daily limit.	
	SALMON	Sept 1 - Dec. 31	Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK.	
SKYKOMISH RIVER, NORTH FORK ^L (Snohomish	ALL SPECIES ^L - Aug. 1-Nov. 30: night closure.			
	Dolly Varden/bull trout	June 1-Feb. 15	Min. size 20". May be retained as part of TROUT daily limit.	
	All Other TROUT	June 1-Feb. 15	Min. size 14". Daily limit 2.	
	Other Game Fish	June 1-Feb. 15	Statewide min. size/daily limit.	

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
Co.) from mouth to 1,000' downstream of Bear Creek Falls (846)	All Game Fish	First Sat in June - Feb 15	Selective gear rules and catch-and-release except up to 2 hatchery steelhead may be retained.	E
from Deer Falls (about 1/4 mile upstream of Goblin Creek) upstream (846)	All Game Fish	First Sat in June - Oct 31	Statewide min. size/daily limit.	A
SKYKOMISH RIVER, SOUTH FORK ^L (King/Snohomish Co.) from mouth to 600' downstream of the Sunset Falls Fishway (848)	ALL SPECIES ^L - Aug. 1-Nov. 30: night closure and anti-snagging rule. TROUT	First Sat in June - Feb 15	Min. size 14". Daily limit 2.	C
SKYKOMISH RIVER SOUTH FORK- from Sunset Falls upstream (848)	Other Game Fish	First Sat in June - Feb 15	Statewide min. size/daily limit	
	TROUT	First Sat in June - Nov 30	Min. size 14". Daily limit 2. Selective gear rules.	
	Other Game Fish	First Sat in June - Nov 30	Statewide min. size/daily limit. Selective gear rules.	D
	WHITEFISH	Dec 1 - Feb 28	No min. size. Daily limit 15 WHITEFISH only.	
All tributaries to the SOUTH FORK SKYKOMISH RIVER upstream of Sunset Falls, including their tributaries	TROUT	First Sat in June - Nov 30	Min. size 14". Daily limit 2. Selective gear rules.	D
TYE RIVER ^L (King Co.) continuation of SOUTH FORK SKYKOMISH RIVER beginning from Foss River upstream to Alpine Falls	Other Game Fish	First Sat in June - Nov 30	Statewide min. size/daily limit. Selective gear rules.	
	TROUT	First Sat in June - Oct 31	Min. size 14". Daily limit 2. Selective gear rules.	
	Other Game Fish	First Sat in June - Oct 31	Statewide min. size/daily limit. Selective gear rules.	D
	WHITEFISH	Nov 1 - Feb 28	No min. size. Daily limit 15 WHITEFISH only.	
TYE RIVER - from Alpine Falls upstream	All Game Fish	First Sat in June - Oct 31	Statewide min. size/daily limit	A
All tributaries to the TYE RIVER upstream of Foss River, including their tributaries	All Game Fish	First Sat in June - Oct 31	Statewide min. size/daily limit	A
SNOQUALMIE RIVER ^L (King Co.) from mouth to boat ramp at Plumb access	ALL SPECIES ^L - Sept. 1-Nov. 30: night closure. First Sat in June - Nov. 30: selective gear rules, except motors allowed.	First Sat in June - Feb 15.	Min. size 14". Daily limit 2.	C
	TROUT	First Sat in June - Feb 15.	Statewide min. size/daily limit	
	Other Game Fish	First Sat in June - Feb 15.	Statewide min. size/daily limit	
	SALMON	Sept 1 - Dec. 31	Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK and PINK.	
SNOQUALMIE RIVER ^L (King Co.) from boat ramp at Plumb access to Snoqualmie Falls (852)	ALL SPECIES ^L - Sept. 1-Nov. 30: night closure. First Sat in June - Nov. 30: selective gear rules, except motors allowed. Nov. 1- Feb. 28: fishing	First Sat in June - Feb 28.	Min. size 14". Daily limit 2.	C
	TROUT	First Sat in June - Feb 28.	Statewide min. size/daily limit	
	Other Game Fish	First Sat in June - Feb 28.	Statewide min. size/daily limit	

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
	SALMON	Sept 1- Dec. 31	Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK and PINK.	
TOLT RIVER ^L (King Co.) from mouth to USGS trolley cable near confluence of North and South forks (858)	All SPECIES ^L - First Sat. in June- Nov. 30: selective gear rules. TROUT Other Game Fish	First Sat in June - Feb 15. First Sat in June - Feb 15.	Min. size 14". Daily limit 2. Statewide min. size/daily limit	C
TOLT RIVER, NORTH FORK ^L (King Co.) from falls in Section 26 upstream	All Game Fish	First Sat in June - Oct 31	Catch-and-release and selective gear rules.	F
TOLT RIVER, SOUTH FORK ^L (King Co.) from dam upstream (858)	TROUT Other Game Fish	First Sat in June - Oct 31 First Sat in June - Oct 31	Min. size 10". Daily limit 2. Selective gear rules. Statewide min. size/daily limit. Selective gear rules.	
RAGING RIVER (King Co.) from mouth to Hwy. 18 Bridge (3 miles upstream from Preston) (842)	TROUT Other Game Fish	First Sat in June - Feb 15. First Sat in June - Feb 15.	Min. size 14". Daily limit 2. Statewide min. size/daily limit	C
RAGING RIVER - from Hwy. 18 Bridge (3 miles upstream from Preston) upstream	All Game Fish	First Sat in June - Oct 31	Statewide min. size/daily limit	A
TOKUL CREEK ^L (King Co.) from mouth to Fish Hatchery Rd. Bridge (856)	All SPECIES - anti-snagging rule. Closed daily from 5:00 p.m.-7:00 a.m. TROUT Other Game Fish	Dec 1. - Feb 28 Dec 1. - Feb 28	Min. size 14". Daily limit 2. Statewide min. size/daily limit	C
TOKUL CREEK ^L (King Co.) from Fish Hatchery R. Bridge to posted cable boundary marker (approximately 400' downstream of the hatchery)	All SPECIES - anti-snagging rule. Closed daily from 5:00 p.m.-7:00 a.m. TROUT Other Game Fish	Jan. 15 - Feb 28 Jan. 15 - Feb 28	Min. size 14". Daily limit 2. Statewide min. size/daily limit	C
SNOQUALMIE RIVER (King Co) from Snoqualmie Falls upstream including North and South forks (852)	TROUT Other Game Fish	First Sat in June - Oct 31 First Sat in June - Oct 31	Min. size 10". Daily limit 2. Selective gear rules. Statewide min. size/daily limit. Selective gear rules.	
BOXLEY CREEK ^L (King Co.) (SF Snoqualmie River) from falls (located approximately river mile 0.9) upstream	All Game Fish	Nov 1 - Friday before the first Saturday in June	Catch-and-release and selective gear rules.	
COAL CREEK ^L (King Co.) (near Snoqualmie) from mouth to Hwy I-90	All Game Fish	First Sat in June - Oct 31	Statewide min. size/daily limit	A
COAL CREEK ^L (King Co.) (King Co.) from mouth to Hwy I-90	Juvenile anglers only (under 15 years old) TROUT Other Game Fish	Last Sat in April - Oct 31 Last Sat in April - Oct 31	No min size. Daily limit 2. Statewide min. size/daily limit	
COAL CREEK ^L (King Co.) (near Snoqualmie) from Hwy I-90 upstream	All Game Fish	First Sat in June - Oct 31	Statewide min. size/daily limit	A

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
KIMBALL CREEK (King Co.) (near Snoqualmie)	Juvenile anglers only (under 15 years old)			
	TROUT	Last Sat in April - Oct 31	No min size. Daily limit 2.	
	Other Game Fish	Last Sat in April - Oct 31	Statewide min. size/daily limit	
All tributaries to mainstem Snoqualmie River upstream of Snoqualmie Falls, and North and South Forks, except Tate, Sunday and Phillapa creeks				
Middle Fork Snoqualmie River from mouth upstream including all tributaries except Pratt and Taylor rivers (852)	All Game Fish	First Sat in June - Oct 31	Statewide min. size/daily limit	A
PRATT RIVER ^L (King Co.) (tributary to Middle Fork Snoqualmie)	All Game Fish	year-round	Catch-and-release and selective gear rules.	F
TAYLOR RIVER ^L (King Co.) (tributary to Middle Fork Snoqualmie)	All Game Fish	First Sat in June - Oct 31	Catch-and-release and selective gear rules.	F
	All Game Fish	First Sat in June - Oct 31	Catch-and-release and selective gear rules.	F

FRASER TRIBUTARIES				
ALL RIVERS, STREAMS, AND BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS				
WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
Sumas River, including all tributaries except Johnson Creek	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
Johnson Creek (Whatcom Co.) from NP Railroad tracks to Lawson St. footbridge in Sumas	Juvenile anglers only (under 15 years old).			
Silesia Creek	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
Chiliwack River, including all tributaries and their tributaries	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A

NOOKSACK WATERSHED				
ALL RIVERS, STREAMS, AND BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS				
WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
NOOKSACK RIVER ^L (Whatcom Co.) from Lummi Indian reservation boundary to yellow marker at the FFA high school barn in Deming	ALL SPECIES ^L - First Sat. in June-Nov. 30: night closure and anti-snagging rule.	First Sat. in June-Feb. 15	Min. size 14". Daily limit 2.	C
	TROUT	First Sat. in June-Feb. 15	Statewide min. size/daily limit.	
	Other Game Fish	Sept. 1-Dec. 31	Min. size 12". Daily limit 2. Release PINK, wild CHINOOK, and wild COHO.	
SILVER, Ten Mile, Bertrand, Anderson, Smith Creeks (Whatcom Co)	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear rules	B
	Juvenile anglers only (under 15 years old).			
FISHTRAP CREEK ^L (Whatcom Co.) from Koh Rd. to Bender Rd.	All Game Fish	June 1-Oct. 31	Statewide min. size/daily limit.	
	TROUT	Oct. 1-Feb. 15	Min. size 14". Daily limit 2.	C
	Other Game Fish	Oct. 1-Feb. 15	Statewide min. size/daily limit.	
NOOKSACK RIVER from yellow marker at the FFA high school barn in Deming to confluence of North and South Forks	SALMON	Oct. 16-Dec. 31	Min. size 12". Daily limit 2. Release PINK, CHINOOK, and wild COHO.	
	ALL SPECIES ^L - First Sat. in June-Nov. 30: night closure and anti-snagging rule. Nov. 1-Feb. 28: motors prohibited.	First Sat. in June-Feb. 15	Min. size 14". Daily limit 2.	C
	TROUT	First Sat. in June-Feb. 15	Statewide min. size/daily limit.	
NOOKSACK RIVER, NORTH FORK ^L (Whatcom Co.) from mouth to Maple Creek	Other Game Fish	Oct. 1-Oct. 31	Min. size 12". Daily limit 2. Release PINK, CHINOOK, and wild COHO.	
	SALMON			
	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear rules	B
Racehorse Creek, Kendall Creek above hatchery grounds, Maple Creek	ALL SPECIES ^L - Nov. 1-Feb. 15: motors prohibited.	First Sat. in June-Feb. 15	Min. size 14". Daily limit 2. Selective gear rules	
	TROUT			
	Other Game Fish	First Sat. in June-Feb. 15	Statewide min. size/daily limit. Selective gear rules.	B
NOOKSACK RIVER, NORTH FORK (Whatcom Co) from Maple Creek to Nooksack Falls	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear rules	B
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear rules	B
	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
NOOKSACK RIVER, NORTH FORK, upstream of Nooksack Falls including all tributaries and their tributaries	ALL SPECIES ^L - Nov. 1-Feb. 15: motors prohibited.	First Sat. in June-Feb. 15	Min. size 14". Daily limit 2. Selective gear rules	D
	TROUT			
	Other Game Fish	First Sat. in June-Feb. 15	Statewide min. size/daily limit. Selective gear rules.	B
Canyon Cr, from Canyon Creek Rd Br. upstream	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear rules	B
	Other Game Fish			
	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
NOOKSACK RIVER, MIDDLE FORK ^L (Whatcom Co.) Mouth to City of	ALL SPECIES ^L - Nov. 1-Feb. 15: motors prohibited.	First Sat. in June-Feb. 15	Min. size 14". Daily limit 2. Selective gear rules	D
	TROUT			
	Other Game Fish	First Sat. in June-Feb. 15	Statewide min. size/daily limit. Selective gear rules.	B

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
Bellingham diversion Dam	Other Game Fish	First Sat. in June-Feb. 15	Statewide min. size/daily limit. Selective gear rules.	
NOOKSACK RIVER, MIDDLE FORK, from diversion dam upstream, including all tributaries and their tributaries	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
NOOKSACK RIVER, SOUTH FORK	ALL SPECIES ^L - First Sat. in June-Nov. 30: night closure.	First Sat. in June-Nov. 30: night closure.	First Sat. in June-Feb. 15: Selective gear rules,	
^L (Skagit/Whatcom Co.) from mouth to Saxon Rd. Bridge	All Game Fish	First Sat. in June-Feb. 15	Catch-and-release except up to 2 hatchery STEELHEAD may be retained.	E
	SALMON	Oct. 16-Dec. 31	Min. size 12". Daily limit 2. Release PINK, CHINOOK, and wild COHO.	
	TROUT	First Sat. in June-Oct. 31	Min size 14". Selective gear rules.	D
Hutchinson Creek	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules	
NOOKSACK RIVER, SOUTH FORK	First Sat. in June-Nov. 30: night closure.	First Sat. in June-Nov. 30: night closure.		
^L (Skagit/Whatcom Co.) from Saxon Rd. to Skookum Creek	All Game Fish	First Sat. in June-Feb. 15	Catch-and-release except up to 2 hatchery STEELHEAD may be retained.	E
	SALMON	Oct. 16-Dec. 31	Min. size 12". Daily limit 2. Release PINK, CHINOOK, and wild COHO.	

Closed waters removed/deleted from regulations

CANYON CREEK^L (Whatcom Co.) CLOSURE WATERS^L - from mouth to Canyon Creek Rd. Bridge.

SAMISH WATERSHED				
ALL RIVERS, STREAMS, AND BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS				
WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
SAMISH RIVER ^L (Skagit/Whatcom Co.) from mouth (Samish Island/ Bayview- Edison Rd. Bridge) to Thomas Rd. Bridge	ALL SPECIES ^L - Aug. 1-Dec. 31: night closure, anti-snagging rule, and stationary gear restriction.			
	TROUT	First Sat. in June-Dec 31	Min. size 14". Daily limit 2.	
	Other Game Fish	First Sat. in June-Dec 31	Statewide min. size/daily limit.	C
	SALMON	July 1-Dec. 31	Min. size 12". Daily limit 2. Release wild COHO.	
SAMISH RIVER from Thomas Rd. Bridge to I-5 Bridge	ALL Species	Jan 1- March 31	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective Gear Rules	E
	ALL SPECIES ^L - Aug. 1-Dec. 31: night closure, anti-snagging rule, and stationary gear restriction.			
	TROUT	First Sat. in June-Dec 31	Min. size 14". Daily limit 2.	C
	Other Game Fish	First Sat. in June-Dec 31	Statewide min. size/daily limit.	
SAMISH RIVER from I-5 Bridge to Hickson Bridge	SALMON	Oct. 1-Dec. 31	Min. size 12". Daily limit 2. Release wild COHO.	
	All Species	Jan 1- March 31	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective Gear Rules	E
	CLOSED WATERS ^L - from Old Hwy. 99 Bridge to WDFW salmon rack. ALL SPECIES - Aug. 1-Dec. 31: night closure and anti-snagging rule.			
Friday, Silver, Thomas Creeks	All Species	First Sat. in June-Mar. 31	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective Gear Rules	E
	All Species	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear rules	B
SAMISH RIVER From Hickson Bridge upstream	All Species	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear rules	B

SKAGIT WATERSHED				STREAM STRATEGY
WATER	SPECIES	SEASON	ADDITIONAL RULES	
ALL RIVERS, STREAMS, AND BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS				
SKAGIT RIVER (Skagit/Whatcom Co) The mouth is defined by a line projected from terminus of the jetty with McGlenn Island to the white monument on east end of Ika Island, then to the white monument on east end of Craft Island, then to the white monument near corner of the levee on the west side of Dry Slough, and then to the white monument on the east side of Tom Moore Slough.				
SKAGIT RIVER ^L (Skagit/Whatcom Co.) from mouth to Hwy 536 at Mt. Vernon (Memorial Hwy Bridge)	February 15 - May 31: selective gear rules. July 9 through August 9: night closure Dolly Varden/bull trout All Other TROUT Other Game Fish SALMON SALMON	Year-round Year-round Year-round July 9-Aug. 9 Aug. 16-Dec. 31	Min. size 20". May be retained as part of TROUT daily limit. Min. size 14". Daily limit 2. Statewide min. size/daily limit. Open noon Thursdays through Sundays ONLY. Min. size 12". Daily limit 2 CHINOOK only. Only 1 adult may be retained. Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK and CHUM.	
FISHER SLOUGH/Hill Ditch, Mouth to I-5 Bridge ^L (Skagit Co.) -830	TROUT Other Game Fish	First Sat. in June-Oct. 31 First Sat. in June-Oct. 31	Min. size 14". Daily limit 2. Statewide min. size/daily limit.	
SKAGIT RIVER from Hwy. 536 at Mt. Vernon (Memorial Hwy. Bridge) to mouth of Gilligan Creek	ALL SPECIES ^L - July 1-Nov. 30: night closure. Aug 16-Nov 30: anti-snagging rule. Dolly Varden/bull trout All Other TROUT Other Game Fish All Game Fish	June 1-Feb. 15 June 1-Feb. 15 June 1-Feb. 15 Feb 16- March 15	Min. size 20". May be retained as part of TROUT daily limit. Min. size 14". Daily limit 2. Statewide min. size/daily limit. Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective gear rules . Unlawful to fish from a floating device while under power.	E
Nookachamps Creek and all tributaries and their tributaries.	SALMON	July 9-Aug. 9	Open noon Thursdays through Sundays ONLY. Min. size 12". Daily limit 2 CHINOOK only. Only 1 adult may be retained.	
Hansen Creek and all tributaries and their tributaries	SALMON	Aug. 16-Dec. 31	Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK and CHUM.	
Jones Creek	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules.	B
	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules.	B
	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules.	B

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY	
SKAGIT RIVER from mouth of Gilligan Creek to the Dalles Bridge at Concrete	ALL SPECIES ^L - July 1-Nov. 30: night closure and anti-snagging rule.				
	Dolly Varden/bull trout	June 1-Feb. 15	Min. size 20". May be retained as part of TROUT daily limit.		
	All Other TROUT	June 1-Feb. 15	Min. size 14". Daily limit 2.	E	
	Other Game Fish	June 1-Feb. 15	Statewide min. size/daily limit.		
	All Game Fish	Feb 16- March 15	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective gear rules . Unlawful to fish from a floating device while under power.		
	SALMON	Aug. 16-Dec. 31	Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK and CHUM.		
	CLOSED WATERS ^L - June 1-Aug. 31: closed between a line projected across the thread of the river 200' above the east bank of the Baker River and a line projected across the thread of the river 200' below the west bank of the Baker River. ALL SPECIES - July 1-Nov. 30: night closure and anti-snagging rule.				
	Dolly Varden/bull trout	June 1-Feb. 15	Min. size 20". May be retained as part of TROUT daily limit.		
	All Other TROUT	June 1-Feb. 15	Min. size 14". Daily limit 2.	E	
	Other Game Fish	June 1-Feb. 15	Statewide min. size/daily limit.		
Jackman Creek	All Game Fish	Feb 16- April 30	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective gear rules . Unlawful to fish from a floating device while under power.	B	
	SALMON	Sept. 16-Dec. 31	Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK and CHUM.		
	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules.	B	
	ALL SPECIES ^L - June 1-Nov. 30: night closure and anti-snagging rule.				
	Dolly Varden/bull trout	June 1-Feb. 15	Min. size 20". May be retained as part of TROUT daily limit.		
	All Other TROUT	June 1-Feb. 15	Min. size 14". Daily limit 2.	C	
	Other Game Fish	June 1-Feb. 15	Statewide min. size/daily limit.		
	All Game Fish	Feb 16- April 30	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective gear rules . Unlawful to fish from a floating device while under power.	E	
	SALMON	June 1-July 15	Min. size 12". Daily limit 4 hatchery CHINOOK only. Up to 2 adults may be retained.		

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
	SALMON	Sept. 16-Dec. 31	Min. size 12" . Daily limit 2, plus 2 additional PINK. Release CHINOOK and CHUM.	
Illabot, Rocky, Bacus, Olson Creeks	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules.	B
SKAGIT RIVER from Cascade River to Gorge powerhouse at Newhalem	ALL SPECIES ^L - Selective gear rules.	June 1-Mar. 15	Catch-and-release except up to 2 hatchery STEELHEAD may be retained.	E
Diobsud, Bacon, Alma, Thornton, Goodell, Newhalem, Ladder Creeks	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective gear rules.	E
SKAGIT RIVER Gorge Dam upstream to Ross Dam, and all tributaries except Stettattle Creek	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
All tributaries, except Stettattle Creek	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
mouth of Bucket Creek (about 1.1/2mile upstream)	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
ROSS LAKE TRIBUTARY STREAMS (Whatcom Co.) from one mile upstream of Ross Lake to headwaters (except Ruby Creek and Big Beaver Creek)	TROUT Other Game Fish	July 1-Oct. 31 July 1-Oct. 31	Statewide min. size/daily limit. Statewide min. size/daily limit.	A A
Big Beaver Creek (Ross Lk tribuutary) from 1/4 mile upstream of Ross Lake to headwaters	All Game Fish	July 1 - Oct 31	Catch-and-release and selective gear rules.	F
Ruby Creek (Ross Lk tributary)	Closed Waters			
BAKER RIVER ^L (Skagit Co.) from mouth to Hwy. 20 Bridge at Concrete -824	Dolly Varden/Bull Trout All Other TROUT Other Game Fish	Sept. 1-Oct. 31 Sept. 1-Oct. 31 Sept. 1-Oct. 31	Min. size 20". May be retained as part of TROUT daily limit. Min. size 14". Daily limit 2. Statewide min. size/daily limit.	C

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
BAKER RIVER from fish barrier dam to headwaters and all tributaries and their tributaries except Channel Creek	All species	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
Channel Creek	All species	First Sat. in June-Sept. 15	Statewide min. size/daily limit.	A
SAUK RIVER ^L (Skagit/Snohomish Co.) from mouth to Darrington Bridge (828)	ALL Species ^L - selective gear rules. All Game Fish	First Sat. in June-Apr. 30	Catch-and-release except up to 2 hatchery STEELHEAD may be retained.	E
Hilt, White, Dan's Creek	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective Gear Rules	E
SAUK RIVER from Darrington Bridge to Whitechuck River (828)	ALL Species ^L - selective gear rules.			
Clear Creek above Asbestos Creek Falls	All Game Fish	First Sat. in June-Feb. 28	Catch-and-release except up to 2 hatchery STEELHEAD may be retained.	E
SAUK RIVER from Whitechuck River upstream including NORTH FORK and Falls, Sloan, Cadet, Elliot Creeks	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
SAUK RIVER, SOUTH FORK (Snohomish Co.) above Elliott Creek -828	ALL Species ^L - selective gear rules. All Game Fish	First Sat. in June-Aug. 31	Catch-and-release except up to 2 hatchery STEELHEAD may be retained.	E
SUIJATTLE RIVER ^L (Skagit Co.)	Dolly Varden/bull trout	First Sat. in June-Oct. 31	Min. size 20". May be retained as part of the TROUT daily limit. Selective Gear rules	E
	All Other TROUT	First Sat. in June-Oct. 31	Min. size 8". Daily limit 2. Selective gear rules.	B
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules	B
Big Creek (above TeePee falls), Grade, Tenas, All, Straight, Buck (above upper boundary of Buck Creek Campground), Lime, Downey, Sulphur, Milk, Canyon Creeks	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules	B
WHITECHUCK RIVER ^L (Snohomish Co.)	All Species - Selective Gear Rules			
	Dolly Varden/bull trout	First Sat. in June-Oct. 31	Min. size 20". May be retained as part of TROUT daily limit.	
	All Other TROUT	First Sat. in June-Oct. 31	Min. size 8". Daily limit 2.	B
	Other Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	
Pugh, Owl, Camp Creek	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear rules	B

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
CASCADE RIVER ^L (Skagit Co.) from mouth to Rockport-Cascade Rd. Bridge	ALL SPECIES ^L - June 1-July 15 and Sept. 16-Nov. 30: anti-snagging rule and night closure.	June 1-July 15	Min. size 20". May be retained as part of TROUT daily limit.	
	Dolly Varden/bull trout	June 1-July 15	Min. size 14". Daily limit 2.	C
	All Other TROUT	June 1-July 15	Statewide min. size/daily limit.	
	Other Game Fish	Sept. 16-Feb. 28	Min. size 20". May be retained as part of TROUT daily limit.	
	Dolly Varden/bull trout	Sept. 16-Feb. 28	Min. size 14". Daily limit 2.	C
	All Other TROUT	Sept. 16-Feb. 28	Statewide min. size/daily limit.	
	Other Game Fish	June 1-July 15	Min. size 12". Daily limit 4 hatchery CHINOOK only. Up to 2 may be adults.	
	SALMON	Sept. 16-Nov. 30	Min. size 12". Daily limit 4 COHO only.	
Jordan Creek	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective Gear rules	B
CASCADE RIVER from Rockport ^L -Cascade Rd. Bridge upstream (826) Including forks	All Game Fish	First Sat. in June-Feb. 28	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective gear rules.	E
Boulder, Marble, Found, Kindy Creeks	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Selective Gear Rules	E

Closed waters removed/deleted from regulations

- BARNABY SLOUGH^L (Skagit Co.) CLOSED WATERS
- Skagit River, from Cascade River to Gorge Dam
- STETTATTLE CREEK^L (Whatcom Co.)
- CLOSED WATERS^L - from Gorge Powerhouse at Newhalem to Gorge Dam.
- CLOSED WATERS^L - from mouth to Bucket Creek (about 1½ miles upstream).

STILLAGUAMISH WATERSHED				
ALL RIVERS, STREAMS, AND BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS				
WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
STILLAGUAMISH RIVER ^L (Snohomish Co.) and all sloughs downstream of Marine Drive (south of Stanwood)	ALL SPECIES ^L - Aug. 1-Nov. 30: night closure and anti-snagging rule.			
	TROUT	Year-round	Min. size 14". Daily limit 2.	C
	Other Game Fish	Year-round	Statewide min. size/daily limit.	
STILLAGUAMISH RIVER from Marine Drive upstream to forks	SALMON	Sept. 1-Dec. 31	Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK.	
	ALL SPECIES ^L - Aug. 1-Nov. 30: night closure. June 1-Nov. 30: selective gear rules, except motors allowed.			
	All Game Fish	First Sat. in June-Nov. 30	Catch-and-release except up to 2 hatchery STEELHEAD may be retained.	
PILCHUCK CREEK ^L (Snohomish Co.) (Stillaguamish system) from mouth to Hwy. 9 Bridge	TROUT	Dec. 1-Feb. 15	Min. size 14". Daily limit 2.	C
	Other Game Fish	Dec. 1-Feb. 15	Statewide min. size/daily limit.	
	SALMON	Sept. 1-Dec. 31	Min. size 12". Daily limit 2, plus 2 additional PINK. Release CHINOOK.	
PILCHUCK CREEK From Hwy. 9 Bridge to Pilchuck Falls	ALL SPECIES ^L - First Sat. in June-Nov. 30: selective gear rules.			
	TROUT	First Sat. in June-Feb. 15	Min. size 14". Daily limit 2.	C
	Other Game Fish	First Sat. in June-Feb. 15	Statewide min. size/daily limit.	
PILCHUCK CREEK From Pilchuck Falls upstream including all tributaries and their tributaries, including tributaries to Lake Cavanaugh.	All species	First Sat. in June-Oct. 31	Min. size 14". Daily limit 2. Selective Gear Rules	D
	All species	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
STILLAGUAMISH RIVER, NORTH FORK ^L (Snohomish Co.) from mouth to Swede Heaven Bridge	ALL SPECIES ^L - Aug. 1-Nov. 30: night closure and anti-snagging rule. Fishing from any floating device prohibited upstream of the Hwy.			
	All Game Fish	First Sat. in June-Nov. 30	Catch-and-release except up to 2 hatchery STEELHEAD may be retained. Fly fishing only.	
	TROUT	Dec. 1-Feb. 15	Min. size 14". Daily limit 2.	C
Boulder R, from mouth to Boulder Falls	Other Game Fish	Dec. 1-Feb. 15	Statewide min. size/daily limit.	
	All Game Fish	First Sat. in June-Oct. 31	Catch-and-release and selective gear rules, except up to 2 hatchery STEELHEAD may be retained.	E
	All species	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A

WATER	SPECIES	SEASON	ADDITIONAL RULES	STREAM STRATEGY
STILLAGUAMISH RIVER, NORTH FORK ^L Swede Heaven Bridge to N.Fork falls (approx. one mile upstream of Cascade Creek)	All Game Fish	First Sat. in June-Oct. 31	Selective gear rules and catch-and-release except up to 2 hatchery STEELHEAD may be retained.	E
Squire Creek	All Game Fish	First Sat. in June-Oct. 31	Selective gear rules and catch-and-release except up to 2 hatchery STEELHEAD may be retained.	E
STILLAGUAMISH RIVER, NORTH FORK ^L Upstream of Falls	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	A
STILLAGUAMISH RIVER, SOUTH FORK ^L (Snohomish Co.) from mouth to 400' below Granite Falls fishway outlet.874	ALL SPECIES ^L - Aug. 1-Nov. 30: night closure and anti-snagging rule. TROUT	First Sat. in June-Feb. 15	Min. size 14". Daily limit 2.	C
CANYON CREEK ^L (Snohomish Co.) (South Fork Stillaguamish) (866)	Other Game Fish TROUT	First Sat. in June-Feb. 15	Statewide min. size/daily limit. Catch-and-release except up to 2 hatchery STEELHEAD may be retained.	
STILLAGUAMISH RIVER, SOUTH FORK from Mt. Loop Hwy. Bridge (above Granite Falls)	ALL SPECIES ^L - Aug. 1-Nov. 30: night closure and anti-snagging rule. All Game Fish	First Sat. in June-Nov. 30	Statewide min. size/daily limit.	A

Closed waters removed/deleted from regulations

- Marine Drive upstream to forks
- CLOSED WATERS^L - from water control structure/barrier dam (downstream of I-5) downstream 200'.
- STILLAGUAMISH RIVER, SOUTH FORK^L
(Snohomish Co.) from mouth to Mt. Loop Hwy. Bridge (above Granite Falls)
- DEER CREEK and LITTLE DEER CREEK^L
(Skagit/Snohomish Co.) (tributaries to North Fork Stillaguamish)
- HARVEY CREEK^L (Snohomish Co.)
- PORTAGE CREEK^L (Snohomish Co.)
- CLOSED WATERS^L - from 400' below fishway outlet upstream to Mt. Loop Hwy. Bridge (above Granite Falls).
- CLOSED WATERS
- CLOSED WATERS
- CLOSED WATERS

LAKE WASHINGTON TRIBUTARIES			
ALL RIVERS, STREAMS, AND BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS			
WATER	SPECIES	SEASON	ADDITIONAL RULES
BIG BEAR CREEK ^L (Snohomish/King Co.) (tributary of Sammamish River)	Juvenile anglers only All Game Fish	(under 15 years old) First Sat. in June-Aug. 31	Statewide min. size/daily limit.
CEDAR RIVER ^L (King Co.) from mouth to Landsburg Road Bridge (RM 21.5)	All species - selective gear rules, fishing from a floating device with an internal combustion engine is prohibited, and night closure.		
COAL CREEK ^L (King Co.) Lake Washington tributary	All Game Fish	First Sat. in June-Aug. 31	Statewide min. size/daily limit. Release TROUT.
KEELSEY CREEK ^L (King Co.) (including Mercer Slough) (tributary of Lake)	Juvenile anglers only All Game Fish	(under 15 years old) First Sat. in June-Aug. 31	Statewide min. size/daily limit.
LITTLE BEAR CREEK ^L (Snohomish/King Co.) (tributary of Sammamish River)	Juvenile anglers only All Game Fish	(under 15 years old) First Sat. in June-Aug. 31	Statewide min. size/daily limit.
MAY CREEK ^L (King Co.) (tributary of Lake Washington)	Juvenile anglers only All Game Fish	(under 15 years old) First Sat. in June-Aug. 31	Statewide min. size/daily limit.
NORTH CREEK ^L (Snohomish/King Co.) (tributary of Sammamish River)	Juvenile anglers only All Game Fish	(under 15 years old) First Sat. in June-Aug. 31	Statewide min. size/daily limit.
PIPERS CREEK ^L (King Co.) (Carkeek-Creek)			
ROCK CREEK ^L (King Co.) Cedar River-tributary-below-Landsburg-Dam			
SAMMAMISH RIVER (SLOUGH) ^L			
SWAMP CREEK ^L (Snohomish/King Co.) (tributary to Sammamish River)			
THORNTON CREEK ^L (King Co.) (tributary to Lake Washington)			

CLOSED WATERS^L - from mouth-upstream, and all tributaries.

CLOSED WATERS

All species: Selective gear rules. Fishing from a floating device equipped with an internal combustion engine is prohibited.

All Game Fish Jan. 1-Aug. 31 Statewide min. size/daily limit- release TROUT.

Juvenile anglers only (under 15 years old).

All Game Fish First Sat. in June-Aug. 31 Statewide min. size/daily limit.

Juvenile anglers only (under 15 years old).

All Game Fish First Sat. in June-Aug. 31 Statewide min. size/daily limit.

GREEN/DUWAMISH RIVER ALL RIVERS, STREAMS, AND BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS			
WATER	SPECIES	SEASON	ADDITIONAL RULES
DUWAMISH RIVER ^L (King Co.) GREEN (DUWAMISH) RIVER ^L (King Co.) downstream of 1st Ave. South Bridge	See Green River (King County) See Marine Area 10 Rules		
GREEN RIVER from 1st Ave. South Bridge to Old Hwy. 99/Tukwila Intl. Blvd.	ALL SPECIES ^L - Aug. 22-Aug. 31: night closure, only 1 single-point hook may be used, hook must measure ½ inch or less from point to shank, and bait prohibited. Sept. 1-Nov. 30: night closure and anti-snagging rule. Nov. 1-Feb. 15: fishing from any floating device prohibited. Wild STEELHEAD retention allowed July 1-July 31 and Aug. 22-Nov. 30. See Wild STEELHEAD RETENTION RULES, page 31.		
	TROUT	First Sat. in June-July 31	Min. size 14". Daily limit 2.
	Other Game Fish	First Sat. in June-July 31	Statewide min. size/daily limit.
	TROUT	Aug. 22-Feb. 15	Min. size 14". Daily limit 2.
	Other Game Fish	Aug. 22-Feb. 15	Statewide min. size/daily limit.
	SALMON	Aug. 22-Dec. 31	Min. size 12". Daily limit 6. Up to 3 adult COHO and CHUM (combined) may be retained. Release CHINOOK.
from Old Hwy. 99/Tukwila Intl. Blvd. to I-405	ALL SPECIES ^L - Sept. 1-Nov. 30: night closure and anti-snagging rule. Nov. 1-Feb. 15: fishing from any floating device prohibited. Wild STEELHEAD retention allowed July 1-July 31 and Sept. 1-Nov. 30. See Wild STEELHEAD RETENTION RULES, page 31.		
	TROUT	First Sat. in June-July 31	Min. size 14". Daily limit 2.
	Other Game Fish	First Sat. in June-July 31	Statewide min. size/daily limit.
	TROUT	Sept. 1-Feb. 15	Min. size 14". Daily limit 2.
	Other Game Fish	Sept. 1-Feb. 15	Statewide min. size/daily limit.
	SALMON	Sept. 1-Dec. 31	Min. size 12". Daily limit 6. Up to 3 adult COHO and CHUM (combined) may be retained. Only 1 CHINOOK may be retained.
from I-405 to S. 277th Bridge in Auburn	ALL SPECIES ^L - Sept. 1-Sept. 30: night closure, only 1 single-point hook may be used, hook must measure ½ inch or less from point to shank, and bait prohibited. Oct. 1-Nov. 30: night closure and anti-snagging rule. Nov. 1-Feb. 15: fishing from any floating device prohibited.		

WATER	SPECIES	SEASON	ADDITIONAL RULES	
from the S. 277th Bridge to Auburn-Black Diamond Rd. Bridge	Wild STEELHEAD-retention allowed July 1-July 31 and Sept. 1-Nov. 30. See Wild STEELHEAD RETENTION RULES, page 31.			
	TROUT	First Sat. in June-July 31	Min. size 14". Daily limit 2.	
	Other Game Fish	First Sat. in June-July 31	Statewide min. size/daily limit.	
	TROUT	Sept. 1-Feb. 15	Min. size 14". Daily limit 2.	
	Other Game Fish	Sept. 1-Feb. 15	Statewide min. size/daily limit.	
	SALMON	Sept. 1-Dec. 31	Min. size 12". Daily limit 6. Up to 3 adult COHO and CHUM (combined) may be retained. Release CHINOOK.	
	ALL SPECIES ^L - Sept. 16-Oct. 15: night closure, only 1 single-point hook may be used, hook must measure ½ inch or less from point to shank, and bait prohibited. Oct. 16-Nov. 30: night closure and anti-snagging rule. Nov. 1-Feb. 28: fishing from any floating device prohibited.			
	Wild STEELHEAD-retention allowed July 1-Aug. 15 and Sept. 16-Nov. 30. See Wild STEELHEAD RETENTION RULES, page 31.			
	TROUT	First Sat. in June-Aug. 15	Min. size 14". Daily limit 2.	
	Other Game Fish	First Sat. in June-Aug. 15	Statewide min. size/daily limit.	
TROUT	Sept. 16-Feb. 28	Min. size 14". Daily limit 2.		
Other Game Fish	Sept. 16-Feb. 28	Statewide min. size/daily limit.		
SALMON	Sept. 16-Dec. 31	Min. size 12". Daily limit 6. Up to 3 adult COHO and CHUM (combined) may be retained. Release CHINOOK.		
from the Auburn-Black Diamond Rd. Bridge to the water pipeline walk bridge (1/2 mile downstream of Tacoma Headworks Dam)	CLOSED WATERS ^L - within 150' of the Palmer Ponds outlet rack and within 150' of the mouth of Keta (Crisp) Creek. ALL SPECIES ^L - Aug. 1-Nov. 30: night closure and anti-snagging rule. Wild STEELHEAD-retention allowed July 1-Nov. 30. See Wild STEELHEAD RETENTION RULES, page 31.			
TROUT	First Sat. in June-Feb. 28	Min. size 14". Daily limit 2.		
Other Game Fish	First Sat. in June-Feb. 28	Statewide min. size/daily limit.		
SALMON	Nov. 1-Dec. 31	Min. size 12". Daily limit 6. Up to 3 adult COHO and CHUM (combined) may be retained. Release CHINOOK.		
from the water pipeline walk bridge (1/2 mile downstream of Tacoma Headworks Dam) to Friday Creek	CLOSED WATERS ^L			
from Friday Creek upstream including all tributaries and their tributaries.				
SOOS CREEK ^L (King Co.) mouth to hatchery	ALL species	First Sat. in June-Oct. 31	Statewide min. size/daily limit.	
	TROUT	First Sat. in June-Aug. 31	Min. size 14". Daily limit 2.	

WATER	SPECIES	SEASON	ADDITIONAL RULES
rack	Other Game Fish	First Sat. in June-Aug. 31	Statewide min. size/daily limit.

WHATCOM COUNTY INDEPENDENTS			
ALL RIVERS, STREAMS, AND BEAVER PONDS NOT LISTED BELOW ARE CLOSED WATERS			
WATER	SPECIES	SEASON	ADDITIONAL RULES
			STREAM STRATEGY
DAKOTA CREEK ^L (Whatcom Co.) from mouth to Giles Rd. Bridge	Mouth is defined as a line from outermost headland on south bank to the house at 1285 Runge Ave., Blaine, WA (¼ mile downstream of Blaine Rd. Bridge).		
	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules
	SALMON	Oct. 1-Dec. 31	Min. size 12". Daily limit 2.
California Creek (Whatcom County)	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules
			B
Terrell Creek	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules
			B
Squalicum Creek	All Game Fish	First Sat. in June-Oct. 31	Statewide min. size/daily limit. Selective gear rules
			B
WHATCOM CREEK ^L (Whatcom Co.) from mouth to yellow markers below foot bridge below Dupont St. in Bellingham	The mouth is defined by a line from the flashing light at the southwest end of the Port of Bellingham North Terminal to the southernmost point of the dike surrounding the Georgia Pacific treatment pond. ALL SPECIES - Aug. 1-Dec. 31: night closure and anti-snagging rule.		
	TROUT	First Sat. in June-Feb. 28	Min. size 14". Daily limit 2.
			C
	Other Game Fish	First Sat. in June-Feb. 28	Statewide min. size/daily limit.
	SALMON	Aug. 1-Dec. 31	Min. size 12". Daily limit 6. Up to 2 adults may be retained.
	Anglers fishing lawfully, within 50 yards of the Bellingham Technical College Hatchery Collection Tube, and on the hatchery side of the creek, that hook and land CHUM, may remove them from the water and immediately place them unharmed into the Hatchery Collection Tube.		
	ALL SPECIES ^L - Aug. 1-Dec. 31: night closure and anti-snagging rule.		
From foot bridge below Dupont St. in Bellingham to Woburn St Bridge	TROUT	First Sat. in June-Feb. 28	Min. size 14". Daily limit 2.
	Other Game Fish	First Sat. in June-Feb. 28	Statewide min. size/daily limit.
	Juvenile anglers only (under 15 years old). ALL SPECIES - Aug. 1-Oct. 31: night closure and anti-snagging rule.		
from stone bridge at Whatcom Falls Park to Lake Whatcom	TROUT	Last Sat. in Apr.-Oct. 31	No min. size. Daily limit 2.
	Other Game Fish	Last Sat. in Apr.-Oct. 31	Statewide min. size/daily limit.

Closed waters removed/deleted from regulations

Whatcom Creek

CLOSED WATERS^L - from Woburn St. Bridge to the stone bridge at Whatcom Falls Park.

APPENDIX 2

Proposals Not Supported or Modified by Staff

#	Proposed By	Proposal	Justification
Pamphlet Issues/Not Proposals			
5	John Farrar	Dedicate the Skagit system to wild fish only. No release of hatchery fish.	Not a sportfishing rule proposal.
13	Tracy Kim	Ban all gillnetting on rivers in WA. Also require hatchery fish to be 100% clipped and increase the hatchery allowance to 4 fish.	Not a sportfishing rule proposal.
17	Scott Hughes	Remove "no fishing" signage from N shore of Silver Lake (Spokane Co) along West Medical Lake/4 lakes road.	This is a county ordinance.
18	Jon Quackenbush	Change access hours on Green River below Palmer Hatchery to closed during "hours of darkness" instead of closing at 5 pm.	Not a sportfishing rule proposal.
38	John Armstrong	Don't manage by e-reg.	Not a sportfishing rule proposal.
40		Columbia River salmon - require the net fishermen to sell some of their catch locally, or remove the nets from the river.	Not a sportfishing rule proposal.
43	Dick Rogers	Add a handicapped access to the Dayton JV Pond.	Not a sportfishing rule proposal.
64	Diana Pafford	Stop the gill netting on the Columbia River	Not a sportfishing rule proposal.
151	Bill Mandell	Clarify rule on short term licenses 1st 8 days of lowland lake season to: This license is NOT valid for the 8-day period beginning the last Saturday in April in the lakes that open the last Saturday of April, unless you are active duty resident military personnel.	Pamphlet issue - no rule change needed.
186	Judy Davidson	Regs are hard to understand - look at other states with successful books or have an e-reg notification list. Would volunteer to review and revise the regs. WA is missing the boat because there are not many guides for visitors to charter.	This proposal contains pamphlet issues, and issues outside the sport rule process. Anglers go to wdfw.wa.gov/lists to subscribe to the regulation update list.
Marine Rules-general			
61	Eric Iwamoto	Single Point barbless "J" hooks or barbed circle hooks in MA 5-13.	No-Barbless hooks required now - allowing barbed circle hooks would be confusing because there are many different types of circle hooks.
159	Teresa Fortino	From Titlow Beach north to the Tacoma Narrows Bridge set up a protected area from excessive and illegal shellfish had seaweed (and other marine life) harvesting.	No- not needed and would impact existing fisheries.
Salmon-Marine			

#	Proposed By	Proposal	Justification
12	David Neault	From Olele Point to Foulweather Bluff line south to Hood Canal Bridge - open August 1-15, daily limit 2 (or more) hatchery coho only within 100 yards of the shoreline.	Will forward to North of Falcon process
71	Henry Altenburg	MA 10 - open mark-selective fishery for salmon in Feb and March.	Will forward to North of Falcon process
<p>Marine Fish - We received many proposals with different ideas on ways to protect rockfish and ling cod, (seasons, size limits, area restrictions, etc.) and addressing other issues such as the different rules for spearfishers and anglers who fish for ling cod. WDFW is has developed several proposals to address these issues - see the Marine Fish section at the beginng of this document.</p>			
3	Dennis de Guzman	Change "all other fish" language in pamphlet to "all unclassified fish"	See front section of this document for a WDFW proposal is to close harvest of unclassified fish and invertebrates - will also address the issue of classified food fish that currently have no daily limit.
8	Hank Bloomfield	North of Ayock Pt, or Cummings Point, or Triton Head in Hood Canal, allow: 1)squid fishing year round or close during breeding and rearing season - limit one a day or more if possible, 2)flounder fishing year round daily limit one or three or more if possible, 3)rockfish fishing - if needed limit to coppers or black sea bass, even if just during the summer with a daily limit of one fish, 4) one ling cod a year with a limited season (one month, Mondays and Thursdays only for instance) could include barbless hook requirements for all if necessary	No-north canal is providing a recruitment source of the southern canal. We are continuing to evaluate data on this issue.
23	Mark Nihart	Ling cod limits (2 fish per day) same for divers and hook and line.	No - limits are proposed to be the same, but will remain at one fish.
24	Mark Nihart	Ling cod punch card with a limit of 12 lingcod per person.	No- controlled by season length and size limit, not necessary now.
100	Curt Kraemer	Ling cod size limits MA 7-13 a slot min size 26", max size 35", daily limit 1.	No - we think the current slot limit is the correct one - lingcod poplations are doing well.
109	Larry Anderson	Ling cod - legal to retain inside the 30 fathom line during halibut fishery in MA 2.	Marine Areas 1-4 are managed by Pacific Fisheries Management Council - will forward to that process.
131	Gary Krein	MA 5-13, change ling cod slot limit to 26-36".	No - we think the current slot limit is the correct one - lingcod poplations are doing well.

#	Proposed By	Proposal	Justification
134	Carl Nyman	MA 5-13, change ling cod slot limit to 26-36".	No - we think the current slot limit is the correct one - lingcod populations are doing well.
138	Jeff Skocelas	MA 5-13, change ling cod slot limit to 26-36".	No - we think the current slot limit is the correct one - lingcod populations are doing well.
187	Tom Sawin	MA2 - when halibut fishing is open allow lingcod to be kept outside 30 fathoms as incidental catch.	Marine Areas 1-4 are managed by Pacific Fisheries Management Council - will forward to that process.
Shellfish			
32	Dave Sisson	Allow divers to harvest shrimp at night during pot seasons	No-At the request of the diver constituents rules were adopted in 2004 to allow diving for shrimp in area 8-2 only. Divers interested in promoting this fishery type participated in several advisory board meetings and requested rules be adopted for area 8-2 only. Staff supported the rule change based on the limited area and time that the fishery would be allowed to operate. WDFW would not be able to adequately monitor and assess the catch for this fishery if it were expanded to other marine areas.
68	Jerry Hamman	Dungeness crab - open MA 6-12 seven days a week with a reduced daily limit.	No-Opening the crab fishery seven days per week as proposed would require reducing the daily limit to a level that would not provide for a quality recreational fishery. As a means to provide more weekend crabbing opportunity WDFW has submitted a proposal to include Sunday crab opportunity and reduce the daily limit to 4 crab.
150	Jon "Pete" Rittmueller	Dungeness Crab - MA 7. Open 7 days/week year-round with appropriate gear restriction.	No-This rule change proposal is unrealistic and if adopted would prohibit fishery managers from managing the marine area 7 recreational fishery within the provisions of the Fish and Wildlife Commission Puget Sound crab policy.

#	Proposed By	Proposal	Justification
Columbia River			
45	Robert Reeves Sr	For Columbia R tributaries above Bonneville Dam, change anti-snagging rule back to NBL.	No- addressed last year through public process - too soon to change, but see proposed rule to require single barbless hooks for all salmon fisheries.
Warmwater Fish			
69	Charles Colvin	Lake Roosevelt and Spokane R - walleye min size 16" and one over 22".	No-FDR walleye are not in need of more protection. Walleye size limit rules have been progressively liberalized over past decade, because population is underutilized in Lk Roosevelt /Spokane River.
75	James Tanner	Lake Roosevelt, Spokane R. Columbia R should all have statewide rules for walleye i.e. 16" min size, one over 22", daily limit 5.	No-FDR walleye are not in need of more protection. Walleye size limit rules have been progressively liberalized over past decade, because population is underutilized in Lk Roosevelt /Spokane River.
85	Lucas Noerenberg	Daily Limits for panfish. 15 crappie, 15 perch, and 30 sunfish unless other restrictions are already in place	No - this is done on a -by case basis, not as a blanket rule
132	David Curdie	Palmer Lake - Catch-and-release for bass during the spawning period (May 1 - June 15).	No-Bass stocks are maintaining themselves under current rules. Catch and release still leaves nests unguarded, and is already a common practice among bass anglers.

#	Proposed By	Proposal	Justification
133	David Curdie	Statewide bass daily limit - change to a combination of 10 per day (LM and SM)	No- During the last rule change, the WDFW Commission adopted the current statewide bass regulation, based on data indicating that the previous 12-17" statewide slot limit bass regulation works well for largemouth bass, but is inappropriate for smallmouth bass. Largemouth bass are sensitive to overharvest and under your regulation proposal anglers could keep up to 10 largemouth bass. A more liberal regulation was adopted for smallmouth bass that focuses harvest on the smaller size classes (less than 14"). The no more than one fish over 14" bag limit ensures that quality size and spawning fish remain in the lakes.
215	Ron Beardemphl	Columbia and Snake Rivers - no minimum size or daily limit for largemouth and smallmouth bass and walleye.	No-These waters already have no minimum size limit and the daily limits for bass were recently increased.
Sturgeon			

#	Proposed By	Proposal	Justification
47	Mike Hammond	Raffle for oversized sturgeon.	No - oversize sturgeon are the broodstock that support the entire lower Columbia River white sturgeon population, and protection of this broodstock is WDFW's highest priority. Over the last several decades WDFW, in conjunction with ODFW, has implemented many actions aimed at protecting oversize white sturgeon, and the current health of the lower Columbia River white sturgeon population is an indication of our success in this area. Instituting a maximum size limits and closing fishing during spawning times are two such actions. Establishing a raffle targeting the same oversize fish that we are trying to protect would be inconsistent with our management strategy and actions.
Steelhead			
6	Jeff Brazda	Abolish fish handling rule for steelhead, or allow photos to be taken by WA licensed guides, over water only, not inside the boat, (but fish may be out of the water) no hands inside the gill plate, fish held parallel to the water, no dead fish.	No - current handling rule seems to be working well, and should apply to all anglers.
25	Jim Karlson	Barbless hooks for steelhead.	No - barbless hooks are a tool we use on a case-by-case basis.
28	Sam Wright	Olympic Penn Wild SH - 36" max size.	No-current management and annual limit provide adequate wild fish protection
136	Richard Hunt	Would like to see the number of wild steelhead harvested cut by 50% from the 2008 harvest level would control the number of fish harvested by a permit and hard tag system payed for by a \$15 fee to enter a lottery for the permits and tags.	No - we do not have the legislative authority to charge for lottery.
Wild steelhead release year-round, statewide			

#	Proposed By	Proposal	Justification
1	Colton Rossi	No retention of wild steelhead statewide	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
4	Jack Cook	No kill all wild steelhead statewide. Selective gear rules on waters at times when steelhead are present. Limit hatchery fish introduction to a few rivers like the Cowlitz.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis. Working on Steelhead Management Plans to identify areas where hatchery fish will not be introduced.
11	Cody Reich	C&R for wild SH, statewide. State should develop on-line training for how to handle, care for and release wild steelhead for a small fee. Have to pass the class to fish certain rivers.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
15	Stephen Mull	No harvest of wild steelhead, statewide.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
19	Jon Quackenbush	Release all native steelhead statewide.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
35	Jim Karlson	Wild steelhead catch-and-release only statewide. Barbless hooks required when targeting steelhead.	No - APS shows significant support for wild fish harvest (scientific survey). Will still evaluate on a case-by-case basis. Requiring barbless hooks for only one species is very hard to enforce, so will impose on a case-by-case basis to all species.
39	James Blankenship	No retention of wild steelhead statewide. Impose "selective fishing" for commercial and tribal fishing.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.

#	Proposed By	Proposal	Justification
49	Jack Berryman	No kill of wild steelhead in all state waters.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
54	Christopher Ringlee	Wild steelhead release STWD	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
89	Pete Soverel, President, Wild Salmon Rivers	Wild SH Release statewide, year-round	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
92	Robert Young	Wild SH release, no exceptions.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
101	Dan Page	Wild steelhead release STWD.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
105	Jeff Johnson	Wild SH release statewide, year-round.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
107	Maggie McGillravy	Wild SH release statewide.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
122	Jim McRoberts	Wild SH Release, statewide, year-round.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
144	Rich Simms, President Wild Steelhead Coalition	Wild steelhead release statewide.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.

#	Proposed By	Proposal	Justification
157	Kurt Sherwood	No retention of wild steelhead statewide.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
188	Dan Page	Wild steelhead release statewide, year-round.	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
211	Les Johnson	Wild steelhead release year-round	No - Angler Preference Survey (scientific survey) shows significant support for wild fish harvest . Will still evaluate run strength on a case-by-case basis.
Wild steelhead release December 1 - February 15			
102	Wild SH Coalition - Rich Simms and Dick Burge.	No wild steelhead retention December 1- February 15. Barbless hooks required during this time period.	Yes, with modification - season limitation proposed, but not barbless hooks.
158	Kurt Sherwood	No retention of wild steelhead Dec 15 - Feb 15, barbless hooks required during this period.	Yes, with modification - season limitation proposed, but not barbless hooks.
190	Dan Page	No wild steelhead retention December 1- February 15. Barbless hooks required during this time period.	Yes, with modification - season limitation proposed, but not barbless hooks.
<p>Wild Salmonid Management Areas - We received many proposals (listed below) to designate certain areas as Wild Salmonid Management Areas. Requirements for these areas include principally no hatchery outplanting. Fishing regulations then are adopted to reflect a management strategy geared toward wild fish, such as catch-and-release and selective gear rules with retention of hatchery steelhead allowed. We want to acknowledge up front that <u>this process only deals with changing sportfishing rules - no formal designation of Wild Salmonid Management Areas occurs through this process alone.</u> Sportfishing rules, however, can be changed to reflect greater emphasis toward protection of wild fish and there are areas where we would propose changing the sport rules to those suggested below, or some modification thereof. The comments in the right-hand column ONLY address the sportfishing rule part of these proposals. The department will continue to work toward formal identification of Wild Salmonid Areas, gene banks, etc. through regional Steelhead Management Plans. The WDFW Commission is considering adoption of a policy that includes establishing Wild Salmonid Management Zones. The current DRAFT policy requires us to coordinate with co-managers before finalizing a network of <i>single-species</i> gene bank areas with <i>self-sustaining</i> populations of the designated species, and no hatchery releases. Some of the areas proposed below do not yet meet these draft criteria.</p>			

#	Proposed By	Proposal	Justification
91	Pete Soverel, President, Wild Salmon Rivers	Establish wild salmonid management zones encompassing entire watersheds in each region. Submit nominations to the Commission for approval in early 2010.	No- will pursue Wild Salmonid Management Zones on a single-species basis in concert with Commission's hatchery reform policy.
114	James "Chris" Grieve	Deer Creek(Stillaguamish watershed) - designate as a Wild Salmonid Management Area.	Current regulation achieves conservation needs. Deer Creek is already closed to fishing and has no hatchery releases.
115	James "Chris" Grieve	NF Skykomish - Catch-and-release and selective gear rules, up to two hatchery steelhead may be retained. Designate as a Wild Salmonid Management Area.	Yes with modification. Department proposal in stream strategy spreadsheet adds these rules to the area from the mouth to 1000 ft below Bear Falls.
116	James "Chris" Grieve	Pilchuck River - Catch-and-release and selective gear rules, up to two hatchery steelhead may be retained. Designate as a Wild Salmonid Management Area.	No for now- WDFW proposal to close season early (Feb 15) to enhance protection of wild fish. Hatchery releases were discontinued in 2009. We will re-evaluate during the next major rule change cycle.
118	James "Chris" Grieve	SF Stillaguamish River above Granite Falls - Catch-and-release and selective gear rules, up to two hatchery steelhead may be retained. Designate as a Wild Salmonid Management Area.	No - hatchery releases continue, but there is a WDFW proposal to apply these sport rules to Canyon Creek in the stream strategy spreadsheets.
140	Richard Burge, VP, Wild SH Coalition	Hoh River from 101 Br to Olympic National Park - C&R for wild steelhead and rainbow trout, except up to 2 hatchery steelhead may be kept. Selective gear rules for all trout and steelhead. A hook size of 2/0 or larger is required for all salmon fisheries.	No- regulations or gear specific to a species difficult to enforce. However, see response to 198.
191	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mar k Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Bogachiel River Hwy 101 Br to Olympic Nat Park boundary: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	Yes as modified: apply regulations currently in place December-April (selective gear rules) to the June-November timeframe.

#	Proposed By	Proposal	Justification
192	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Calawah River Hwy from confluence of North and South Forks to Olympic Nat Park boundary: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	Yes as modified: on the SF Calawah apply regulations currently in place December-April (selective gear rules) to the June-November timeframe.
193	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Carbon River from the confluence with the Puyallup to its headwaters: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	Yes as modified: Mouth to Voight's Creek - selective gear rules and catch-and-release except up to 2 hatchery steelhead may be retained December 1 - last day of February. Voight's Creek - Hwy 162 Bridge - catch-and-release and selective gear rules July 1 - August 15 and December 1- February 28.
194	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Deer Creek, tributary to the North Fork Stillaguamish River in the Stillaguamish watershed: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	No - current regulation is more conservative.

#	Proposed By	Proposal	Justification
195	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Elwha River Hwy 101 Br to Olympic Nat Park boundary: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	Dam removal coming 2011- will wait until re-introduction before changing rules.
196	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Entiat River and tributaries: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day (if ever opened to fishing). Designate as a WSMA.	Not by permanent rule, although proposal reflects what would be adopted if fishery was opened by emergency rule.
197	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Goodman Creek mouth to Olympic Nat Park boundary: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	No - Smolt releases will occur in 2010 and 2011. ONP rules are already consistent with this proposal.

#	Proposed By	Proposal	Justification
198	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/ Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Hoh River Hwy 101 Br to Olympic Nat Park boundary: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	Yes, but may be modified during salmon season.
199	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/ Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Hoko River from bridge above Tribal hatchery to Olympic Nat Park boundary: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	No - this proposal would liberalize current rules for these waters.
201	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/ Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Mashel River from the confluence with the Nisqually to its headwaters: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	These rules are already in place.

#	Proposed By	Proposal	Justification
202	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/ Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	North Fork Skykomish River: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	Yes as modified - area to include only NF Skykomish River from the mouth to 100 feet below Deer Falls.
203	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/ Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Pilchuck River in the Snohomish River basin: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	No for now- WDFW proposal to close season early (Feb 15) to enhance conservation of wild fish. Discontinued hatchery releases in 2009. We will consider additional conservation measures in the next major rule change cycle.
204	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/ Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Samish River from Puget Sound to its headwaters: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	No for now. Hatchery releases are ongoing.

#	Proposed By	Proposal	Justification
205	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Snoqualmie River and its tributaries from the mouth to Snoqualmie Falls: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	No, winter steelhead are still being released. WDFW proposal to close season early (Feb 15) in lower river to enhance conservation of wild fish.
206	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	South Fork of the Stillaguamish River above Granite Falls: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	No - but WDFW has proposed to apply these sport rules to Canyon Creek.
207	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	South Prairie Creek from the confluence with the Puyallup to its headwaters: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day. Designate as a WSMA.	No - current regulation is more conservative.

#	Proposed By	Proposal	Justification
209	Rich Simms, Wild Steelhead Coalition/Bill McMilan and Kurt Beardslee, Wild Fish Conservancy/Mark Taylor, Trout Unlimited/Bill Redman, Federation of Fly Fishers.	Wenatchee River and tributaries: Catch and release and selective gear rules except up to 2 hatchery steelhead may be kept per day if a fishery is ever opened. Designate as a WSMA.	No for now- this regulation would be adopted through emergency rule. Hatchery releases continue for supplementation purposes.
Stream Strategies			
21	Jim Ledbetter	Open beaver ponds year-round. There should be a definition of what a beaver pond is.	No- can't open year-round statewide (concerns for resident trout and juvenile anadromous fish). Could open Memorial Day weekend on a case-by-case basis. Don't have a workable definition, although we have tried to come up with one.
27	Sam Wright	Open all non-anadromous streams Sat before Memorial Day. Delay anadromous trout streams to 2nd Sat in June. Delay Free Fishing Weekend one week.	No-we will open on a case-by-case basis for Memorial Day weekend. No additional change for stream opener.
26	Sam Wright	STWD trout season - closed unless open. An alternative is to drop the 8" minimum size but keep the stream season as is for hatchery fish and EBT.	Yes to closed unless open, but modified to include only the Straits and Puget Sound drainages at this time.
30	Sam Wright	Add selective gear rules to 1) any stream trout fishery with a minimum size limit, or where bull trout or salmon cannot be retained or 2) at least one of the following salmonid populations is present: ESA-listed or unlisted populations of juvenile steelhead; ESA-listed bull trout populations; juvenile sea-run cutthroat trout populations; immature resident rainbow and cutthroat trout; ESA-listed and unlisted juvenile Chinook; salmon populations with a significant amount of yearling production; and EAS-listed and unlisted juvenile coho salmon populations.	No as a blanket rule - we will identify opportunities and specify where SGR is needed on a case-by-case basis - see stream strategy proposals.
31	Sam Wright	Trout rules in all small and medium sized independent tributaries to Puget Sound should be : catch-and-release or closed to trout fishing.	No as a blanket rule - will apply on a case-by-case consistent with closed unless open strategy.

#	Proposed By	Proposal	Justification
93	Robert Young	C&R only for rainbow trout and juvenile steelhead; selective gear rules for all trout.	No - not as a blanket rule, but selective gear rules will be applied on a case-by-case basis.
117	James "Chris" Grieve	All rivers that contain anadromous fish - selective fishery, release all rainbows, keep existing size and daily limits for other species.	No -this is prohibited by current legislative rule.
143	Wild Steelhead Coalition: Rich Simms President, and Richard Burge, Conservation VP	Puget Sound and Olympic Peninsula anadromous rivers and their tributaries except river sections above barriers and rivers such as the Cedar River that are functionally extinct of wild steelhead and have been determined best managed for wild trout fisheries: C&R only for rainbow trout. Selective gear rules for all trout fisheries. Minimum hook size (such as 2/0) for adult salmon and steelhead fisheries.	No as a blanket rule - we will identify opportunities and specify where catch-and-release or selective gear rules are needed on a case-by-case basis - see stream strategy proposals.
162	Kurt Sherwood	Puget Sound and Olympic Peninsula anadromous rivers - C&R and SGR for rainbow trout and juvenile steelhead.	No - not as a blanket rule, but selective gear rules will be applied on a case-by-case basis.
189	Dan Page	Puget Sound and Olympic Peninsula - catch-and-release only for rainbow trout and juvenile steelhead. Selective gear only for all trout.	No - not as a blanket rule, but selective gear rules will be applied on a case-by-case basis.
213	Les Johnson	Puget Sound and Olympic Peninsula anadromous rivers - catch-and-release only for rainbow trout and juvenile steelhead. Selective gear only for all trout.	No - not as a blanket rule, but selective gear rules will be applied on a case-by-case basis.
Other Trout Rules			
76	Thomas Quinn	No retention fisheries for DV/bull trout, statewide.	No- will continue to provide opportunity on a case-by-case basis where populations are healthy.
90	Pete Soverel, President, Wild Salmon Rivers	Wild cutthroat/char release, statewide, year-round.	No- will continue to provide opportunity on a case-by-case basis where populations are healthy.
149	Dale Dennis	Remove searun cutthroat from the term trout and make a separate category defined as "Coastal Cutthroat Trout" in rivers and selective gear rules and catch and release year-round.	No-14" minimum size is put in place to protect sea-run cutthroat in many areas. Will add selective gear rules and catch-and-release on a case-by-case basis consistent with stream strategy. Retention is already unlawful in salt water.

#	Proposed By	Proposal	Justification
179	Josh Zarling	Sea-run cutthroat - C&R only.	No-14" minimum size is put in place to protect sea-run cutthroat in many areas. Will add selective gear rules and catch-and-release on a case-by-case basis consistent with stream strategy. Retention is already unlawful in salt water.
Opening Day for Streams			
52	Tom Nordin	Change STWD opening day for streams to last Saturday in May	No but will apply to selected streams on a case-by-case basis
62	Ian Malcom	Return opening day of stream season to June 1	No- rule was set by the Commission last year.
94	Jarod Barbee	Move opening day for streams back to June 1 instead of the 1st Saturday in June.	No- rule was set by the Commission last year.
99	Mike Guardipee	Move opening day for streams back to June 1 instead of the 1st Saturday in June.	No- rule was set by the Commission last year.
Two-Rod Proposals			
2	Raymond Paul	Allow 2 poles statewide with a \$10-\$15 fee.	Yes with modification - limited to most lakes.
16	Reg Morgan	Allow 2 rods in Banks Lake while ice fishing, holes no more than 50 feet apart. Three single hooks/jigs per rod.	May fish in Banks Lake if 2-pole endorsement is purchased. No to special rules for ice fishers.
33	Chris Turvey	When salmon and steelhead fishing, let the boat have an extra rod.	No-rule will apply to anyone fishing on a lake.
36	Tom Hall	Allow 2 rods in fresh and salt water fisheries for a fee.	Yes with modification - limited to most lakes.
41	Dave Kirkham	For saltwater salmon fishing, allow one rod for the boat and one rod per fisherman.	No-rule will only apply in lakes.
42	Kathy	Pay an extra \$5 fee for a second rod.	Yes for seniors, others \$20.
46	Mike Hammond	Allow anglers to use 2 rods for salmon, steelhead, and sturgeon.	No-rule will only apply in lakes.
58	Rolen Wegner	Allow 2 rods statewide for \$5 fee	Yes for seniors, others \$20.
60	Don Rommel	Two poles for salmon fishers fishing alone in Puget Sound, lakes Washington, Wenatchee and Chelan.	No-rule will only apply in lakes.
97	Bill Osborn	Extra license for 2nd rod - \$20-\$25 for salmon, steelhead, and trout, in coastal waters, rivers and lakes yr-round.	Yes with modification - limited to most lakes.
156	David Nieman	Use 2 poles STWD for a fee.	Yes with modification - limited to most lakes.
Lead Tackle			

#	Proposed By	Proposal	Justification
125	Virginia Gumm and Daniel Poleschook Jr.	Ban the use of lead sinkers 1 oz of less in weight and lead jig 1.5 inches or less in length at common loon territorial waterbodies/or as recommended by WDFW and including Lake Pateros and Lake Wallula.	Yes with modification - see proposal in front section of document.
126	Chuck Lennox, Chair, WDFW Wildlife Diversity Advisory Council	Ban the use of lead sinkers 1 oz of less in weight and lead jig 1.5 inches or less in length at common loon territorial waterbodies/or as recommended by WDFW.	Yes with modification - see proposal in front section of document.
210	William Grant	Switch to a lead alternative for our lakes and oceans.	No, too broad, but see proposal to limit lead use on specific lakes..
Region 1			
59	Jenny Richardson	Allow bait (suckers and other live bait) in Spokane River from Green Street to the Idaho state line	No - the upper Spokane River is a catch-and-release fishery, which precludes the use of bait.
72	Paul Sheilds	Liberty Lake (Spokane Co)- have regular "opening day" season instead of early opener (Mar 1)	No - rule was adopted during last rule change session- too soon to change.
74	Allan Thonney	Open Dry Creek (Walla Walla Co) to fishing	No- this creek is closed because it is a nursery area.
Region 2			
14	Lawrence Hill	Methow River - develop a split season for steelhead - close from Mid -December to mid-February, then leave open through March.	No; so few anglers fishing the Methow during December and January, that impacts are minimal.
50	Chuck Christenson	Allow chumming in Palmer Lake (Okanogan Co)	No. Kokanee are easy to catch in Palmer.
51	Chuck Christenson	Increase kokanee limit to 10 on Palmer Lake, (Okanogan Co)	No, not at this time. Need to decide whether Palmer needed as egg bank for our kokanee program.
57	Michael Pattan	Open Lake Lenore (Grant Co) for ice fishing Dec1- Jan 31, barbless hooks, no bait, artificial lures, C&R only.	No. Hooking mortality likely to be high; would encourage poaching.
82	Stephen Cushing	Beda Lake (Grant Co) C&R only	No. Most anglers do not keep fish, but should be allowed to do so if a fish is mortally injured.
86	Dave Mack	Lenice, Nunnally, Merry lakes -C&R only for trout.	See above answer. Catch and Release does not stop poaching.
87	John Crandall - Wild Fish Conservancy	Lost River (Okanogan Co)- no harvest of DV/BT and SGR added Monument Creek - outlet of Cougar Lake	No- need to complete survey first- before we change bull trout address tribs in stream strategy
146	Nick Gayeski - Wild Fish Conservancy	Icicle Creek (entire creek) - season first Sat in June to first Sat in September after Labor Day.	Yes with modification of season - open area already has selective gear rules.

#	Proposed By	Proposal	Justification
147	Nick Gayeski - Wild Fish Conservancy	Icicle River - upstream from Leavenworth National Fish Hatchery rack to the mouth of Leland Creek: trout (except brook trout) selective fishing regulations, C&R.	Selective gear rules are already in place - especially with the shortened season suggested above, catch-and-release is not necessary at this time.
Region 3			
37	Terry Sheely	Leech Lake (Yakima Co) make this lake C&R with a one fish daily limit	No-harvest of brook trout is encouraged by 5 fish daily limit, but only one over 14"
Region 4			
34	Chas Wade	Lower Cascade River - allow retention of steelhead during the salmon fishery (June-Sept).	This rule already is in place.
127	Russ Osenbach	Close Cascade River to fishing for steelhead Dec 1-31.	No - this is a fishery for hatchery steelhead.
108	John Farrar	Cedar River - mouth to Cedar Falls - C&R except up to 2 hatchery steelhead may be retained, SGR.	No-no public access, no steelhead there confirmed by snorkel surveys-no reason to close to retention of other species
78	Jeffrey Crow	Green River drop ban on fishing from a boat from Hwy 99 to Auburn Nov 1- Feb 15.	No-Proposals similar to these were submitted during the last major rule change cycle and were not supported by staff because of concerns that the use of boats in this area would result in increased impacts on wild steelhead. Returns of these fish have been declining in recent years to record low numbers. November-February is prior to the spawning time of wild winter steelhead on the Green. We are proposaing to drop the rule that currently allows a very limited harvest of these fish. Catch of hatchery
88	Henry Boynton	Green River (King Co) allow fishing from a boat Nov 1- Feb 15 from Hwy 99 to the logjam in Auburn.	
110	Joseph Madrano	Green River - (King Co) allow fishing from a floating device Nov 1 - Feb 15.	
123	Frank Urabeck	Green River (King Co) allow fishing from a boat Nov 1- Feb 15 from 1st Ave S Bridge to Auburn-Black Diamond Rd Bridge.	
124	Rob Larsen	Green River (King Co) allow fishing from a boat Nov 1- Feb 15 from 1st Ave S Bridge to Auburn-Black Diamond Rd Bridge.	
153	Donald Payne	Green River (King Co) allow fishing from a boat Nov 1- Feb 15 from Hwy 99 to the logjam in Auburn.	
154	Cliff Kuppinger	Allow fishing from a boat on the Green-Duwamish River Dec 1- Feb 15.	
155	Carl Carver	Green-Duwamish River - Nov 1- Feb 15; allow fishing form a boat.	
160	Steven Bagley	Allow fishing from a boat on the Green-Duwamish River Dec 1- Feb 15.	

#	Proposed By	Proposal	Justification
161	Al Senyohl, President - Steelhead Trout Club of WA	Green River (King Co) allow fishing from a boat Nov 1- Feb 15 from Hwy 99 to the logjam in Auburn.	steelhead would also likely increase. In recent years have had difficulty collecting adequate hatchery broodstock. - coupled with reduced hatchery releases, (60% for winters and 40% for summers) in 2010 this would make it even more difficult. There is already good bank access in this area with several parks and pedestrian bridges.
164	Greg Volkhardt - Tacoma Utilities Water Division	Green River - prohibit fishing from the Tacoma watershed boundary marker to the pipeline bridge (1 mile) September 1 - February 28.	No. There are many areas with high densities of Chinook spawning in the lower river that are open during this time. If there is a poaching or harassment problem, we will address it appropriately.
166	Greg Volkhardt - Tacoma Utilities Water Division	Green River - Eagle Gorge (Howard Hanson Reservoir) close to fishing year-round.	No - There are no biological reasons to close the reservoir to fishing and many other reservoirs in municipal watersheds (Cedar/Chester Morse) that are technically open for fishing but access is prohibited.
130	Russ Osenbach	North Fork Nooksack River - Closed to fishing December 1-31.	No - If we need to close to meet hatchery escapement , we will use an emergency rule.
128	Russ Osenbach	Samish River - Dec 1 - March 15, add selective gear rules.	Yes with modifications - see Samish River proposal in front section.
98	John Farrar	Skagit R C&R season - from Hwy 536 at Mt Vernon to Cascade R - extend the current C&R season to this area; Dec 1 - April 30.	No- too great an impact to wild steelhead from this much more time in the fishery
103	Jeff Johnson	Skykomish River and both forks- no bait allowed June 1 - November 30.	No - but see proposal for selective gear rules and catch-and-release except up to 2 hatchery steelhead may be retained in the lower NF Skykomish in stream strategy section .
104	Jeff Johnson	Skykomish River and both forks- single barbless hooks required June 1 - November 30.	No - but see proposal for selective gear rules and catch-and-release except up to 2 hatchery steelhead may be retained in the lower NF Skykomish in stream strategy section .

#	Proposed By	Proposal	Justification
137	John Farrar	Skykomish R - reinstate C&R season from mouth to Wallace River March 1 - April 30: (catch-and-release except up to two hatchery steelhead may be retained, selective gear rules, except lawful to fish from a floating device equipped with a motor, but not while under power.	No. We're not in support of a C&R fishery during the wild steelhead run while the wild winter population appears to be at such a low level. Future C&R fisheries in this time period may be available when consistent with Steelhead Watershed Plans that are currently under development.
120	David Beckenbaugh	Snoqualmie R below Snoqualmie Falls: delete selective gear rules June-November 30.	No- the selective gear rule was put in place to protect listed summer steelhead from fishing mortality.
181	Matt Smith	I would love to see all forks of the Snoqualmie be C&R only and open year-round.	No. WDFW is currently conducting research on trout resources in the forks, and any regulation changes in this area will be based on the findings of these studies.
121	David Beckenbaugh	Tokul Creek - change opening day	No. Existing regulation was developed by enforcement and hatchery staff recently, and seems to be working.
182	Margaret Jones and David Eriksen	Rattlesnake Lake (King Co) open year-round C&R only but in the middle of the summer keep the current regulations.	Yes with modification - season open year-round.
184	Anthony Hoyt	I proposal that Rattlesnake Lake near North Bend be made a catch and release lake and be opened year round for fly-fishing only.	Yes with modification - selective gear rules instead of fly fishing only.
111	Steven Russell	Vogler Lake (Skagit Co) close during July and August - retain C&R.	No - WDFW Commission moved away from the "split season" concept several years ago.
Region 5			
77	Brian Stowell	When lower Columbia is closed to fishing it should only apply to boat fishermen.	No - Sport fishing regulations for the Columbia River are adopted in conjunction with the Columbia River Compact process to ensure consistent regulations between the states of Washington and Oregon. WDFW will not move this proposal through our statewide process, but we will forward your proposal to WDFW's representative to the Compact. This will ensure consistent regulations for both states regarding Columbia River sport fisheries

#	Proposed By	Proposal	Justification
95	Darcy Mitchem	Open Green R (Cowlitz Co) above 2800 bridge or above the falls to the retention of EBT. Could be C&R and SGR for cutthroat.	Yes with modification of area and catch and release for all trout.
106	Jarrod Black	Kalama R - Sept 1- Oct 31 - delete night closure during FFO season below hatchery intake.	This appears to be an enforcement issue rather than a regulation problem. Rescinding the night closure would allow the current illegal activity to continue. In fact, because it would be legal to fish at night it would make enforcement of snagging even more difficult than it already is. This regulation was instituted recently in response to what was becoming a disorderly fishery. WDFW's intention is to maintain this as an orderly fishery and we believe that rescinding the night closure will be contrary to that goal. Your concerns about this fishery will be forwarded on to the enforcement division.
20	Doug Miller	Klickitat and White Salmon rivers - release trout 18-24" in length.	Condit Dam is in place at this time; therefore, this regulation is premature. WDFW will want to observe the impact of the removal of Condit Dam on the distribution of both resident trout and anadromous steelhead prior to implementing any major regulation changes. This proposal should be resubmitted in 2011 when at the next major regulation cycle will occur. By this time the dam should be removed and it would be more appropriate for WDFW to evaluate this proposal.

#	Proposed By	Proposal	Justification
63	Jim Brown	Extend boat restriction in Drano Lake	<p>Drano Lake Portion of Proposal - Several proposals have been received regarding the boat restriction regulation for Drano Lake, with each regulation varying slightly from the other regulations. Feedback from last years regulations has generally been positive so we will be proposing a similar regulation again this year. We will not be incorporating your request to expand the area to the west corner of the boat ramp based on the positive results of last years regulation.</p>
63B	Jim Brown	Make a statewide rule that says that boaters may come no closer than 20-25 yards to a shore fisherman.	<p>Statewide Portion of Proposal - There are many places in the State of Washington where boat and bank anglers fish in close proximity. In most cases these fisheries are conducted in an orderly manner. There are however a few occasions, such as Drano Lake, where this boat and bank anglers create a disorderly fishery. In these situations we are able to adopt regulations that address the issue in that specific location. The statewide rule you proposed and would reduce access of boat anglers to productive fishing locations unnecessarily.</p>
65	Jim Brown	Drano Lake bank fishing only area open Mondays, Wednesdays and Sundays for bank fishing only, open to boat fishers other days of the week.	No, but see proposal for bank fishing-only area.
84	Stephen Cushing	Goose Lake (Skamania Co) add no internal combustion engines.	No - Forest Service already has this rule in place.
83	Stephen Cushing	Spirit Lake - open to fishing SGR, one trout under 20"	Yes., with modification. See proposal in front section of document.
119	Denny Way - Clark Skamania Flyfishers	Open Spirit Lake June 15 (or when FS opens visitor recreation) to October 31. One weekend day per week, 10 anglers per day with 2 or more fishing hosts.	Yes., with modification. See proposal in front section of document.

#	Proposed By	Proposal	Justification
139	Toutle Valley Community Assoc - Darcy Mitchem, Recreation Chair	Spirit Lake - open to fishing for trout, selective gear rules, one fish over 16", participation by drawing.	Yes., with modification. See proposal in front section of document.
216	Clark-Skamania Flyfishers	Spirit Lake open to fishing June 15 of to coincide with visitor center - October 13. 1 weekend day/week, 10 anglers per day. Lottery or drawing for spots. Selective gear rules, float tubes only, no motors or from selected bank areas.	Yes, with modification. See proposal in front section of document.
Region 6			
70	Henry Altenburg	Gorst Creek - closed waters from mouth to rearing facility.	Yes - currently closed from the lower bridge upstream - as part of our stream strategy proposal, we would propose closing Gorst Creek entirely.
9	Matt Heil	Make Olympic Penn SH fisheries C&R IF the tribes agree to reduce their harvest of Wild SH	No- anglers should have the opportunity to harvest fish from strong runs if they desire.
10	Matt Heil	Hoh River March 1- April allow hatchery Chinook harvest.	North of Falcon reg - will be forwarded to that process.
55	Christopher Ringlee	Hoh River SGR - mouth to FFO section near Park March 1- April 15- selective gear rules	No- retention of both wild and hatchery steelhead is allowed in the lower river, so the use of bait is appropriate.
56	Christopher Ringlee	Hoh River mouth to Park boundary - allow use of bait until the end of February, then SGR.	No- selective gear rules is the appropriate gear for the catch-and-release of wild fish in these areas.
129	Russ Osenbach	Hoh River - Dec 1 - April 30: selective gear rules and C&R on wild steelhead.	No- we require wild steelhead release in the upper river. The lower river open to wild steelhead harvest based on pre-season forecasts -we will look at a longer season based on each year's forecast.
141	Richard Burge, VP, Wild SH Coalition	Hoh River - extend fishing season for steelhead to April 30 from Morgan's Crossing to the Pacific Ocean.	No - we will look at a longer season based on each year's forecast.
145	John Kelly	Allow 2 wild steelhead/winter for both the Hoh and Quillayute rivers.	No - escapements have been low - not the right time to liberalize this rule.

#	Proposed By	Proposal	Justification
214	James Schmitz	Hoh River - year-round catch-and-release only for wild steelhead.	No- anglers should have the opportunity to harvest fish if they desire.
217	Phil Tucker	Hoh and Quillayute rivers - allow yearly limit of 2 wild steelhead.	No - escapements have been low - not the right time to liberalize this rule.
7	Matt Nixon	MF and WF Satsop open for steelhead C&R with SGR through March.	No- only made escapement in 5 of the last 10 years - not the time to extend the fishery.
67	Jack Nixon	Tahuya River - close river to salmon fishing.	Closing the salmon fishery would be a North of Falcon reg. We have met with local enforcement officers and agreed to establish a night closure to address this issue.
66	Jack Burkhalter	Prohibit fishing from a floating device on the Willapa River from the mouth of Mill Creek to the Burkhalter Bridge on Camp One Road. Petition attached.	No - Staff from Fish Management and Enforcement recently met with landowners in the area. There have been no other major complaints from other landowners along the Willapa River. Staff were unable to locate a suitable exit point for boats/floating devices, at a reasonable distance from roads near the river, and above Mr. Burkhalter's property. This prevents a compromise to allow fishing from boats from Fork Creek downstream to some point above Mr. Burkhalter's land. Also creating a "hole" in the area where boat fishing would be allowed makes the rule harder to enforce. Also, this rule was put in place just last year and needs more time before another change is considered.
73	Ron McNeal Kitsap Fly Anglers	Three Fingers Pond and Holland Pond - FFO and C&R for all trout, single barbless hooks.	yes as modified - selective gear rules for all species and catch-and-release for trout.
53	Elise Rowe	Wye Lake (Kitsap Co) no internal combustion engines	No- we do not adopt rules such as speed limits, motor restrictions, etc. that are promulgated by other entities.

Appendix 3 –

Additional Information

Proposal # 10B - Bottomfish and Halibut Closure Area

Proposal # 13 – Dungeness Crab Season and Daily Limit

Proposal #22 – Crayfish Harvest

Proposal #23 – Stream Strategy

Proposal #25 - Wild Steelhead Retention Seasons

Proposal 31 - Columbia River single point barbless hooks

Proposals # 31 and 33 – Snake River Salmon Recovery Board

Proposal #32 – Lead Tackle on Lakes Where Loons Breed

Proposal #39 - Icicle River

Proposal 40 - Methow River

Proposal 75 - Spirit Lake

Proposal # 88 - Munn and Susan Lakes

Proposals 78, 88, 110, 123, 124, 153, 154, 155, 160, 161: Additional information received on the public proposals to allow fishing from boats on several sections of the Green River November 1 February 15 that were not supported by staff

Proposals 163, 164: Cover letter from Tacoma Water on Green River proposed closures
Landowner comment 1,2, and 3 on Green River proposed closures

Proposals 191-209 Wild Salmonid Management Areas

Sturgeon Fisheries

Dec. '09 Mtg./Public Input
cc: Commission
cc: Pat Michael
Lori Preuss

City of Forks

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DEC 01 2009

RESOLUTION #388

A resolution requesting that the WDF&W not adopt "a recreation fishing closure in marine catch area 4 for bottom fish and pacific halibut" and not adopt 2010-2012 sport fish rule change proposal #10.1) "Marine area 4 (east of the Bonilla-Tatoosh line) to 13 – closed to the retention of bottom fish in waters deeper than 20 fathoms (120 ft);"

FISH AND WILDLIFE COMMISSION

WHEREAS, The City of Forks has a vested interest in the economic vitality of our community and of the north Olympic coast; and

WHEREAS, recreational fishing opportunity regulations that allow access to an abundance of pacific halibut quota have been negotiated with WDF&W personnel and managers; and

WHEREAS, the adoption of either of the aforementioned regulations will negate these negotiations and restrict recreational fishing opportunity and economic vitality; now

THEREFORE, be it resolved by the City Council of the City of Forks, Washington that;

1. The proposal that was received from one of the fish and wildlife commissioners and was not a part of the "public" 2010-2012 sport fishing rule change proposals, "process", that would create a recreation fishing closure in marine catch area 4 for bottom fish and pacific halibut, NOT be considered or adopted by the Washington State Fish and Wildlife Commission.
2. The rule change #10 rockfish and bottom fish rules proposal: Due to conservation concerns for rock fish species throughout the state, the department is proposing several changes to the recreational rules for rockfish. 1) Marine area 4 (east of the Bouilla-Tatoosh line) to 13 – closed to the retention of bottom fish in waters deeper than 20 fathoms (120 ft); NOT be adopted by the Washington State Fish and Wildlife Commission.

Passed by a vote of the City Council of the City of Forks in open session and in full consideration of this matter on this 23rd day of November, 2009.

Pat Mansfield
Pat Mansfield, Mayor Pro Tem

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FISH PROGRAM

Attested to:

Approved as to form:

R. Daniel Leinan
R. Daniel Leinan, Clerk/Treasurer

William R. Fleck
William R. Fleck, Attorney/Planner

City of Forks
500 E Division St.
Forks WA 98331-8618

Dec. '09 Mtg. / Bentler

REC'D

November 25, 2009

Fish and Wildlife Commission
600 Capital Way North
Olympia, WA 98501-1091

**PUBLIC INPUT - NO
RESPONSE NECESSARY
CC: COMMISSION**

*P. Michael
L. Preuss*

RE: Proposed Bottomfish and Halibut Closure in Area 4:

Dear Commissioners,

The explanation for this proposal is to provide additional protection for Bottomfish and Halibut. Sea Bass and Lingcod are the main catches in this area, and to my knowledge, are not considered threatened.

The other explanation on this proposal is to provide a world class destination for Divers. Neah Bay is a small *fishing* village, not a world class destination. It seems pretty selfish to propose eliminating one user group to benefit another.

Economically, this proposal could crush the sport fishing business in Area 4. In the last 18 years, we've had Salmon closures and severe restrictions. We've watched our Halibut Seasons shrink from 3 months to 5 days, as well as smaller catch limits. We're closed to Bottomfish outside 20 F in the ocean. There's only one fishing resort and a couple of motels left in Neah Bay. This proposal will put these at risk of closing as well.

Safety is also a concern on this proposal. The area east of Tattoosh Island has always been a safe fishery for smaller boats. With this area closure, a lot of boats will be forced out to the ocean, which is bigger water, although most will quit fishing Neah Bay altogether.

Historically, Neah Bay has had a good balance of Rod and Reel Fishermen and Divers. Several of my customers do both.

For 18 years, I've represented area 4 in the North of Falcon as well as the Pacific Fishery Management Counsel processes. I also own the Cape Motel and RV Park in Neah Bay. We work very hard to keep our customers on a return basis. If the proposal passes, we will lose a lot of these customers and possibly our business.

Sincerely,

Gordon Bentler
Owner, The Cape Motel and RV Park
Neah Bay, WA 98357
Marine Adronomous Advisor
(P.O. Box 136)

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FISH AND
WILDLIFE COMMISSION

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DEC 03 2009
FISH PROGRAM



MAKAH TRIBE

Makah Fisheries Management



Jonathan Scordino
Marine Mammal Biologist

P.O. Box 115
101 Resort Drive
Neah Bay, WA 98357

Phone: (360) 645-3176
Fax: (360) 645-2323
Cell: (360) 640-0959
mtcmmbiologist@centurytel.net

MAKAH TRIBE

NEAH BAY, WA 98357 • 360-645-2201

*Rec'd @
Dec. 4-5, 2009*

*Read by
Jonathan
Scodino
during #2
OPI a.m.
12-4-2009*

js

Dear Washington Department of Fish and Wildlife Commissioners:

The Makah Tribe has received notification that WDFW is proposing to have a marine reserve put within the Tribe's Usual and Accustomed fishing areas. Despite the Centennial Accord of 1989 between recognized Indian Tribes and the Governor that outlines the need for government-government consultation, there has been no attempt by WDFW to contact the Makah Tribe on this proposed plan nor has the Tribe been given any details of the plan for the reserve. Under our current understanding it sounds like a reserve is proposed around the northwest tip of the State in the Strait of Juan de Fuca that will make bottom fishing off-limit to non-tribal fishermen.

This action has a strong likelihood of affecting the economy of Neah Bay. The economy of Neah Bay is driven by commercial fishing, logging, and tourism. The tourism market is mostly driven by sport fishing. Bottom fish are not the most valuable sport fish in Neah Bay, rather salmon and halibut are. However, bottom-fish are what keep fishermen in Neah Bay staying at our hotels, eating at our restaurants, while they wait for the next salmon or halibut opener. We live in a unique location that fishermen have the opportunity to fish in both the Strait of Juan de Fuca and the open ocean. Opportunities to fish in the ocean are very limited by sea conditions whereas the waters in the Straits are protected from SW winds and the large swell in the ocean. Removing a productive fishing area along the Straits forces sport fishermen to either fish in the ocean for bottom fish or to pack up and leave town to return when whether conditions are suitable for another fishing trip.

*see
corrections
rec'd 12-5-09*

If this action does remove sport-fishermen from the Straits then the loss of economy will only be felt by the Makah Tribe. We are the port that serves the proposed area. Neah Bay is not an easy drive to make; fishermen may decide it is better to just stay in Sekiu or Clallam Bay rather than continuing to Neah Bay if they do not have the opportunity to fish in their preferred fishing areas. This becomes an issue of social justice where the Makah Tribe will bear the brunt of economic losses and we do not even know if this reserve will benefit the ecosystem of our area.

The Makah Tribe appreciates that marine reserves are a concept that has been showed to help restore fish population on the east coast and other areas. Currently the verdict is still out on whether marine reserves help fish populations of the Pacific Northwest. The fish species around Neah Bay that have the most critical need for recovery are rockfish species. A small marine reserve at Brackett's Landing in Edmonds has a strong thriving population of lingcod and cabezon, but where are the rockfish? Copper rockfish once resided in the reserve but recently have been either displaced or consumed by lingcod. In the San Juan Islands a graduate researcher from UW found that lingcod within reserves consume 5-10 times more rockfish than lingcod in areas adjacent to the reserve. So, the Makah Tribe has to really question whether a marine reserve will help with recover the

rockfish populations that are struggling in the area or if it will instead increase the pressures that have depleted the population.

Proponents for marine reserves state that there will be spill over of fish from the reserve that will recruit to the areas on the edge of the reserve. There are examples of this effect from the east coast and other reserves, both terrestrial and marine, from around the world. But will reserves in the Pacific Northwest have the same benefit? A study of lingcod utilizing the marine reserves of the San Juan Islands found that only 1 of 8 lingcod left the reserve during the period of observations. The behavior of other sport bottom fish may be different, but most rockfish species are reported to have greater site fidelity than lingcod, so it seems unlikely that sport fishermen will benefit from a spill-over effect.

Thank you for listening to our concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Lawrence".

Michael Lawrence
Makah Tribal Chairman

MAKAH TRIBE
Dec. 4-5 2009 Meeting
follow-up

Yeager, Susan D (DFW)

From: Yeager, Susan D (DFW)
Sent: Saturday, December 05, 2009 3:14 PM
To: Brad Smith; Burkhardt, Nancy A (DFW); Chuck Perry; Connie Mahnken; David Jennings; Gary Douvia (home); Gary Douvia, work; George Orr; Ken Chew; Miranda Wecker; 'Rollie Schmitten'
Cc: Michael, Patricia (DFW); Commission (DFW)
Subject: Correction to Makah statement at December meeting

cc'd COMMISSION
12-5

RECEIVED
DEC - 5 2009

FISH AND
WILDLIFE COMMISSION

Commissioners,

Please see the message below, regarding comments made during Open Public Input on

Susan

From: Russell Svec [mailto:rsvec@centurytel.net]
Sent: Friday, December 04, 2009 2:13 PM
To: Yeager, Susan D (DFW)
Cc: Anderson, Philip M (DFW)
Subject: Correction to Makah statement

Susan,

My name is Russell Svec, Fishery Manager for the Makah tribe. This morning at the commission meeting our Makah representative Jon Scordino, read into the record the position of the Makah tribe relative to the proposed marine protected area within the western Strait of Juan de Fuca initiated by Commissioner Jennings.

I am writing to forward the commission a correction within the first paragraph of the Makah Tribes statement, the first paragraph should read as such:

"The Makah Tribe has received notification that the WDFW *Commission* is proposing to have a marine reserve put within the Tribe's Usual and Accustomed fishing areas. Despite the Centennial Accord of 1989 between recognized Indian Tribes and the Governor that outlines the need for government-government consultation, there has been no attempt by the *Commission* to contact the Makah Tribe on this proposed plan nor has the Tribe been given any details of the plan for the reserve. Under our current understanding it sounds like a reserve is proposed around the northwest tip of the State in the Strait of Juan de Fuca that will make bottom fishing off-limit to non-tribal fishermen."

I want to make it clear that Phil Anderson, Director of WDF&W has been vary adamant in his communication with the Makah tribe on issues where we share co-management responsibilities. Mr. Anderson did contact the Makah tribe in advance to the proposal set fourth by Commissioner Jennings.

Thank you for your help in forwarding this correction to the WDF&W Commission.

(360) 645-3156

Dungeness Crab Test Fishery Proposal # 1

I would like to propose "Pilot Program" that will gather information that shows what is CAUGHT not KEPT so better quotas can be set on a year by year basis that is sensitive to fluctuating populations.

The "pilot program" would put more emphasis on test fisheries, enforcement compliance, creel surveys, and personal contacts in a few defined, heavily fished (crabbed) areas.

Pilot Program Components:

WDF&W:

Staffing:

- Hire two entry level shellfish biologists and one marine law enforcement officer (or reassign existing staff).
- Hire creel surveyors for part time work (preferably college student enrolled in fisheries or a shellfish program).

Duties:

1. Conduct a test fishery using established protocols, gear, and sampling intensity under the supervision and design of the Shellfish Laboratory.
 - The test fisheries will be conducted in selected heavily fished areas such as Sequim, Discovery, or Port Townsend Bays.
 - Each Bay will be divided into sub-areas and delineated by heavy, medium, and little or no fishing activity. **See attached Crab Survey Areas sheet for description of survey areas.**
 - Gather catch information from test fishery pots keeping a record of crab caught by sex, size ranges (< 4 inches, 4-5 1/2 inch, 5 3/4-6, 6 1/8 -6 1/4 inch, and larger than 6 1/4 inches, and the number of soft crab by < 6 1/4 and over 6 1/4 inches and crab kept.
 - Record this information on a Crab Tally Sheet for each pot pulled and for each crab survey area.
2. Conduct creel surveys at the most popular boat launch(s) in each area to verify crab catch (kept) information.
3. Make contacts with crab fishers to check on compliance of laws and write citations when warranted.
4. Conduct check of crab buyers on a random basis.

Schedule:

1. Conduct test fisheries on a full time basis Monday and Tuesday.
2. Conduct intermittent test fisheries on Wednesday-Saturday gathering catch data, but also conducting enforcement compliance checks while the pots are fishing.
3. Conduct the compliance checks on the buyers on a random schedule whenever they are processing crab.

Recreational Crab Advisors:

1. Help WDF&W staff select and designate the Crab Survey Areas and intensity of sample based on their local knowledge and experience.
2. Help conduct test fisheries on a volunteer basis (especially on Monday and Tuesday).
3. Voluntarily fill out the same catch information forms developed for the test fishery crew. **See attached sheet.**

Goals of the Pilot Program:

1. Better data for site specific areas on crab caught and kept by all fisher groups.
2. Data can be used to raise or lower quotas as up and down cycles in crab populations occur.
3. Build up a better relationship (trust level) between all user groups, tribal, and state agencies.
4. Determine enforcement compliance for a specific area to isolate problems.
5. Ownership and participation in crab management at least at some level by all user groups.
6. Improved compliance of existing regulations.

Funding:

Use money from the Crab Endorsement fee. (May need to have an administrative or legislative change approved)
A portion (\$ 2.00-\$5.00) of the proposed \$ 10.00 administrative penalty.

Pilot Program Implementation Strategy and Information Sharing:

1. Conduct meetings throughout the Puget Sound Region explaining the Program, its purpose and funding source.
2. Put the approved Program on the WDF&W website in both the Crab Page and on Press releases.
3. Form a partnership education team composed of one crab advisor, one shellfish biologist staff, and one law enforcement officer to provide information at ALL boat and sportsman's shows, at least on weekends.
4. Conduct a crab seminar prior to the opening of the summer crab season composed of tribal and state shellfish biologists and law enforcement, recreational and commercial crab advisors, crab pot and other gear manufacturers.

The seminar would have the following goals:

- Shell fish biology, general policy, and treaty negotiations information prepared and presented by tribal and WDF&W biologists.
- Emphasis on enforcement problems and policy by tribal and WDF&W law enforcement.
- Types and use of all available traps and problems that can be encountered.
- Discussion on the effect of lost or improperly used traps on declining crab and shrimp populations.

Thank you,

Barry Olson
Recreational Crab and Shrimp Advisor
360 681-2461
barryolson23@msn.com

Volunteer Dungeness & Red Rock Crab Test Fishery Proposal # 2

I would like to propose a “**Volunteer Pilot Program**” that will gather information that shows what is CAUGHT not just KEPT, so better quotas can be set on a year by year basis that is sensitive to fluctuating crab population levels.

Goals of the Volunteer Pilot Program:

1. Collect total catch information data for site specific areas for both Dungeness and Red rock crab.
2. The catch information can be used to increase or lower quotas in smaller designated areas within a crab management area as crab populations fluctuate.
3. Build up a better relationship (trust level) between WDF&W and the recreational fishers.
4. Ownership and participation in crab management at least at some level by the recreational fishers.
5. Improved compliance of existing regulations and hopefully a reduction in “lost” pots.

Pilot Program Components:

Develop a volunteer program that will train a “cadre” of recreational crabbers to do the following:

1. Conduct a test fishery using established protocols, gear, and sampling intensity under the supervision and design shellfish biologists from the Pt. Whitney Shellfish Laboratory.
 - The test fisheries will be conducted in selected, heavily fished areas such as Sequim, Discovery, Port Townsend Bays, Port Susan, Padilla and Birch Bays, .
 - Each test area will be divided into sub-areas and delineated by heavy, medium, and light or no fishing activity. **See attached Crab Survey Area Map and Crab Survey Areas document.**
 - Gather catch information from test fishery pots keeping a record of crab caught by sex, size ranges (< 4 inches, 4-5 1/2 inch, 5 3/4-6, 6 1/8 -6 1/4 inch, and larger than 6 1/4 inches, and the number of soft crab by < 6 1/4 and over 6 1/4 inches and crab kept.
 - Record this information on a **Crab Tally Sheet** (see attached sheet) for each pot pulled and for each crab survey area.
2. Conduct creel surveys at the most popular boat launch(s), docks, and state parks in each area to verify crab catch information.
3. Present seminars potentially at Boat and Sportsman’s Shows in January and February, and at prominent locations at popular crabbing locations (Sequim, Brannon, Tacoma, etc) in June before the season opens. Involve Tribal and WDF&W biologists and enforcement, crab pot dealers and manufacturers, crab advisors and Sportsman’s clubs.

The seminar would have the following goals:

- Shell fish biology, general policy, and treaty negotiations information prepared and presented by tribal and WDF&W biologists.
- Emphasis on enforcement problems and policy by tribal and WDF&W law enforcement.
- Types and use of all available traps and problems that can be encountered.
- Discussion on the effect of lost or improperly used traps on declining crab and shrimp populations.

Test Fishery Details:

1. The test fishery will be conducted by volunteers meeting specified training requirements.
2. Private boats will be used and the following information will be furnished to WDF&W prior to conducting the test fishery:
 - Boat Coast Guard number.
 - Names of test fishers.
 - Map of the area to be surveyed.
 - Hours and date(s) of the survey.
3. Each boat conducting the test fishery will fly a flag in a highly visible location for identification.

4. Each volunteer will wear a vest and hat as directed by WDF&W for identification.
5. Crab buoys used in the test fishery will be identified using "specially" designated colors.
6. Each boat will be allowed to use a maximum of 6 pots. If the test fishery is conducted on an open day of crab fishing, two pots per surveyor will be the regulation buoy and marking. The surveyor will keep legal crab caught only in those pots. Crab caught in all pots will be recorded on the Crab Tally Sheet and legal sized crab caught in the specially designated pots will be returned to the water.

Discussion:

I hope this proposal will be considered by other Advisors and fishers. I started filing out my Crab Tally Sheets last year and will continue doing that. I hope that this proposal if adopted in some form can be implemented in the 2009 season.

I am making this proposal because I am very concerned that collectively all fisher groups are over fishing the available populations to dangerous levels and the current funding, staffing, compliance, increase in participation level and just plain GREED by all will result in closing down g\crabbing for ALL of us. It is this concern and my love of fishing for crab over a 50 year timeframe that has motivated me to write this document.

I would also like to see more children out enjoying these fisheries and getting them away from the TV and computer. I want my grandchildren to have the opportunity to enjoy catching crab.

I would be willing to chair or co-chair a committee to help develop the proposal and request that a similar program be established for shrimp.

Thank you,

Barry Olson
Recreational Crab and Shrimp Advisor
360 681-2461
barryolson23@msn.com

Survey Area Map Legend and Level of Survey:

Map Designation Number 1:

Areas in this designation are heavily fished and are recommended for top priority for survey.

Map Designation Number 2:

Areas in this designation are moderately fished and are recommended for second priority for survey

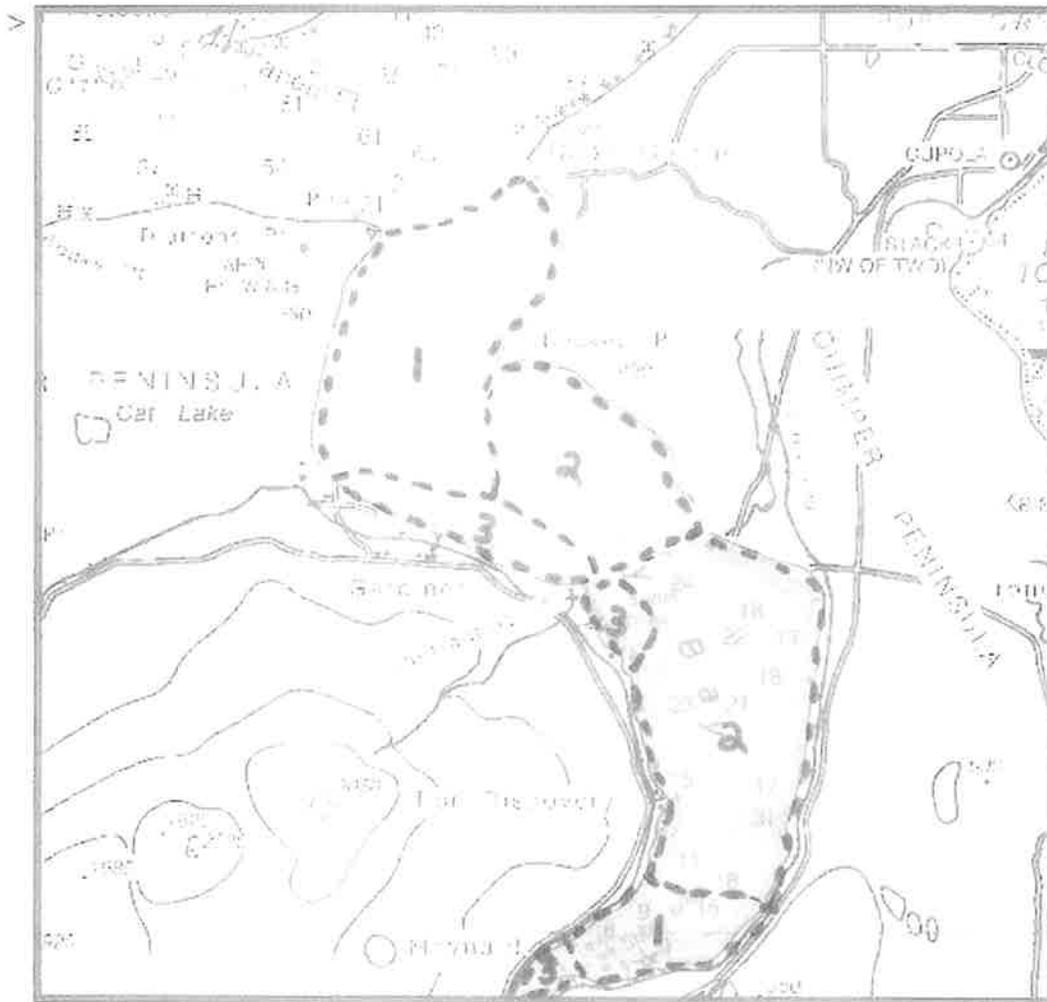
Map Designation Number 3:

Areas in this designation are recommended for lowest priority for survey for the following reasons:

- Receive very little fishing pressure
- Are located in mudflats or are very shallow
- Are located in high traffic areas

Note: All map designation numbers will contain high traffic areas and the depths needing surveys will range from 30 to 200 feet with some areas being deeper.

Crab Survey Area Map Legend and Level of Survey



Map of Dungeness Bay Area Surveyed



Volunteer Dungeness & Red Rock Crab Test Fishery Sample Agreement

This Agreement is entered into by the Washington Department of Fish & Wildlife (hereafter referred to as WDF&W) and XYZ Fishing Club (hereafter referred to as XYZ).

WDF&W shall provide the following as their part of the Agreement:

1. Training and Supervision of members of XYZ to form a cadre of participants in the Volunteer program.
2. The Protocol to be used to conduct the test fishery.
3. Provide each XYZ member participating in the test fishery with suitable identification (vest, hat, and authorization letter) prior to conducting the test fishery.
4. Provide all buoys to be used in the test fishery.
5. Provide crab bait or reimburse participants a set amount (\$10.00 per day).
6. Provide the Crab Tally Sheets and Summary Sheets for each participating boat.

XYZ shall provide the following as their part of the Agreement:

1. The list of the names of all participants in the test fishery.
2. A list of all boats participating in the fishery including the Coast Guard number, and shall fly a flag provided by WDF&W.
3. Each participant will wear identifying equipment furnished by WDF&W while conducting the test fishery and creel surveys.
4. Each boat will provide a maximum of six 24x24 inch Danielson pots, line, weights, and regulation crab buoys with each participants name displayed.
5. Provide a schedule showing survey times and dates, and survey maps, a minimum of one week prior to the first date of the test fishery or creel survey.

This Agreement shall be in effect until canceled by either Participant.

Signed:

WDF&W Representative: _____ Date: _____

XYZ Fishing Club Representative: _____ Date: _____



UNIVERSITY OF WASHINGTON

Julian D. Olden, Ph.D.
Assistant Professor
School of Aquatic and Fishery Sciences
University of Washington
Box 355020
1122 NE Boat Street
Seattle, WA 98195, USA
phone: (206) 616-3112
email: olden@u.washington.edu

12 December 2009

Lori Preuss
WDFW Rules Coordinator
600 Capitol Way N
Olympia WA 98504

Re: Comments on Sportfishing Rule Change #22 "Crayfish Harvest"

Dear Ms. Preuss,

I am writing today to provide my written testimony on Sportfishing Rule Change #22 "Crayfish Harvest", which I have pasted below for reference.

#22. Crayfish Harvest

Proposal: This proposal would allow the harvest of non-native northern crayfish (*Orconectes virilis*) and Louisiana redclaw crayfish (*Procambarus clarkii*) as part of the daily limit of crayfish. All rules currently in place for crayfish (gear rules, season, minimum size, no females with eggs or young etc.) would also apply to these species. The daily limit would be 10 lbs in the shell of all crayfish species combined.

Explanation: Currently, only the native *Pacifastacus* species of crawfish are permitted in recreational harvests. Harvest of Northern Crayfish and Louisiana redclaw crayfish is not currently allowed. These two species have established themselves in lakes and streams in Washington State. Northern crayfish appear to be the predominant species in the Columbia River reservoirs of Lake Roosevelt and Lake Rufus Woods, and have spread to become the predominant species throughout the Columbia Basin Project waters. They appear to be the sole crawfish species in Moses Lake and Crab Creek, and have been found in at least 3 lakes in western Washington. Louisiana redclaw crayfish are known to be established in at least 10 lakes and ponds in western Washington (17% of sampled lakes per Larson and Olden 2008). Allowing harvest of the two species will help to remove these non-native species, while retaining current seasons and size limits provides protection for native species.

I am an Assistant Professor in the School of Aquatic and Fishery Sciences at the University of Washington with over 10 years experience working on invasive species issues in fresh waters. Having studied non-native crayfish for many years in Washington State, including the two species in the proposed rule change *Procambarus clarkii* and *Orconectes virilis*, I believe I am well positioned to provide my expert opinion on how the proposed rule change may ultimately enhance the spread (and ecological and potential economic impacts) of these two species in Washington waters. Below I highlight my concerns regarding the proposed changes to the crayfish harvesting rule and recommend two revisions/suggestions. Before doing so, let me briefly describe the invasion history of

Procambarus clarkii and *Orconectes virilis*, which has been an area of intense study by my research laboratory at the University of Washington.

Background

The last decade has witnessed the successful establishment of two non-native crayfish species – red swamp crayfish (*Procambarus clarkii*) and northern crayfish (*Orconectes virilis*) – in streams and lakes of Washington. Both species have a long history of invasiveness and have demonstrated ecological impacts throughout their invaded global ranges. Crayfish are important polytrophic consumers in temperate freshwater environments and play a central ecological role by providing a direct link from primary production and detrital-based food webs to fish and terrestrial predators. Small-scale experiments and field studies have demonstrated significant ecological impacts of *P. clarkii* and *O. virilis* on detritus, macrophytes, benthic insects, snails, crayfishes and fish in lotic and lentic waters (e.g., Chambers et al. 1990; Geiger et al. 2005; Gherardi 2006; Gherardi and Acquistapace 2007; to name just a few studies). These species have only recently been documented in Washington and are invading a freshwater landscape occupied by a single native crayfish species – the signal crayfish (*Pacifastacus leniusculus*).

The red swamp crayfish (*Procambarus clarkii*) is the most widespread invasive crayfish in the United States and the world, expanding from its native range in north-eastern Mexico and south-central United States to 19 states and all continents except Antarctica and Australia (Hobbs et al. 1989). The invasion success of this crayfish is mainly due to its ecological plasticity, which has allowed its introduction and establishment in a variety of environments, including those occupied by native species of crayfish and highly-valued fish species. The highly aggressive behavior, potential for rapid population increase, and omnivorous feeding habits of *P. clarkii* have resulted in numerous ecological impacts manifested across entire lake food webs, including negative effects on benthic algae, aquatic plants, insects, snails, crayfish, amphibians, and fish (e.g., Geiger et al. 2005, Gherardi 2006, Gherardi and Acquistapace 2007). In the western United States, *P. clarkii* first appeared in California during the early 1920s, then was detected in Idaho in the mid-1970s and in Oregon in the early 1980s, and recently was first recorded in Washington (Pine Lake, King County) in the summer of 2000 (Mueller 2001). On-going lake surveys by my research laboratory in Washington discovered populations in Beaver L., Easter L., Five Mile L., L. Geneva, L. Ketchum, North L., Silver L., Steel L., Surprise L., and Trout L. in 2007-2009 (Larson and Olden 2008, Aquatic Invasions; J.D. Olden, unpublished data).

The northern crayfish (*Orconectes virilis*) has a broad natural distribution across central North America, ranging from the southern tip of Hudson Bay south to the states of Arkansas and Oklahoma, and from the northeast United States west to Montana (Pflieger 1996). *O. virilis* has been widely introduced across all regions of the United States as well as occasionally in Europe (Hobbs et al. 1989; Ahern et al. 2008). *O. virilis* has been found to reduce macrophyte biomass and diversity (Chambers et al. 1990) and may impact native fishes through competition for food (Carpenter 2005). Pflieger (1996) characterized *O. virilis* as “an active, alert, and agile crayfish” that is “adaptable and prolific,” and attributes its numerous invasions to bait-bucket introductions by anglers and aquaculture for human consumption. *O. virilis* was only recently detected in eastern Washington (Columbia River Project waters) and western Washington: L. Ballinger (Snohomish County) and Spanaway L. (Pierce County) (Larson, Busack, Anderson and Olden, Northwest Science, in press).

One of the primary pathways in which non-native crayfish are spread across the landscape is through bait bucket release by recreational anglers. Anglers often release live crayfish in waters after fishing for the day, and they may travel across basin boundaries, potentially releasing live organisms in other watersheds (Litvak and Mandrak 1993, Ludwig and Leitch 1996). In a study published in the latest issue (December 2009) of *Fisheries*, DiStefano et al. (2009) found that a survey of U.S. and Canadian fisheries agencies revealed that 49% of respondents reported aquatic resource problems that were believed to have been caused by bait-bucket introductions of alien crayfishes. The authors recommend that “Fisheries agencies should consider more effective bait regulations and education to prevent negative impacts to aquatic biodiversity, habitat, and fisheries that can result from alien crayfish introductions.” Unfortunately, crayfish are also intentionally transported and released into new streams and lakes by ignorant and selfish members of the public to establish new opportunities for recreation and harvest. So called “bucket biologists” or “midnight managers” are recognized as a critical management challenge in freshwater resource management (Johnson et al. 2009). Although published data on this phenomenon in Washington is non-existent (it is extremely hard to catch an individual in the act of releasing live crayfish), there are many lessons to be learned from other states that have (and still are) dealing with similar issues. For example, in Wisconsin (where I continue to work on crayfish issues) invasive rusty crayfish *Orconectes rusticus* have a long

history of invasion into lakes and streams. According to Jeff Gunderson (Interim Director, Minnesota Sea Grant College Program) developing a viable commercial harvest of rusty crayfish from natural lakes could be incentive for unscrupulous trappers to plant them into other waters. In fact, this may have contributed to the spread of rusty crayfish in Wisconsin, according to Wisconsin Department of Natural Resources Fisheries Manager, Harland Carlson (personal communication 1994), and is reflected in work that I have done on reconstructing the spread of this species over the past 30 years (Olden et al. 2006, *Biological Invasions*).

Recommended change #1: Only dead non-native crayfish are allowed to leave the body of water from which they are trapped.

The proposed rule change would allow the harvest of *Orconectes virilis* and *Procambarus clarkii* as part of the daily limit of crayfish. All rules currently in place for crayfish (gear rules, season, minimum size, no females with eggs or young etc.) would apply to these species. Included in these rules is the allowance of moving live crayfish from the body of water in which they were caught. By permitting this, it is in my opinion that we greatly increase the risk of the intentional and unintentional introduction of non-native crayfishes into new areas.

Importantly, under section (d) of WAC 232-12-016, prohibited aquatic animal species (which includes *Procambarus clarkii*) that are captured in state waters and not immediately returned to the water from which they were captured must be killed before removing the species from within the riparian perimeter of the body of water. This rule represents a fundamental mechanism by which WDFW is attempting to limit spread of non-native species. The proposed rule change is in direct conflict with WAC 232-12-016. Consequently, I recommend that non-native crawfish should not be removed alive from the waterbody, but can be removed dead, subject to the statewide bag limit, minimum size, etc. for crayfish species in general. This preserves the prohibited species designation tool that is essential for invasive species management efforts. Specimens of native signal crayfish *Pacifastacus leniusculus* will still be allowed to be transported live from the point of capture.

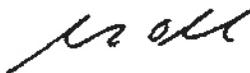
Recommended change #2: Published fishing regulations should include a 1-page identification key.

Long-term success in limiting the spread of non-native crayfish (and their subsequent impacts on our native ecosystems) will require greater awareness among anglers of the differences between native and non-native crayfish in our state. This will also be needed so that anglers will know the difference between the native signal crayfish (which can be harvested and removed alive) and non-natives crayfish that must be dead prior to transport. Luckily, we have only one native crayfish species and three nuisance invaders that we are aware of: *Orconectes virilis*, *Procambarus clarkii* and *Orconectes rusticus* in Oregon waters (Olden et al. 2009, *Crustaceana*), and these species have very distinct characteristic differences; see <http://www.fish.washington.edu/research/oldenlab/pdf/Guide%20to%20Crayfish&CMS%20Identification.pdf>. Therefore, I recommend that the 2010 Fishing Regulations contain a full-page identification key for the 4 species mentioned above.

Given the significant ecological and economic impacts of *Procambarus clarkii* and *Orconectes virilis* in other regions of the United States and the world, it is the responsibility of WDFW to limit all possible activities associated with recreational fishing that could promote the spread of these species in the future. I strongly encourage WDFW to consider the recommendations noted above.

Please feel free to contact me if you have any questions.

Sincerely,



Julian D. Olden
(electronically signed)

Please
Vote No!
on
proposal 23

Yeager's Sporting Goods Bellingham WA



Dave's Sport Shop Lynden WA



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December 5th 2009

To: The Washington Fish and Wildlife Commission

Ladies and Gentlemen,

Thank you for the opportunity to appear before you today and to speak on this very important matter. I am here today in two capacities. First and foremost, I am a man who grew up in Whatcom County and has spent thousands of hours fishing the Nooksack River. I have also spent hundreds of hours on the Skagit, the Sammish, the Sauk and the Elwha rivers. I taught my wife and all five of my children and stepchildren to fish on the Nooksack as well.

In the fall of 2008, I spent over 100 hours on the banks of the Nooksack and landed a total of two salmon, both of which were returned to the river unharmed, as they were native fish. In the fall of 2009 I spent a few less hours on the river and hooked no salmon or Steelhead. My wife has spent many hours on the river these past two falls and has yet to hook a salmon or a Steelhead. Most of my fishing friends have had similar results. I mention these facts only to illustrate that I am very much in support of efforts to restore the native runs of salmon and Steelhead and return these rivers to their former glory. However, proposal 23 is not the answer to the problem and in fact would lead to further depletion of the resources through the loss of funding that would result in reduced license sales.

I am also here as a representative of the store I work for in Bellingham, and Dave's Sport Shop in Lynden. My store, Yeager's Sporting Goods, has been in business for over 80 years and its late founder, Ira Yeager, was one of the first licensed river guides in Washington State. We have one of the largest sporting goods stores in Washington and are heavily accented towards hunting and fishing with our largest inventory segment being the fishing department. We stock and sell products for all types of Puget Sound saltwater, and freshwater fishing.

Dave's Sport Shop has grown over the years from a small department at the back end of a hardware store into a leading retailer of hunting and fishing gear in the northwest corner of the state and a couple of years ago moved into a beautiful and much larger store front next door to their original location. This is also a well-respected business in Whatcom County and one that works hard at supporting the resources that mean so much to its customers.

It is an economic fact that the fewest number of people fishing for salmon in our area are fishing in saltwater as it is far too expensive to own and maintain a boat for the average family. In freshwater fishing, lake fishing for put-and-take trout is a poor substitute for fishing for wild trout and after the first few weekends of the season, most fishers just lose interest. The nearest thing to truly wild fish we have anymore are the runs of Rainbow, Cutthroat, Dolly Varden and Steelhead Trout that inhabit or run the Puget Sound Rivers as well as the various salmon runs

that also use the rivers. We recognize that those salmon also support two other segments of the economic landscape, the commercial fishing industry and the Native American Tribes. As a major seller of fishing gear in the northwestern corner of Washington State, we are also very interested in seeing the rivers returned to their glory days as fish producing streams, but Proposal 23 is not the answer.

Proposal 23 implies that individual rivers will be closed until studies are conducted that would allow them to be reopened. Rather than closing rivers until a study is done to determine if they can be opened, the commission should take the opposite approach and leave the rivers open until a study can be done on each river to determine if it should be closed for certain threatened species. If you have the staff to do it one way, you should have the staff to do it the other, thus allowing for the greatest number of fishers to fish the largest number of rivers for the longest time.

And finally, Proposal 23 seems to imply that sport fishing is a significant cause of the decline of certain species of fish in the rivers. Nothing could be further from the truth. Fishing for game fish is, and has been, closely and heavily regulated for many years. If the populations are down, we suggest that high seas fishing by foreign nations, floods in spawning areas, pollution from industrial and agricultural sources, gillnetting, and general management errors have played a far larger role in depleting these populations than sport fishing.

Another major reason for the decline of various species in the rivers is the fact that reduced salmon runs means a reduction of spawned out dead salmon carcasses providing nutrients in the rivers for consumption by the young of these species. This has nothing to do with sport fishing.

A case in point is the Pink Salmon run in the Nooksack. Humpy fishing in that river was once a huge boon to fishers in Whatcom County. The Humpies were plentiful, relatively easy to catch, and sold a lot of licenses to people who were first time fishers in the river. The Humpy run also sold a lot of fishing tackle for Yeager's, and other stores as well. That run was wiped out by a flood, not by sport fishers, and we have been watching for it to return. I am pleased to report that I did see a few spawned out Humpies drifting downstream this fall so perhaps we will see a time when there are again harvestable numbers of that fun little salmon in the Nooksack.

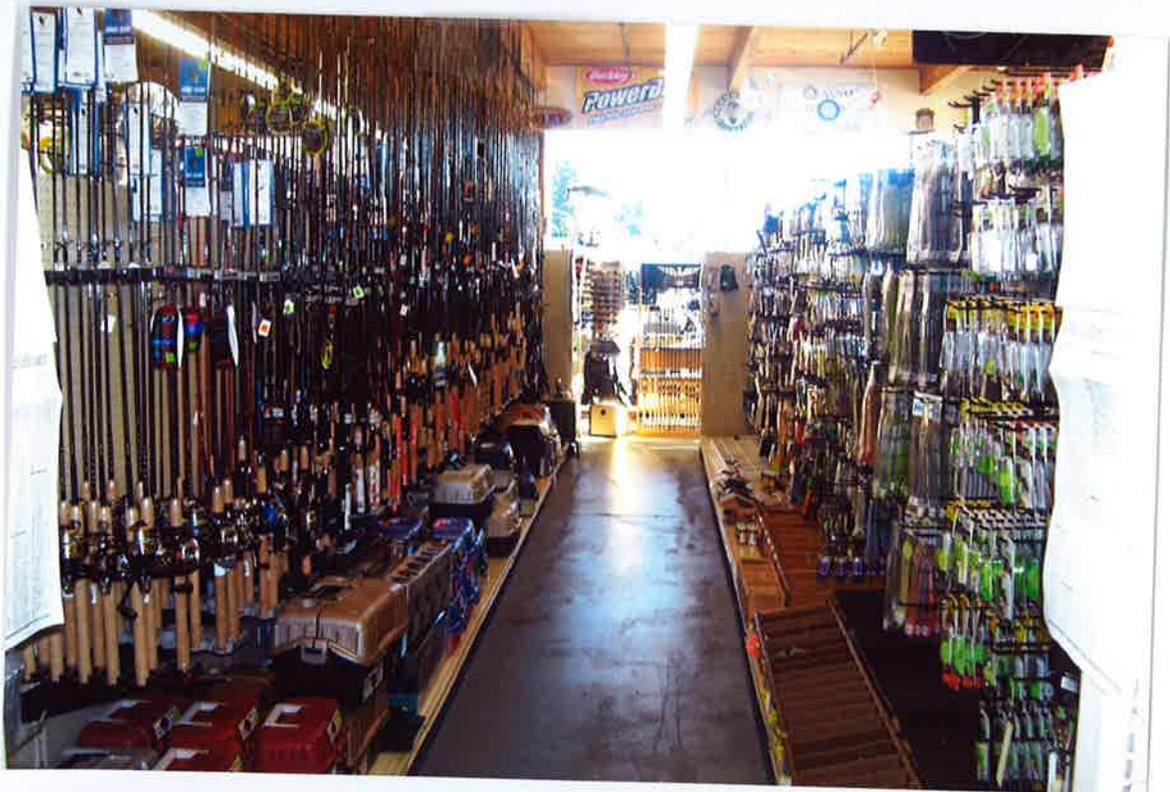
All we are asking, as fishers and merchants is that the 2010 regulations be maintained as they are written, and that you give yourselves and the public a greater opportunity for input over the next year. This would not only be more fair, but also would be more respectful of all concerned parties.

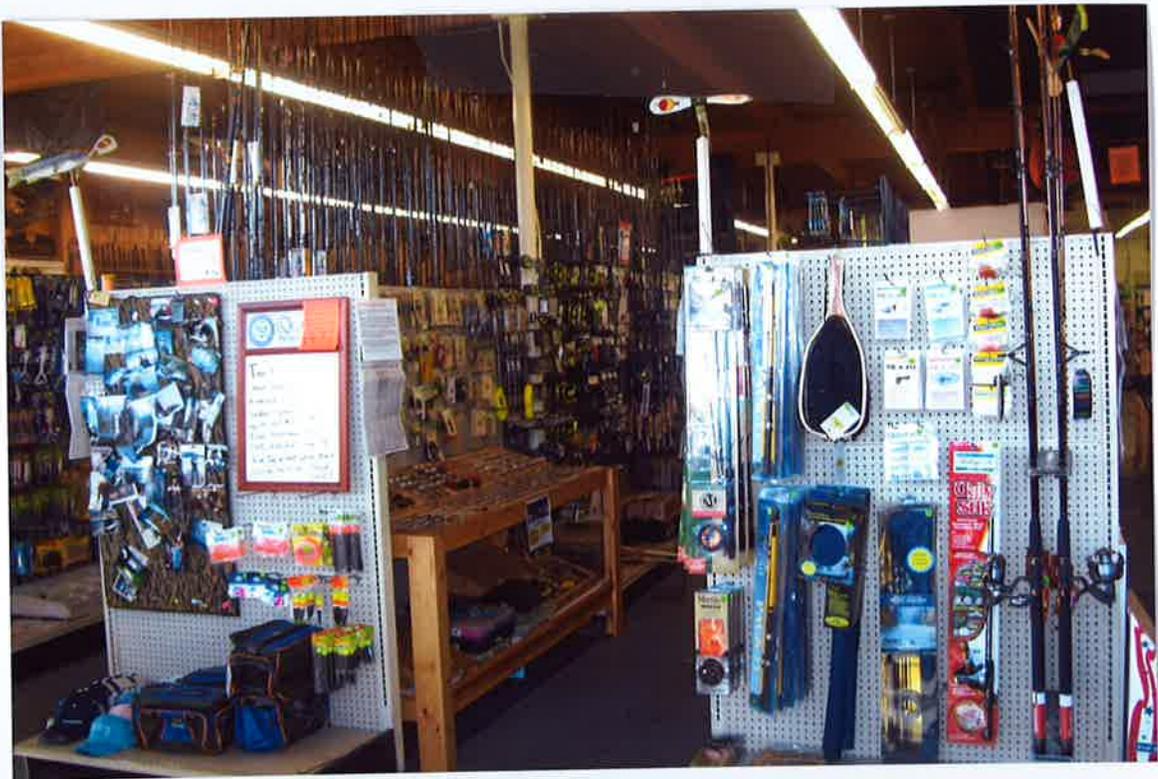
Respectfully Submitted



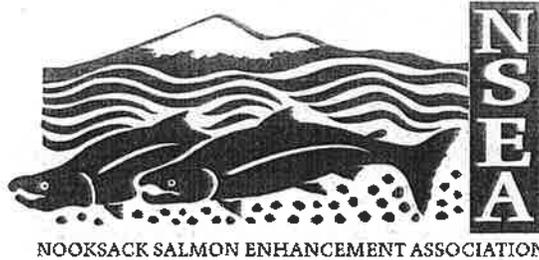
John D. Westerfield
Yeager's Sporting Goods

Also Speaking For: Dave Vander Hoek of Dave's Sport Shop





Lindsay



Dear Ms. Welch:

The surge in population growth in Bellingham and Whatcom County over the past few decades has enabled many new people to enjoy our wonderful environment and lifestyle. Businesses have grown and prospered while responding to the needs of our increased population. Unfortunately, our growth and prosperity has not occurred without its adverse impacts. The cumulative impacts of increased urban sprawl, road building, water diversions, stream channelization, erosion, storm water runoff and spread of invasive plants have contributed to severe loss of vital local salmon habitat. This loss of habitat must be reversed or our Whatcom County salmon runs will decline further and virtually disappear.

Fortunately, you can help to restore local salmon habitat by supporting the Nooksack Salmon Enhancement Association (NSEA). NSEA is a community-based nonprofit organization dedicated to restoring sustainable wild salmon runs in Whatcom County. NSEA is highly efficient with less than 10 percent of its funding consumed by administration and fundraising. By working with volunteers, interns and a Washington Conservation Crew, NSEA is able to leverage its 5 full-time staff into accomplishing more than \$1 million of salmon habitat restoration and educational projects each year.

Enclosed are brochures that highlight example projects NSEA accomplishes annually in the Nooksack River and streams of western Whatcom County, including:

- installing bridges and culverts to remove fish passage barriers,
- adding large woody debris to provide cover and places for small fish to hide,
- building fences for livestock exclusion,
- removing invasive plants, and
- planting native plants along streams to provide shade and protection

In addition, NSEA's local educational programs for grades K-12 are building awareness and appreciation towards our watersheds and salmon enhancement. In 2008, 1,478 students spent 12,830 hours participating in NSEA educational programs.

Together, NSEA and you can make a significant contribution to our goal of restoring miles of salmon streams, creeks, and habitat in 2010. This year, our fundraising focuses on supporting our champion restoration team of six full time Washington Conservation Corps (WCC) crew members. Our goal is to raise \$30,000 to sponsor this WCC crew, materials, tools and transportation. Without it, we fall short of our restoration goal and salmon loose out.

Your contribution this year will support NSEA's ongoing efforts to ensure healthy streams for the fish that have fought so hard to return to Whatcom County. If you have any questions or need more information regarding NSEA, don't hesitate to contact me at 360-255-3501.

Thank you from the NSEA Staff, Board Members, and Volunteers,

Stan Smith

Stan Smith, Board Member

Nooksack Salmon Enhancement Association Washington Conservation Corps 2008 & 2009 Project Highlights



The Washington Conservation Corps (WCC) and NSEA work together to complete habitat restoration projects throughout Whatcom County.



14 Fish Passage Barriers Removed



These projects opened access to spawning and rearing habitat for salmon in local streams. Accomplishments were achieved in cooperation with landowners, WCC Crew, contractors, businesses, tribes, as well as local, state, and federal agencies.

11 Miles of Stream Opened

The removal, replacements, and repairs to culverts, bridges, or other barriers helped salmon access more available habitat in their natal streams.

64 Large Woody Debris Structures Installed

These structures increased channel complexity and created more cover, holding, and rearing habitat crucial to adult and juvenile salmon life stages.



"The harder you work, the easier every day is." ~ Ryan Janke WCC Crew Member

Nooksack Salmon Enhancement Association Washington Conservation Corps



2008 & 2009 Project Highlights



26,793 Native Trees and Shrubs Planted

Native riparian vegetation was planted to help stabilize stream-banks, provide cover, increase shade, and be a source for future large woody debris.

13,700 Feet of Channel Modification

Meanders were added to stream channels to improve edge diversity, protect streambanks from erosion, and increase overall habitat.



Washington
Conservation Corps
www.ecy.wa.gov/wcc 360-407-7248

122 Community Work Parties

WCC crew members helped provide instruction and training on proper planting techniques to families, students, and community members who contributed **29,291** volunteer hours of service.



Serving salmon since 1990

Rich Simms

Good afternoon, The Wild Steelhead Coalition would like to thank the commission and WDFW the opportunity to provide testimony. We would also like to commend the department for putting forth some good proposals that will benefit wild steelhead.

However we would like you to pay particular attention to the WSC comment regarding proposal #23 and take this opportunity to bring focus to the importance to protect wild riverine rainbow trout, the resident form of wild steelhead and the importance to protect this vital element.

The WSC is providing each Commission member a copy of John McMillian's article published by the American Fisheries Society on resident rainbow trout and wild steelhead interactions.

Research is showing that resident rainbow trout in our anadromous highways and by-ways plays a significant role in the diverse life histories of wild steelhead. Resident rainbow trout, through participation in the late winter/spring spawning interactions of wild steelhead improve the success of fertilization of female steelhead, especially during April, May and June. During this period, male wild steelhead becomes depleted and the steelhead population is in part reliant on rainbow trout to provide the male partner for spawning.

Steelhead and rainbow trout can produce independently the opposite form and resident rainbow trout can be the leading or single source of anadromous smolt production when the abundance of steelhead is depleted or extinct.

The WSC finds it scientifically enigmatic to understand why the WDFW can protect one form of steelhead trout, the anadromous steelhead, but continues to allow harvest and/or or gear methods that induce high mortalities of the other form, the resident rainbow trout. Both forms, by definition and taxonomy are classified as the same species, steelhead trout, and are genetically the same in each watershed. Each form contributes to the abundance and productivity of the other form.

Rainbow trout can be an important component in the recovery of wild steelhead stocks and the rebuilding of declining stocks. Improved regulations are needed to protect resident rainbow trout

We encourage the WDFW to pursue stream management strategies that protect all juvenile wild salmonids and rainbow trout while continuing to allow selective fisheries for adult salmon and steelhead hatchery fish. Aside from being confusing this proposal needs to be simplified and provide stronger regulations to provide further protection of resident rainbow trout.

Respectfully Submitted,

Wild Steelhead Coalition
Rich Simms, President

Observational Evidence of Spatial and Temporal Structure in a Sympatric Anadromous (Winter Steelhead) and Resident Rainbow Trout Mating System on the Olympic Peninsula, Washington

JOHN R. McMILLAN*

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STEPHEN L. KATZ AND GEORGE R. PESS

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Abstract.—We documented the spawning distribution and male mating tactics of sympatric anadromous rainbow trout *Oncorhynchus mykiss* (winter steelhead) and resident rainbow trout in the Calawah and Sol Duc River basins, Washington. Snorkel surveys and in situ behavioral observations were used to determine the spatial and temporal distribution patterns and male mating tactics of anadromous, resident, and hatchery residual fish across the spawning season. In general, male steelhead entered our survey reaches earlier than female steelhead, and both entered earlier than the wild resident and hatchery residual forms. Spatially, wild residents represented the greatest proportion of the population in the middle and upper survey reaches. Those differences coincided with mating attempts primarily between male and female steelhead early in the spawning season and primarily between female steelhead and wild resident males at the end of the season. Most of the mating attempts that we observed involved a single female and a single male steelhead, but attempts commonly included multiple male steelhead, wild resident males, or both, and behavioral tactics differed between forms. The patterns suggest a strong temporal structure and a lesser spatial structure to the distribution of *O. mykiss* during the spawning season, which has important implications for future studies of this complex species.

Several fishes in the family Salmonidae have evolved multiple life history forms that exploit different degrees of anadromy. Some of those species include rainbow trout *Oncorhynchus mykiss* (Neave 1944), coastal cutthroat trout *O. clarkii* (Zimmerman et al. 1997), sockeye salmon *O. nerka* (Wood 1995), Arctic char *Salvelinus alpinus* (Nordeng 1983), brown trout *Salmo trutta* (Skaala and Nævdal 1989), and Atlantic salmon *Salmo salar* (Verspoor and Cole 1989). The forms range from individuals that undertake extensive ocean migrations before returning to spawn in freshwater (anadromous form) to those that complete their entire life cycle in freshwater (nonanadromous resident form; Jonsson and Jonsson 1993; Quinn and Myers 2005). Between those extremes, fractions of each population may remain in the ocean for as little as 1 year or as long as 6 years (Groot and Margolis 1991). Of particular interest is the distribution and mating behavior of sympatric anadromous and resident forms during the spawning season (e.g., Jonsson 1985; Webb and Hawkins 1986; Wood and Foote 1996; Zimmerman and Reeves 2000), which has implications for

understanding mating systems and population structure.

Oncorhynchus mykiss is an iteroparous species that displays some of the most diverse life history strategies among Pacific salmonids *Oncorhynchus* spp. The two most common forms are steelhead (anadromous rainbow trout) and resident rainbow trout (hereafter “rainbow trout”). Steelhead generally spend 1–4 years in the ocean and spawn in freshwater, although some offspring may mature without migrating to the ocean (residual steelhead or precocious parr; Shapovalov and Taft 1954). There are two general races of steelhead: summer runs (river maturing) that typically enter rivers several months prior to spawning in a relatively immature condition, and winter runs (ocean maturing) that enter the river in a more mature state and spawn soon after (days to several weeks; Busby et al. 1996). Rainbow trout spend their entire life in freshwater and may remain relatively sedentary or undertake migrations within rivers and into and out of lakes (Behnke 2002). Steelhead and rainbow trout are sympatric in many Pacific Northwest watersheds, and knowledge of their mating system is essential to their conservation and management.

The *O. mykiss* mating system is less studied than the mating systems of semelparous Pacific salmonids (e.g.,

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Groot and Margolis 1991). Several studies indicate that steelhead and rainbow trout interbreed to varying degrees (e.g., Chilcote 1976; Currens et al. 1990; Docker and Heath 2003; Narum et al. 2004; Kuligowski et al. 2005). However, this research did not account for behavior, and the samples were often collected over a relatively short time span (days to weeks) or within a relatively short distance from one another (tens of kilometers), as opposed to over the entire temporal and spatial breadth of a spawning season. Research that does not adequately account for the variables of time and space may misrepresent the population structure and mating systems, especially in iteroparous species with protracted spawning periods (Garant et al. 2000; Hendry et al. 2002). This is because populations are composed of a mixture of individuals that reproduce at different times within a particular season or location, and these times are often heritable (Hendry and Day 2005). Therefore, an important first step in understanding population structure is determining the spatial and temporal structure of the distribution of sympatric forms during the reproductive season.

Most information about the spawning distribution and behavior of sympatric *O. mykiss* forms in the Pacific Northwest is derived from two studies that focused on populations of summer steelhead and rainbow trout in inland river basins (e.g., Columbia River tributaries). One study found that while both forms overlapped on the spawning grounds, female rainbow trout spawned slightly later than female steelhead and dug nests in different microhabitats (Zimmerman and Reeves 2000). Another study indicated that the forms spawned at the same times, although rainbow trout did spawn at slightly higher elevations than steelhead (Pearsons et al. 2003). While these studies provide some evidence for slight structure to the temporal and spatial distribution of forms during spawning, no such data are available for sympatric winter steelhead and rainbow trout.

Behavioral observations during periods of overlap between summer steelhead and rainbow trout have often documented attempts by male rainbow trout to mate with female steelhead, typically by using the sneaking tactic to counterbalance the presence of larger, guarding male steelhead (Zimmerman and Reeves 1996; Kostow 2003; Pearsons et al. 2003). Rainbow trout may rely heavily on the sneaking tactic; however, sometimes rainbow trout are the only available mates for female steelhead, and the behavior displayed by rainbow trout in those situations has not been described (Pearsons et al. 2003). There is a need to examine the different tactics smaller rainbow trout use in attempted matings with steelhead and vice versa.

Further information on the distribution patterns of

different *O. mykiss* forms during spawning is necessary to better understand this complex species, especially in the case of winter steelhead. To our knowledge, no study has systematically and simultaneously examined the spatial and temporal distribution patterns of sympatric coastal winter steelhead and rainbow trout and their mating behaviors across an entire spawning season. Such basic behavioral information may provide evidence of spatial and temporal structure in the distribution of sympatric anadromous and resident *O. mykiss* during the spawning season, and is important for developing strong hypotheses for future studies examining their mating systems and population structure.

In this study, we investigated the mating system of sympatric coastal anadromous (winter steelhead) and resident rainbow trout across the spawning season in the Quileute River basin, Washington. To accomplish this task, we conducted intensive field surveys, including spatially referenced snorkel surveys, redd counts, and behavioral observations across four successive years. The objectives were to (1) determine whether anadromous and resident forms co-existed during the spawning season, (2) determine whether there was spatial and temporal structure to the distribution and spawning time of anadromous and resident forms, (3) determine whether periods of overlap resulted in attempted matings, and (4) characterize male behaviors associated with mating attempts.

Methods

Study site and population.—This study was conducted in the Calawah (190 km²) and Sol Duc River basins (196 km²), which lie within the Quileute River watershed (790 km²) on the west side of the Olympic Peninsula, Washington (Figure 1). We focused on the winter steelhead in the Sol Duc and Calawah rivers, which are considered healthy among populations in the contiguous United States (Huntington et al. 1994), and the unstudied population of resident *O. mykiss* (the nonanadromous form potentially included rainbow trout and residual steelhead; J.R.M., personal observation). Mean annual escapement from 1992 to 2002 was 5,053 fish (range = 2,295–7,634 fish) in the Sol Duc River and 3,806 fish (range = 1,458–5,558 fish) in the Calawah River (WDFW 2002). They enter freshwater from December through June, and most spawn from March through June in main-stem rivers and the largest tributaries (WDFW 2002). In addition to winter steelhead, a few summer steelhead are present but little is known about the populations.

A steelhead hatchery is located 14 km downstream from our main-stem Calawah River survey reach, and a

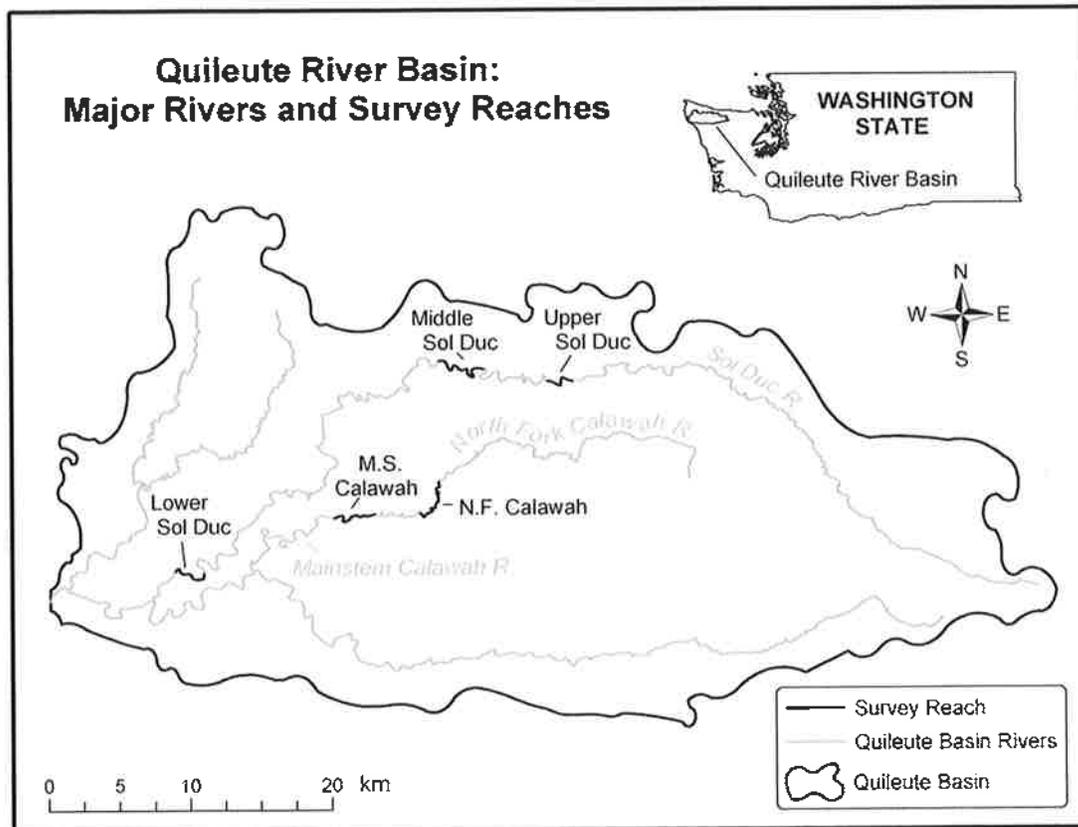


FIGURE 1.—Map of the Quileute River basin, Washington. Survey reaches are denoted by bolded lines.

juvenile rearing pond is located at the upper start point of the middle Sol Duc River reach. These facilities release approximately 55,000 summer and 190,000 winter steelhead smolts per year into the Bogachiel, Calawah, and Sol Duc rivers (WDFW 1998–2004). Low numbers of returning adult hatchery winter steelhead are harvested each year in both rivers (36–161 fish), most of which (>90%) are taken from November through January (WDFW unpublished data, 2001–2005). Although adult hatchery steelhead return at a time when wild spawning is believed to be minimal, the hatchery smolts are released in May during the peak spawn time. Precocious residual male parr are a relatively common by-product of hatcheries and may spawn with wild steelhead (Viola and Shuck 1995; Pearsons et al. 2003). More documentation is necessary to determine the extent to which these interactions occur in other populations.

Extent of surveys.—We conducted snorkel surveys, redd counts, and behavioral observations across four successive spawning seasons (1999–2003) to examine the mating system of wild winter steelhead, resident

rainbow trout, and hatchery residual steelhead. Data were collected at different locations and during each month of the spawning season to capture potential variation in the distribution and timing of spawning activity. Our study locations included three survey reaches in the Sol Duc River that are roughly representative of the lower, middle, and upper river areas and one reach each in the main-stem Calawah and North Fork Calawah rivers (Figure 1). To try to reduce the possibility of counting summer steelhead and their redds, the reaches were located well below (>19 km) areas where those fish are believed to spawn (WDFW 2002). Snorkel survey reaches (2.3–5.0 km in length) were generally longer than redd count reaches (1.9–4.0 km) because stream wading was limited at higher flows whereas snorkeling was not.

The goal was to conduct one redd count and one fish survey per month across the spawning season, although stream conditions prevented monthly surveys on a few occasions. Surveys were initiated as early as stream conditions allowed, which was typically January or February, and continued until steelhead were absent

(June–July). Snorkel and redd counts were conducted by the same person (J.R.M.) to eliminate inconsistencies that can occur with multiple surveyors (Thurow 1994).

*Classification of *O. mykiss* types.*—We classified individual fish as wild anadromous males, wild anadromous females, wild residents, and hatchery residuals during snorkel surveys and behavioral observations. Adult hatchery anadromous fish were not enumerated because they were never observed spawning or attempting to mate with wild anadromous or resident fish. We used the terms “anadromous” and “resident” because we relied solely on visual identification and could not rule out the possibilities that a few steelhead were summer run fish and that some resident fish were residual steelhead or precocious parr instead of rainbow trout.

Fish that were visually estimated to be greater than 50 cm in length were classified as wild anadromous fish. Fish that were estimated to be 25–50 cm in length and with characteristic coloring and spotting patterns (e.g., red stripe, dense spots below lateral line) were classified as wild residents, and fish that had those same characteristics plus a missing adipose fin were classified as hatchery residuals. Most wild juvenile steelhead in the Quileute River basin smolt after 2 years in freshwater at a size of 15–20 cm (80%) or at age 3 at 20–25 cm (19%); the vast majority of anadromous fish (>99%) spend two or more years in the ocean and attain a very large size (75–250 cm; J.R.M., personal observation; WDFW and Quileute Tribe 2001–2005). Snorkel surveys in the Sol Duc and Calawah rivers confirmed the presence of numerous 25–50-cm fish in August and September (1998–2002), a time when winter steelhead were absent and only a few summer steelhead were present, which provides evidence for the presence of a resident form (J.R.M., personal observation). Female steelhead were distinguished from males by their blunt heads, shorter maxillaries, and consistent silvery coloration. We could not determine the sex of wild resident and hatchery residual fish during snorkel surveys, but we could during spawning observations because of the inherent behavioral differences (e.g., discharging milt versus excavating redds).

Snorkel surveys and redd counts.—Snorkeling can be an effective method for establishing presence or absence and estimating the relative abundance of salmonids if certain criteria are met (Thurow 1994). We conducted 70 snorkel surveys over an average of 81.1 km of stream (SD = 61.5) per year to enumerate the relative abundance of wild anadromous, wild resident, and hatchery residual fish. Stream discharge and visibility were scouted daily, and surveys were

only conducted when the diver could see the stream bottom in water that had a depth of 3 m or more (Northcote and Wilkie 1963; Thurow 1994). Once in the water, the diver worked downstream through all channel units in a single pass and classified fish upon observation. In a few situations, when cover was complex, the diver made multiple passes through the unit and the mean number of fish counted was used.

We conducted 97 redd counts over an average of 60.2 km of stream (SD = 33.0) per year to estimate the monthly timing of female steelhead spawning activity. All observed redds were assumed to be constructed by anadromous females rather than resident females because of the large excavation area and associated substrate size (Graybill et al. 1979; Zimmerman and Reeves 2000). Furthermore, we never observed resident-sized fish excavating redds. Redds were noted by the differences in substrate coloration or algal growth or the presence of spawning fish, and the locations were recorded in a notebook to ensure that the same redds were not counted in subsequent surveys.

Spawning behavioral observations.—We conducted one to two detailed in situ observations of attempted matings during redd counts to (1) determine whether anadromous and resident forms were attempting to mate, (2) characterize the structure of attempted mating events across the spawning season, and (3) describe the behavioral tactics used by males to orient toward females during attempted matings. The tendency of *O. mykiss* to spawn in shallow water (27–88 cm deep; Graybill et al. 1979) allowed for detailed observation of their mating behavior. Attempted matings were defined as incidents in which a male oriented toward a spawning female, mouth agape, and visibly discharged milt, followed by subsequent egg burial by the female. Attempts that did not meet these criteria were discarded.

The attempted matings were scored according to the number and life history of males orienting toward a single anadromous female: one wild anadromous male (1WAM), multiple (2–5) wild anadromous males (2WAM, 3WAM, 4WAM, or 5WAM), wild resident male (WRM), and hatchery residual male (HRM). The observations were pooled across years by month and location to assess whether the attempted matings reflected the prevailing population composition. Tactics used by males to orient toward females were classified as guarding, sneaking, or group mating tactics, the proportion of which was described monthly for different males. We defined guards as males that used aggression to monopolize access to females and sneaks as less-aggressive males that darted alongside a spawning pair (Gross 1991). Group tactics were times

TABLE 2.—Results of a linear mixed model evaluation of Quileute River basin fish counts for fixed and random effects; (months: Feb–Jul; types: wild anadromous males, wild anadromous females, wild residents, and hatchery residuals; the five study locations are shown in Figure 1).

Effect	df	F_p	P	Ratio	SE	Z	One-tailed P -value
Fixed							
Month	5, 18	5.03	0.0047				
Type	3, 66	13.65	<0.0001				
Month \times type	15, 66	5.78	<0.0001				
Random							
Location				0.5368	2.8188	1.27	0.0251
Location \times month				0.1488	0.8132	1.22	0.0278
Location \times month \times type				0.4026	0.9778	2.75	0.0008
Residual				1.0000	0.7252	9.20	<0.0001

difference between the upper and middle sections of the Sol Duc River was 17% ($P = 0.02$); these differences were not significant. While the spatial differences in spawn time were not as distinct as the

temporal differences in entry time between the sexes and forms, the results provide support for some spatial structure in the spawn time of anadromous females.

Attempted Matings

In over 118 h of direct observation, we documented 169 attempted matings between WAMs and wild anadromous females, 29 attempted matings between wild anadromous females and WRMs, and 2 attempts between wild anadromous females and HRMs. The first attempted mating was observed on January 6 and the last on July 8. The greatest number of observations was recorded in April and May, and the lowest number was observed in July (Table 3). The sex ratio during those observations reflected the predominance of male steelhead (59% male, 41% female) and rose slightly to 63% male when including mating attempts with WRMs and HRMs. Most attempted matings ($n = 119$) consisted of a single wild anadromous male attempting to mate with a single wild anadromous female, while 62 involved 2WAM, 12 involved 3WAM, 6 involved 4WAM, and 1 involved 5WAM. Most attempted matings between anadromous and wild resident forms involved a single WRM ($n = 24$), and all HRM attempts involved single males ($n = 2$).

The structure of attempted matings varied temporally and spatially, generally reflecting the changing distribution of male types in space and time. While the proportion of attempted matings involving 1WAM was fairly consistent across much of the spawning season, the greatest proportion of attempts involving more than two males was greatest during the peak of the spawning season (April–May; Table 3). Wild resident males were not observed attempting to mate with wild anadromous females until April, but by June they accounted for most of the attempts and were the lone mate source for females returning in July. Spatially, anadromous female \times WRM attempts accounted for the greatest proportion of attempts in the upper Sol Duc (18%), middle Sol Duc (10%), and North Fork Calawah rivers (11%) (Table 4).

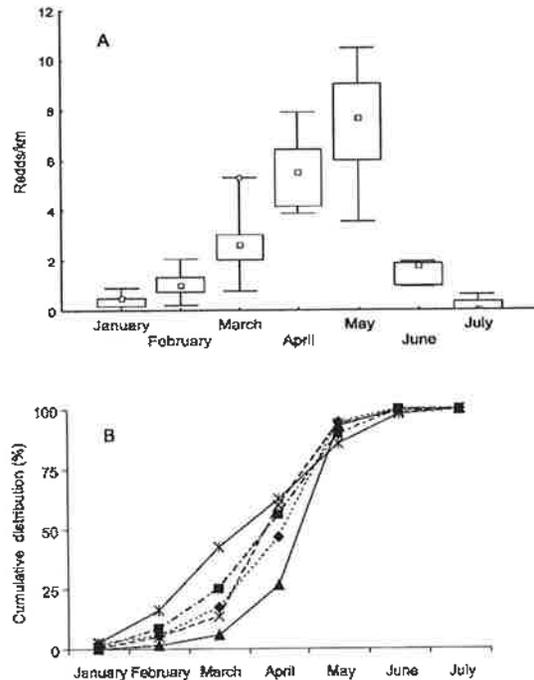


FIGURE 4.—Panel (A) presents a box-and-whisker plot of monthly spawning activity (redds/km) by wild anadromous female rainbow trout within the Quileute River basin, Washington, 1999–2003. The squares within the boxes indicate the medians, the top and bottom lines of the boxes the 25th and 75th percentiles, and the whiskers the maximum and minimum values. Panel (B) shows the median time (50%) of wild anadromous female spawning activity as described by a normalized distribution of cumulative redd counts in each survey reach. The triangles, xs, and asterisks = the lower, middle, and upper Sol Duc River, respectively; the diamonds and squares = the main-stem and North Fork Calawah River, respectively.

TABLE 1.—Pooled fish counts for all Quileute River basin, Washington, survey reaches and *O. mykiss* types, including the number of surveys (*n*), wild anadromous males (WAMs), wild anadromous females (WAFs), wild residents (WRs), and hatchery residuals (HRs). Surveys were conducted during 1999–2003.

Month	<i>n</i>	WAM	WAF	WR	HR
Feb	10	42	27	13	1
Mar	12	37	32	15	5
Apr	13	69	89	34	0
May	16	81	132	94	13
Jun	15	9	45	121	40
Jul	4	0	5	37	15

when multiple males attempted to mate without a noticeable behavioral hierarchy. Observation times ranged from 30 min up to 2 h and ceased when fish left the area or until 2 h was up. Observations involving multiple males required more time because their intense competition often pushed females away for short periods before returning.

Data analysis.—We used the snorkel survey data to calculate the monthly abundance of each form, which was then expressed as a normalized cumulative distribution of fish counts; the counts probably consisted of both pre- and postspawn fish, so the accuracy of freshwater arrival timing is unknown. We used the cumulative redd count data to generate a similar cumulative distribution curve to examine differences in spawning activity of females between different locations because redd counts were conducted more consistently on a monthly basis than snorkel counts due to inclement stream conditions. Multiple two-sample Kolmogorov–Smirnov tests between pairs of distributions were used to test for differences in the median time of entry between forms and the median spawn time between locations and were executed in SYSTAT version 10 (SPSS, Inc., Chicago, Illinois). We defined the median time of entry as the time at which 50% of the fish counted had entered our survey reaches. Significant differences in median entry time between forms and in median spawn time between locations were assumed to represent temporal and spatial structure respectively. Given the use of multiple comparisons (10 in the case of pairwise comparisons of five different sampling sites), the statistically significant error rate per test was lowered from 0.05 to 0.005 (1 in 200); the net aggregated error rate was therefore no more than 1 in 20. In each case, the probability expresses a two-sided test given that there was no a priori expectation that any individual fish was more likely to enter the reach than any other.

Simultaneous evaluation of the effects of location, life history form, and time of year on observed fish

abundances were evaluated using a linear mixed model (LMM). The model is similar to analysis of covariance (ANCOVA) but allows the explicit, simultaneous estimation of the fixed and random effects in the model. Temporal autocorrelation was evaluated and was found to be nonsignificant; therefore, repeated-measures models were not used. However, the numbers of years was small and 2001 had conspicuous values, so the power to detect autocorrelation was low. The LMM tests were performed using a procedure within SAS version 8 (Littell et al. 1996). Month, wild anadromous sex, and resident fish were treated as fixed effects since we were only prepared to draw inferences about those categories. Given our interest in the potential use of sampling locations to characterize the spatial variation within the watershed, locations were treated as random effects. Evaluation of the model's residuals revealed no significant autocorrelation or deviation from normality for the fish and redd counts; thus, the data were pooled across all years.

Results

Distribution of Different Types

Wild anadromous fish ($n = 568$) exhibited the highest abundance in our snorkel surveys, followed by wild residents ($n = 314$) and hatchery residuals ($n = 74$). The sex ratio of wild anadromous fish was female biased (42% male, 58% female). Six of the fish in the resident size-class were reclassified as wild anadromous fish because they displayed characteristics suggestive of ocean entry (e.g., silvery, few spots), which contrasted sharply with the striking lateral red stripe and dense spotting of the resident fish. No fish in the anadromous size-class were reclassified as residents. Fish counts were pooled over the 4-year survey period (see Data Analysis) and indicate that wild anadromous and wild resident individuals coexisted during each month of the spawning season (Table 1). Hatchery residual fish were present in low numbers during all months except April.

Despite extensive overlap, there was variation in the median time of entry (50%) into our survey reaches between the different types. Specifically, April was the median entry time for WAMs, April–May was the median for wild anadromous females, May was the median for wild resident fish, and June was the median for hatchery residual fish (Figure 2A). The greatest difference in entry time between WAMs and wild anadromous females was 17% ($P < 0.001$; two-sided probability), compared with 32% ($P < 0.001$) between wild anadromous females and wild residents and 25% ($P < 0.0001$) between wild residents and hatchery residual fish.

As a result of the entry time differences, which

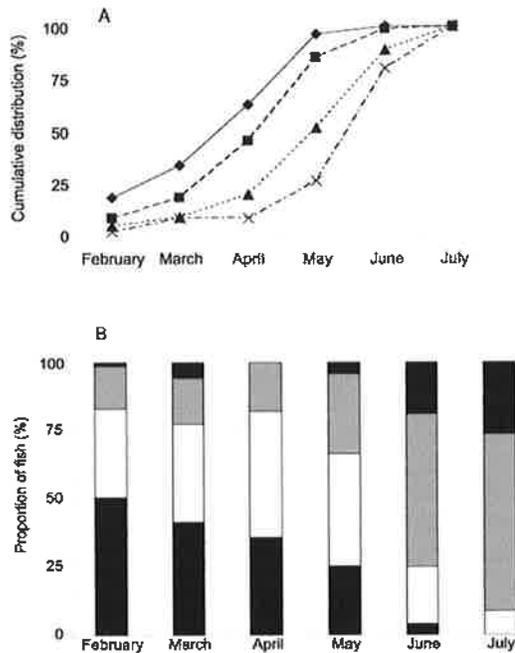


FIGURE 2.—Panel (A) shows the median time of freshwater entry (50%) as described by a normalized distribution of cumulative counts of *O. mykiss* types in the Quileute River basin, Washington (1999–2003). Symbols are as follows: diamonds = wild anadromous males, squares = wild anadromous females, triangles = wild residents, and \times = hatchery residual fish. Panel (B) shows the population composition for all survey reaches across the spawning season; black = wild anadromous males, white = wild anadromous females, gray = wild residents, and hatch marks = hatchery residuals.

reflected an unknown proportion of arriving and leaving fish, the population composition shifted from being predominately WAMs in February (51%) and March (42%) to being predominately wild anadromous females in April (46%) and May (41%) (Figure 2B). By June, 21% of the population consisted of wild anadromous females, but only 6% were WAMs. In comparison, wild residents accounted for less than 20% of the counts until May (26%) and were the predominant type in June (56%) and July (65%).

Spatially, wild anadromous and wild resident fish were observed at all survey reaches at some point in the spawning season (Figure 3). However, wild residents were most abundant in the middle Sol Duc, upper Sol Duc, and North Fork Calawah River reaches and were least abundant in the lower Sol Duc River. Hatchery residual fish were observed at all locations except for the North Fork Calawah River and were most abundant in the middle Sol Duc River, where the juvenile rearing facility is located.

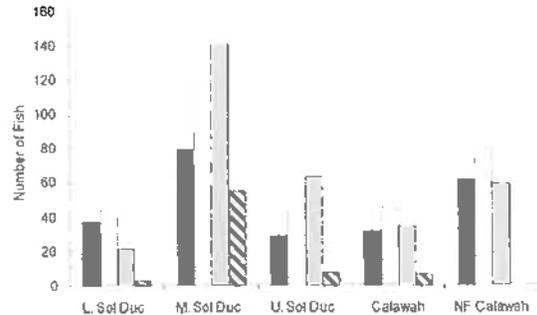


FIGURE 3.—Cumulative counts of *O. mykiss* types at each survey location within the Quileute River basin, Washington (February–July 1999–2003). Survey locations were lower (L.), middle (M.), and upper (U.) sections of the Sol Duc River and the North Fork (NF) and main stem of the Calawah River. Black = wild anadromous males, white = wild anadromous females, gray = wild residents, and hatching = hatchery residuals.

The results of the LMM indicated that month, life history form, and the month \times form interaction all influenced the relative abundance of *O. mykiss* during the spawning season (Table 2). The effect of the location \times month \times life history form (tertiary) interaction was highly significant ($P < 0.001$), as was location alone ($P = 0.025$) and the location \times month interaction ($P = 0.028$). Location had an effect on fish counts that was on average larger than the tertiary interaction term when each was compared with the overall variance contributed by the LMM residuals (variance ratio = 0.54 versus 0.40). Thus, despite equivocal differences in pairwise comparisons of cumulative fish count distribution between locations, the sexes and forms predominated at different times within the watershed across the spawning season. This indicates a strong temporal structure and slightly weaker, though still significant, spatial structure in the distribution of spawning anadromous and resident forms.

Spawn Time

Wild anadromous females spawned over a highly protracted temporal period (January–July), and monthly redd abundance peaked in April and May (Figure 4A). Spatially, the median spawn time varied between locations, although not all differences were significant (Figure 4B). The greatest differences were observed between the upper and lower Sol Duc River at 24% ($P < 0.001$) and the North Fork Calawah and lower Sol Duc rivers at 20% ($P < 0.001$), and these differences were significant. In contrast, the greatest difference between the main-stem Calawah and North Fork Calawah rivers was 12% ($P = 0.14$), and the greatest

TABLE 3.—Number of attempted matings (n) observed across the spawning season in the Quilcote River basin, Washington (1999–2003) and proportion (%) of attempts by wild anadromous males (WAMs), wild resident males, and hatchery residual males.

Month	n	WAMs					Wild resident	Hatchery residual
		1	2	3	4	5		
Jan	5	83	17	0	0	0	0	0
Feb	15	55	45	0	0	0	0	0
Mar	25	52	39	9	0	0	0	0
Apr	60	55	27	6	6	0	6	0
May	80	53	27	6	2	1	11	0
Jun	14	34	18	0	0	0	41	7
Jul	1	0	0	0	0	0	100	0

These same reaches contained the greatest proportion of wild resident fish during snorkel surveys. No attempted matings between forms were observed in the lower Sol Duc River, and the two attempts involving HRMs were observed in the middle Sol Duc River near the hatchery rearing ponds in May. Importantly, the onset and increase of attempted matings between forms coincided with the dramatic increase in wild residents during the latter portion of the spawning season, which is consistent with the distribution structure observed during snorkel surveys.

Male Mating Tactics

Wild anadromous males used the guarding (53%) and sneaking (47%) tactics almost equally during attempted matings. Wild resident males (90%) and HRMs (100%) relied almost exclusively on the sneaking tactic. These observations were relatively consistent across the spawning season until July, when male steelhead were absent and WRMs abandoned the sneaking tactic to use group mating (Figure 5). In those situations, two groups of two to four resident males displayed minimal aggression as different fish took turns using shudders to stimulate the anadromous female. We often observed anadromous females demonstrating aggressive behaviors toward nondomi-

nant males when guards were present, but this did not happen during the group mating activity.

Discussion

Population Composition Patterns

In sympatric populations of anadromous and non-anadromous salmonids, females often predominate among the anadromous individuals and males among the residents (Jonsson and Jonsson 1993). This has been documented in Atlantic salmon (Gibson 1983), brown trout Jonsson (1985), Arctic char (Nordeng 1983), brook trout *S. fontinalis* (Wilder 1952), and sockeye salmon (McCart 1970). The predominance of females in anadromous forms (see Jonsson and Jonsson 1993) may be explained by the strong connection between reproductive fitness and size in females (e.g., egg size, fecundity; Fleming and Gross 1991). In contrast, the success of male salmonids is not as strongly linked to size because different-size males can use different behavioral tactics to achieve fertilizations (Hutchings and Myers 1985, 1988; Gross 1991). Females do predominate in some steelhead populations in the Pacific Northwest (Burgner et al. 1992; also see Kostow 2003), which is what we found in our snorkel surveys. Resident populations may include many females, as they do in inland rivers draining the Columbia River (Zimmerman and Reeves 2000;

TABLE 4.—Proportions (%) of different *O. mykiss* types, observed during attempted matings (wild anadromous females [F], wild anadromous males [M], and wild resident fish [R]) in the Quilcote River basin, Washington, 1999–2003.

Month	Calawah River						Sol Duc River								
	North Fork			Main stem			Lower			Middle			Upper		
	F	M	R	F	M	R	F	M	R	F	M	R	F	M	R
Feb	67	33	0	50	50	0	0	0	0	67	33	0	50	50	0
Mar	73	27	0	58	42	0	0	0	0	57	32	11	60	30	10
Apr	41	47	12	55	42	3	50	50	0	57	33	10	56	39	6
May	50	41	9	60	40	0	69	31	0	40	40	20	40	40	20
Jun	25	25	50	33	33	33	50	50	0	0	50	50	10	30	60
Cumulative	51	38	11	54	41	5	63	44	0	56	34	10	45	38	18

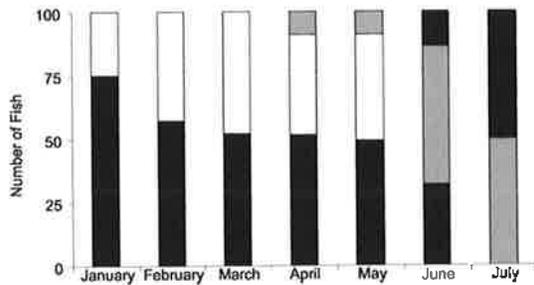


FIGURE 5.—The relative proportions of sneaking, guarding, and group mating tactics displayed by *O. mykiss* males of different types during attempted matings with anadromous females within the Quilcote River basin, Washington, 1999–2003. Symbols are as follows: black = wild anadromous male guarding, white = wild anadromous male sneaking, gray = wild resident male sneaking, stippling = wild resident male group mating, and hatching = hatchery residual male sneaking.

Pearsons et al. 2003), or they may be mostly male (Shapovalov and Taft 1954). Furthermore, the species may also display a sympatric single interbreeding population that consists of a female-dominated steelhead form and a male-dominated resident form, as found in rivers on the Kamchatka Peninsula, Russia (Savvaïtova et al. 1997). We could not determine the sex of individuals within the resident population by means of snorkel surveys. However, 39 wild residents were sampled via angling during the study period, and 85% were males (J.R.M., unpublished data). Additionally, we never observed a resident-sized female excavating redds or attempting to mate with male steelhead. While confirming the sex ratio of the resident form in our study would require a more explicit analysis of sex and life history, the patterns suggest the potential for a male-dominated resident form.

Temporal and Spatial Distribution Structure

The structure in the distribution of sympatric anadromous and resident *O. mykiss* within a watershed and across a spawning season should not be considered static. We found that anadromous sexes and life history forms predominated at different times and places, and the patterns coincided with attempted matings and differences in male mating behavior; these results indicate that the mating system has a distinct structure that exists in space and time. For example, the median time of entry was April for male steelhead, and they represented over 50% of the population in February and March, while the median time of entry for females was April–May, the same as the peak spawn time. The presence of a high proportion of male steelhead early in

the spawn season suggests that anadromous males arrived in freshwater prior to females (protandry), which is relatively common in Pacific salmonids (Morbey 2000). A study of winter steelhead found small differences in the median arrival date between sexes (1–3 d; Seamons et al. 2004). However, the population was small (<160 fish) and fish were collected daily at a weir, so a direct comparison is limited.

Anadromous males may arrive earlier to try to establish dominance and maximize mating opportunities (Morbey 2000). In contrast, females of ocean-maturing life histories, such as winter steelhead, tend to arrive just prior to spawning and leave quickly thereafter (see Busby et al. 1996; Rubin et al. 2005). Seamons et al. (2004) found that winter steelhead males almost invariably arrived before the females with whom they mated (average of 15 d earlier). Despite the benefits, this behavior can have a cost. Earlier arrival and arduous competition over a lengthy spawning period can lead to male depletion at the end of the spawning season in Atlantic salmon, which display a mating system similar to that of *O. mykiss* (Moran et al. 1996; Fleming et al. 1997). Steelhead exhibited a highly protracted spawning season (6 months) in our study, and competition for females was intense in April and May. This might help explain the steep decline in the number of male steelhead at the end of the spawning season in June. Whatever the reason, the decline is noteworthy because it coincided with an increased abundance of wild residents.

Spatially, wild residents were present on the spawning grounds throughout the season, but their abundance peaked sharply in May and June, especially in the upper survey reaches. This spatial distribution is generally similar to that observed among sympatric summer-run steelhead and rainbow trout in the Yakima River basin, Washington. The study found extensive overlap between steelhead and rainbow trout, but rainbow trout were more common at higher elevations than steelhead were (see Cramer et al. 2003; Pearsons et al. 2003). The resident form may predominate at higher elevations because oversummering conditions (e.g., cooler water temperatures) are more favorable in those locations (Cramer et al. 2003). We did not have summer temperature data with which to assess this question.

The peak in the abundance of wild residents during May and June may be attributable to their later spawn time relative to that of steelhead; thus, wild residents may have occupied other locations earlier in the year. Female rainbow trout spawned slightly later than female steelhead in the Deschutes River, Oregon, although the two forms did exhibit extensive overlap (Zimmerman and Reeves 2000). However, there is an

important difference between Zimmerman and Reeves' (2000) observations and ours. We did not observe resident females excavating redds in our main-stem river reaches, as they did in the Deschutes River study. Between 20–35 km of main-stem river habitat are available in the Sol Duc and Calawah rivers above our uppermost survey reaches, so it is possible that resident females were excavating redds further upstream earlier in the year. Some resident females may also have spawned in small tributaries that we did not survey. Spawning activity outside of our survey reaches may represent a level of spatial and temporal structure that we were unable to account for in our study design.

Alternatively (a situation that is perhaps more likely considering our behavioral observations) the resident population may be composed primarily of males, which have little choice but to exploit mating opportunities with anadromous females. Their later arrival could be timed to maximize mating opportunities with anadromous females as the abundance of anadromous males declines. Such a situation would imply a high degree of movement during the spawning season. Small resident males are likely to occupy lower positions in the steelhead hierarchy. Anadromous, nondominant male Atlantic salmon have been documented to migrate more within a watershed than dominant males, possibly searching for mating opportunities where dominant males are less abundant (Webb and Hawkins 1986). A combination of these possibilities might help to explain why we found more resident fish later in the spawning season.

Attempted Mating Patterns

The sex ratio of actively spawning fish is often male biased in salmonids because competition for females is intense and multiple males tend to concentrate around a single female (Fleming and Gross 1994; Quinn et al. 1996). This was the case in our study. Nonetheless, most of the attempted anadromous \times anadromous matings were associated with a single male steelhead, although attempted matings that involved multiple male steelhead were common. Most female steelhead \times resident male pairings included only a single male. These results should be viewed conservatively for several reasons. First, the observations only account for attempted matings and do not represent fertilizations. Second, the number of males attempting to mate with each female is likely to be an underestimate because we only observed a short period (0.5–2 h) of their spawning process, and females often spawn over a 1–6-d period (Quinn et al. 1996; Fleming 1998). Third, we were unable to count fish under 25 cm and therefore may have missed attempts from mature male parr,

which can be an important component of the *O. mykiss* mating system (Seamons et al. 2004).

Despite the limitations, our observation of increased multiple-male attempted matings during the peak spawn time is largely consistent with previous research on salmonids (Quinn et al. 1996; Fleming et al. 1997). A genetic study of a winter steelhead population found that 1:1 interactions were the most common but that females did mate with multiple males (range = 0–5 males; Seamons et al. 2004). Mating with multiple males and resident forms has been invoked as a mechanism to increase effective population size (Martinez et al. 2000), genetic variability, and reproductive success in anadromous females (Foote et al. 1989; Moran and Garcia-Vazquez 1998; Garant et al. 2001).

Most matings between sympatric anadromous and resident forms appear to occur via resident males and anadromous females (Wood and Foote 1996; Garcia-Vazquez et al. 2001). This is indeed what we observed and is consistent with observations of summer steelhead and rainbow trout (Zimmerman and Reeves 1996; Kostow 2003; Pearsons et al. 2003). We did not observe male steelhead attempting to mate with resident females, and apparently the interactions are less common. Using otolith microchemistry, Zimmerman and Reeves (2000) were unable to find evidence of matings between male steelhead and female rainbow trout in the Deschutes River and found only a few offspring with resident mothers in the Babine River. Similarly, Seamons et al. (2004) found a high number of missing parents during a study of winter steelhead, most of which were male, suggesting that resident males were fathering numerous offspring. The resident males in our study appeared to provide an important mate source for female steelhead at the end of the spawning season when male steelhead were scarce or absent. Proving this would obviously require a parentage study. However, the role and importance of resident males in the mating systems of Atlantic salmon (Moran et al. 1996; Garcia-Vazquez et al. 2001) and brown trout (Jonsson 1985) provide some support for this hypothesis.

Male Mating Tactics

As expected, WAMs used the guarding and sneaking tactics, while smaller WRMs and HRMs almost exclusively used the sneaking tactic to attempt matings with anadromous females. The use of the sneaking tactic by resident males is consistent with previous observations (Kostow 2003; Pearsons et al. 2003). Guards often achieve a higher success rate in fertilization than sneaks because they maintain close proximity to females; however, smaller anadromous and resident males can be consistently successful by

employing the sneaking tactic (Maekawa and Onozato 1986; Hutchings and Myers 1988; Fleming et al. 1997; Foote et al. 1997). The tactic might help explain the behavior used by resident males to fertilize anadromous females of winter-run (Seamons et al. 2004) and summer-run steelhead (Araki et al. 2007) in studies that did not incorporate observations of spawning fish.

The fact that WRMs abandoned the sneaking tactic and adopted group mating when anadromous males were absent later in the spawning season indicates that the different behaviors are part of a conditional strategy whereby males select a tactic depending upon the number and size of competitors (Gross 1991). Small resident males are capable of stimulating larger anadromous females in Atlantic salmon when anadromous males are absent (Martinez et al. 2000), but to our knowledge this behavior is unstudied in *O. mykiss*. It is possible that use of the group mating tactic by resident males occurred because clear hierarchies were difficult to establish and maintain when numerous similarly sized males were competing for larger females.

Implications

Understanding the population and mating system structure of anadromous and resident *O. mykiss* is critical to the species' conservation and management. The temporal and spatial structure we found in the distribution of different sexes and forms during the spawning season has implications for future research. Temporal structure is important because salmonid populations often consist of a mixture of individuals that reproduce at different times within a particular season or location, and the timing of spawning is often heritable (Hendry and Day 2005). Indeed, in recent studies, the population structure of steelhead has been linked to time and space. Hendry et al. (2002) sampled summer steelhead in the Dean River, British Columbia, during different times of entry and placed individuals into one of three temporal groups (early: July 2–30; middle: July 31–September 5; and late: September 6–20); those authors found significant genetic differences between the early and late groups. This is notable because the time span between those groups was roughly the same as the monthly variation in population composition we documented, and the fish in our study spawned over a 6-month period. Similarly, Narum et al. (2006) found significant genetic differences among steelhead in different tributaries of the Klickitat River, Washington, and determined that six to seven distinct populations were present. These results, combined with our findings, suggest that genetic samples taken during different periods of the spawning season and at different locations would reveal quite

different population structures in the Sol Duc and Calawah rivers. Although collecting genetic samples across extensive temporal and spatial scales is expensive and time consuming, our results appear to justify the collection of such data if we are to truly understand the full complexity of sympatric anadromous and resident *O. mykiss* populations.

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Sustainable Fisheries Division F/NWR2
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115-0070

NOV 12 2009

Mr. Sam Wright
1522 Evanston Court NE
Olympia, Washington 98506

Dear Mr. Wright:

On February 9, 2009, we received your letter regarding your concern over high fishing mortality on juvenile Puget Sound steelhead in stream "trout" fisheries. Your suggestions were twofold: 1) change the basic or general regulations season from OPEN to CLOSED for all streams accessible to Puget Sound steelhead and 2) prohibit the use of bait in trout fisheries.

We replied on February 20th stating we would consider the issues in our discussions with the Washington Department of Fish & Wildlife (WDFW) in anticipation of receiving a fisheries resource management plan. On September 30th, we received your second letter reiterating your concern regarding fishing mortality on juvenile Puget Sound steelhead in stream trout fisheries.

We are still awaiting a WDFW fishery resource management plan for stream trout fisheries to assess under the Endangered Species Act (ESA). Nonetheless, we are aware that some of the current regulations WDFW is proposing may address some or all of your concerns. WDFW has proposed protective regulations for juvenile anadromous steelhead in recreational trout fisheries for the major 2010-12 sport fishing regulation cycle. Taking a more conservative management strategy to protect ESA-listed juveniles, WDFW has proposed to close all rivers, streams, and beaver ponds to fishing except those specifically listed as open in the *Fishing in Washington Rules Pamphlet*. Selective gear rules (prohibiting the use of bait) have been proposed in many of the streams that will be listed in the rules pamphlet. This strategy will be implemented in streams that drain into Puget Sound and the Strait of Juan de Fuca. The primary goal is to protect stocks at certain times of the year and in areas where they are most susceptible to mortality that may be associated with recreational angling. More information on the WDFW rule proposals can be found at: http://wdfw.wa.gov/fish/regs/rule_proposals/index.htm.

We anticipate WDFW will submit a fisheries resource management plan for stream trout fisheries in the spring of 2010 following Fish & Wildlife Commission ruling on the proposed protective regulations in recreational trout fisheries. When it arrives, we will evaluate the plan to ensure that the impacts of the fisheries are consistent with the requirements of the ESA.

Thank you for your ongoing interest.

Sincerely,

Peter Dygert
Chief, Salmon Branch



Richard Hunt

STEELHEAD:
HISTORIC ABUNDANCE
PUGET SOUND
NORTHWEST COAST

SOURCES/METHODS

- REPORTS TO US COMMISSION OF FISH & FISHERIES (1892, 1898, 1900, 1904, 1923)
- WDFG FISHERIES DIVISION 1890-1923
- WDFG CATCH DATA 1948-PRESENT
- WDFG TRIBAL CATCH DATA 1934-1978
- L.A. ROYAL REPORT 1972

NOTES ON EARLY DATA

- EARLY DATA BASED UPON TERMINAL FISHERIES CATCHES (I.E. PUGET SOUND DATA NOT LIKELY TO HAVE INCLUDED FRASER RIVER SH
- CONVERTING POUNDAGE TO #'S OF FISH
- QUEETS:
 - December (35%): 9.1 pounds
 - January (37.5%): 10.1 pounds
 - February (18%): 10.4 pounds
 - March (9%): 10.1 pounds
 - April (<1%): 9.2 pounds

HISTORIC ABUNDANCE
OVERVIEW

RIVER	DRAINAGE	HISTORIC	CURRENT	%
HOH w/r HOH s/r	299	35,000-60,000 1000-2000	4,500 <100	7%-12% ~5%
PUGET SOUND		600,000-820,000	~13,000	1.5%-2%
STILLY	684	80,000-95,000	<600	<1%
QUEETS w/r QUEETS s/r	450	49,000-81,633 (1923) 1,200-2000 (1952)	6,188 <100	7.6%-12.6% extinct?
QUINAULT w/r QUINAULT s/r	434	19,000 (1952) 1,200-2,100	4,892 <50	26% extinct?

STEELHEAD COMMERCIALLY VALUABLE & TARGETED SPECIES

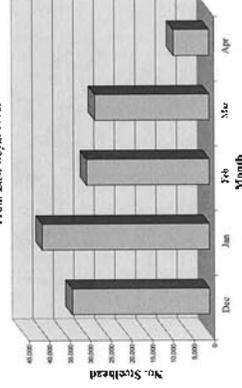
- *Steelheads are the most plentiful and also the most valuable as market fish on account of their standing long transportation better than other species ... prices received by the fishermen were (1895), for steelhead, 3 cents a pound; chinook, 2 cents a pound; silver, ... average of 1 cent a pound; humpback, ... average ½ cent a pound."*

- *"The fresh-fish trade has within the few years of its existence seen many changes, many firms having started ... their efforts, grow in size and importance, as shown by the shipments of fresh fish, in carload lots, to points east of the Rocky Mountains, as follows: 195,250 pounds in 1890; 690,210 pounds in 1891; 2,131,130 pounds in 1895. In addition... the carload shipments by express in 1895 were 2,120,874 pounds, distributed in small lots through the interior of Washington, Idaho, Montana, and Colorado, making the total shipments of fresh fish by rail from Seattle, in 1895, 4,252,004 pounds."*

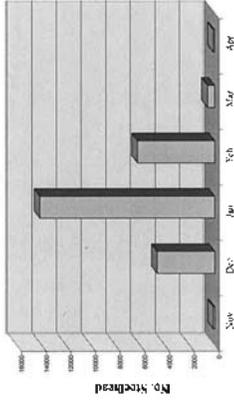
HISTORIC RUN TIMING

WINTER STEELHEAD CATCH DISTRIBUTION

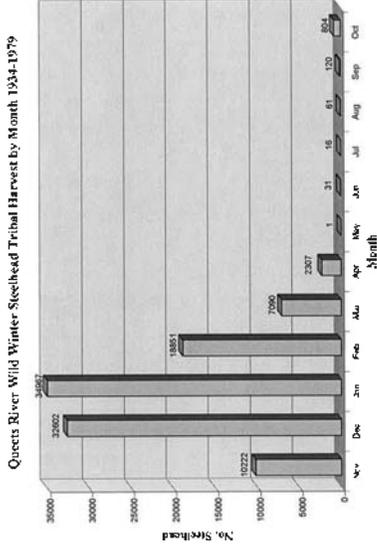
Spent Catch of Winter Steelhead in Washington State by Month:
1934-61. Winter Steelhead Run in the Puget Sound.
From L.A. Royal 1971.



NISQUALLY



QUEETS HARVEST DISTRIBUTION



CONSEQUENCES: HATCHERY/HARVEST PRACTICES

- SHIFT TO WIDESPREAD HATCHERY INTRODUCTIONS COMMENCING 1962
- HARVEST TARGET FOCUSED ON EARLY COMPONENT OF STEELHEAD RUNS (85%-90% HARVEST RATES)

COMBINATION

- most wild winter steelhead historically returned early (December-February);
- most wild steelhead historically spawned in tributaries;
- early wild steelhead spawning was once of greater importance than presently considered or managed for;
- conditions now favor early steelhead spawning even more than was historically the case;
- early entry wild winter steelhead have been nearly eliminated.

PRESENT

- SIMPLIFIED LIFE HISTORY STRUCTURE
- ELIMINATION OF EARLY WINTER RUNS
- EXTIRPATION OF SUMMER RUNS
- REDUCED FREQUENCY OF REPEAT SPAWNING
- INCOMPLETE UTILIZATION OF EXISTING HABITAT

STEELHEAD/SALMON

- CURRENT STEELHEAD ABUNDANCE CONSISTENT WITH DRASTICALLY REDUCED SALMON POPULATIONS – TYPICALLY 1%-5% OF HISTORIC ABUNDANCE
- QUINAULT/QUEETS SOCKEYE
- COASTAL CHUM

QUEETS

Species	Year	Total Lbs.	Avg. Wt.	Harvest	Run Size
Chinook	1925	167,520	20 lbs	8,376	16,752-27,920
Sockeye	1915	241,920	7 lbs	34,560	69,120-115,200
Coho	1912	400,000	8 lbs	50,000	100,000-166,667
Chum	1914	163,200	9.5 lbs	17,158	34,316-57,193
Pink		no record of a catch			

CURRENT	Est. Run Size	% of Historic
Chinook	-5,500-6,000	20%-30%
Sockeye	<100	<1%
Coho	2,500-9,000	1.5%-9%
Chum	<200	<1%
Pink	<100	?

CURRENT MANAGEMENT GOALS

- NOT SUFFICIENT TO RESTORE STOCK RESILIENCY/ABUNDANCE
- DO NOT PERMIT STOCKS TO MAKE FULL USE OF EXISTING HABITAT
- RESIDENT CONTRIBUTIONS

COASTAL HABITAT

- VIRTUALLY ALL OP RIVERS CONTAIN SIGNIFICANT PERCENTAGE IN PRISTINE CONDITION
- HOH – 70% INSIDE ONP
- QUEETS – 60%
- QUINAULT – 55%
- QUILEUTE – 45%

IS RECOVERY POSSIBLE?

- ACCEPTANCE OF CRISIS AND RECOGNITION THAT DRAMATIC CHANGE IS REQUIRED

EXAMPLES

- PUGET SOUND
- SITUK
- FRASER
- KAMCHATKA

REQUIREMENTS

- FULL EXPRESSION OF LIFE HISTORY COMPONENT
- FULL UTILIZATION OF HABITAT

PUGET SOUND

- COMMERCIAL ELIMINATED
- SPORTS CATCH LIMITED BY ACCESS, DEPRESSION, WW II
- RECOVERY BY LATE 1940'S TO LEVELS THAT SUPPORTED VERY ROBUST HARVEST FISHERIES – SKAGIT, STILLY, SNOHOMISH, PUYALLUP, NISQUALLY

CONTINUED

- HABITAT MAY HAVE ACTUALLY BEEN WORSE – SPLASH DAMS, SAWMILL EFFLUENTS, MASSIVE CLEARCUTS OF OLD GROWTH STANDS, LACK OF CULTIVERT STANDARDS AND SO ON
- NONETHELESS, POPULATIONS STAGED DRAMATIC RECOVERY
- THESE RECOVERED POPULATIONS COLLAPSED WITH INTRODUCTION OF HATCHERY FISH
- CURRENT MANAGEMENT GOALS GENERALLY LESS THE 30% OF 1940'S DOCUMENTED HARVESTS

SITUK RIVER

- STEELHEAD DESTROYED AT WEIR
- 1953 POPULATION VISTURALLY ELIMINATED
- ELIMINATION OF TARGETED DESTRUCTION
- IMPLEMENTATION OF VERY LIMITED HARVEST
- PRISTINE HABITAT (BUT SMALL)
- POPULATION HAS APPROXIMATELY DOUBLE EACH DECADE SINCE 1955
- CURRENT POPULATION ~12,000-15,000

FRASER RIVER

- L.A. ROYAL LEADERSHIP
- COMPARE TO COLUMBIA: HATCHERY/WILD
- HABITAT/PASSAGE
- PROTECTION OF EACH POPULATION COMPONENT

FRASER CONTINUED

SPECIES 1917-49 1949-82 1983-1990
SCKEYE 3.3M 5.6M 10.8 M

NOTE: 22.0 M RETURNED 1990

1937-1985 EXPENDITURES = \$21.3 M

1937-PRESENT COLUMBIA EXPENDITURES =
~\$2.5 BILLION

KAMCHATKA

KAMCHATKA CONTINUED

- 1972-1994 INDUSTRIAL GRADE POACHING DRAMATICALLY SIMPLIFIED LIFE HISTORY DIVERSITY AND OVERALL ABUNDANCE
- 1994-PRESENT: WILD SALMON CENTER/MOSCOW STATE UNIVERSITY KAMCHATKA STEELHEAD PROJECT
- ELIMINATION OF POACHING
- RAPID RECOVERY OF STEELHEAD POPULATIONS

- REAPPEARANCE OF ALL PREVIOUSLY RECORDED LIFE HISTORIES
- DRAMATIC INCREASE IN OVERALL ABUNDANCE WITH CURRENT POPULATIONS IN THE RANGE OF 5,000-10,000

RECOVERY: COMMON ELEMENTS

- NO HATCHERY FISH
- LOW/NO HARVEST
- FACILITATE EXPRESSION OF ALL LIFE HISTORY SEGMENTS
- SET MUCH HIGHER ESCAPEMENT GOALS
- PROTECT RESIDENT *O. mykiss*
- ELIMINATE HATCHERY PLANTS
- FOSTER SALMON RECOVERY
- IMPLEMENT RIGOROUS MONITORING/EVALUATION PROGRAM

Position Statement

Barbless Hooks- It is my belief, with over 50 years fishing the from the bank and in boats, fishing with barbless hooks will not significantly reduce the mortality of wild salmon or Steelhead in the Columbia River. The percent of mortality by sport fishing salmon or Steelhead in the Main Stem Columbia River is extremely small. This is another ploy to scare the general public into believing this barbed hook issue is a major disaster such as "the sky is falling". Gillnets, which are a Non-selective fishery, contribute to an extremely high mortality of all fish stocks in the Main Stem Columbia River. I have personally witnessed large numbers of dead fish floating in the Main Stem Columbia River immediately following a Gillnet Fishery. Bryan Irwin (Exec. Dir. Coastal Conservation Assoc. Pacific Northwest), Quote "Gillnets are incapable of live release of wild salmon in fall fisheries and are harvesting the same wild fish the recreational anglers gladly release". I do believe it is to early to implement a major sport fishing tackle change when non-selective commercial fishing remains in the lower Columbia river.


Keith W. Isaacson
C.C.A. Southwest Washington Chapter.



*Carl Burke
+ Mark Masterson*

December 3, 2009

**Northwest Sportfishing
Industry Association**
PO Box 4, Oregon City, OR 97045

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Jim Martin

Washington Fish and Wildlife Commission
600 Capitol Way N.
Olympia, WA 98501

Re: Opposition to Regulation proposal #31

Honorable Fish and Wildlife Commissioners,

The Northwest Sportfishing Industry Association appreciates this opportunity to comment on proposal #31 the use of single point, barbless hooks on all tackle when fishing in the Columbia River from Buoy 10 to McNary Dam. The NSIA represents over 300 businesses dependant on healthy fishery resources and meaningful sport fishing opportunity. NSIA's businesses are the infrastructure for the nearly ¾ of a million Washington anglers. In 2006 our industry supplied 14,245 family wage jobs, generated over \$1 billion in retail sales, while paying \$88.5 million in state taxes and \$117 million in federal taxes. NSIA seeks to represent economic, cultural and environmental health to the state.

Where ever conservation and economics have dictated, NSIA has led the charge for selective sport fisheries for the live release and eventual spawning of wild salmon and steelhead. Since our inception in 1993 this has been the **number one goal** of the association. We worked in Congress for funding of mass marking trailers, worked with Canadians, Tribes, the states of WA, OR, ID, CA and in the courtroom to make the marking of hatchery fish a reality. What currently is seen as a no brainer to mark hatchery fish has been a long effort to realize and utilize in fishery management. Without mass marking, the sport fishing industry would be a shadow of what it is today.

As ardent supporters of selective sport fisheries we are keenly interested in the release mortalities that are associated with our fisheries. Today, more than ever Endangered Species Act management is the limiting factor regardless of healthy wild and hatchery stock abundance, so limiting mortalities expands our opportunities to access abundant stocks.

In our review of the existing studies on catch and release it has been repeatedly demonstrated that it is the location of the hook, not the size, barbed or barbless, or treble hook that contributes to higher mortality rates. Hooks deeper in the mouth/throat tend to have a much higher mortality rate than hooks that are in the jaw area.

The State of Oregon rescinded barbless hook rules in 1997 during the "Simplification" attempts and following assessment of gear restrictions. It

was determined, barbed or barbless was not a real biological issue but is often mandated by social or political pressures. The data presented to the Commission reaffirmed that hook placement was the major determinant. The other factor for increased mortalities can be water temperature. The fact that most of the fishable water in the Columbia River below Bonneville is in Oregon would seem to create a logistical nightmare for anglers and enforcement agents alike. We are reminded of the old adage, "Never create a bigger problem than the one you set out to solve".

Furthermore, it appears that salmonids are less fragile in freshwater than in the Ocean. The Pacific Fishery management Council has set the release mortality for sport caught coho at 14% with an additional 5% "drop off" rate. In river, the mortality set by the Columbia River Technical Advisory Committee is 10%.

Currently there are hundreds of thousand of lures in the pipeline for Columbia River Salmon and Steelhead fisheries. Most tackle is ordered at buying shows early in the year for delivery several months later. The manufacturing part of the loop is several months ahead of the orders. A step removed from this process is hook purchases. For a manufacturer to receive the best pricing on hooks their orders are generally large enough to serve a years worth of manufacturing needs. Rendering hundreds of thousand of lures illegal to use and inconvenient to the angler should only be done under a demonstrated conservation emergency.

Annually, there are approximately 400,000 angler trips for salmon and steelhead from Buoy 10 to Bonneville Dam in fishing seasons that are generally capped by ESA mortalities. NSIA is keenly interested in reducing hooking mortalities on ESA constrained fisheries, as this can allow sport access to a larger share of hatchery fish. Given the nature of gears and active bait techniques that are used in the large Columbia River sport fisheries, solid studies may well demonstrate that release mortalities could be less than 10% in reality. We strongly support this kind of important research for use by managers to comply with their conservation obligations and to supply meaningful sport fisheries on abundant hatchery stocks. We trust that the use of this monitoring would be applied to the fishery in a time frame that would allow the industry an orderly change of tackle, should the change in hooks prove truly warranted.

Thank you again for the opportunity to participate in this discussion.



www.snakeriverboard.org

December 01, 2009

Lori Preuss
WDFW Rules Coordinator
600 Capitol Way North
Olympia, WA 98504

The Snake River Salmon Recovery Board (SRSRB) appreciates the Washington Department of Fish and Wildlife's interest in public involvement in the process in which it updates the sport fishing regulations. As context for the following comments it is important for the Department to understand who the SRSRB is and what we represent. As a Board, we organized in 2002 for the purpose of developing a plan to recover salmon and steelhead in southeast Washington. The plan was completed in 2005 and then approved by the Honorable Christine Gregoire and adopted by NOAA Fisheries that same year. The Board is represented by Commissioners from the 5 counties in southeast Washington, the Confederated Tribes of the Umatilla Indian Reservation, landowners, college professors and citizens. The Board receives technical support from a regional technical team comprised of WDFW, USFS, CTUIR, NOAA, DOE, USACE, and other agencies.

To begin, we thank the Department and Fish and Wildlife Commission for adopting one of our recommendations from 2007 which was to increase the daily limit on smallmouth bass from 5 to 10 per day by inclusion in the statewide rule. We found no proposed rules to further liberalize harvest of smallmouth bass or any other non-native predatory fish and regret not providing those recommendations during the solicitation period earlier this year. Please include us in notification of upcoming proposal solicitations.

While the following are comments specific to the 2010-2012 sportfishing rule change proposals we want to reinforce our broader interest in supporting regulations that enhance our efforts to recover ESA listed salmonids.

Proposal #31 – Freshwater Gear Rules – Columbia River Salmon and Steelhead Single Point Barbless Hooks. We strongly support this proposal because it will allow for easier release of any fish not retained thereby reducing hooking injuries and mortalities to any ESA listed salmonid caught by a recreational sport fisherman. This rule should also include the Snake River and its tributaries.

Proposal #33 – Mill Creek (Walla Walla County) – close Mill Creek from 400 feet below Gose Street Bridge upstream to Bennington Dam. We strongly support this proposal but request that it be expanded to include all of Mill Creek and its tributaries. The current abundance of steelhead, including hatchery steelhead, in all of Mill Creek is estimated at less than 100 adults (exact counts for the entire Mill Creek watershed are unavailable although video counts at Bennington Dam reveal less than 20 adult steelhead on average over the past few years). Hatchery-marked steelhead smolts are not released into Mill Creek and while some stray hatchery-origin adults ascend Mill Creek the risk of incidental mortality to wild steelhead is too

high to allow recreational fishing for a very low number of hatchery-origin adults. We and our partners (WDFW, CTUIR, Conservation District, etc) are working to restore passage and habitat conditions in Mill Creek so that it can once again support large numbers of steelhead at which time we would endorse re-opening Mill Creek to steelhead fishing. In the meantime, however, we believe abundance levels are too low to support an adult steelhead fishery in Mill Creek. Further, we believe that trout fishing (last Saturday in May through October 31) in Mill Creek downstream from Gose Street bridge should be eliminated because (1) habitat conditions are poor in the summer which makes juvenile steelhead vulnerable to exploitation, (2) there are no hatchery trout planted in this reach so the target species is wild juvenile steelhead, (3) there are public fishing access points so angling pressure could be high and (4) the Mill Creek wild steelhead population is severely depressed and harvest of any life stage should be eliminated at this time. The result of this recommendation would be that the only fishery in Mill Creek would be trout fishing (last Saturday in May through October 31) from Bennington Dam diversion upstream to the City of Walla Walla municipal water diversion dam excluding tributaries.

We appreciate your consideration of our perspectives. If you have any questions you may direct them to Steve Martin (509) 382-4115 or via email at steve@snakeriverboard.org

Del Groat

Del Groat, Chairman
Snake River Salmon Recovery Board

cc: Phil Anderson, Director, Washington Department of Fish and Wildlife
Miranda Wecker, Chair, Washington Fish and Wildlife Commission

Executive Summary

Recommendation to Ban the Use of Lead Fishing Tackle in Washington

Daniel Poleschook, Jr. and Virginia R. Gumm

Poleschook@msn.com, ggloon@msn.com

BioDiversity Research Institute, Loon Lake Loon Association, WDFW Wildlife Diversity Advisory Council

Recommendation

“No person shall use lead weights or sinkers (1-ounce or less), artificial lures or jigs (2-inches and less along the longest axis, measurement includes the hook), lead-core line, keel trolling weights, weighted flies, or any fishing gear lighter and shorter than these limits for the purposes of fishing in any Washington State waters (salt and fresh) which have any content of lead within.”

Note: Additional definitions of the recommendation and supporting data are included in the previously distributed 23-page primary Recommendation document.

Recommendation Optimization

The Recommendation as written has been optimized for the following:

1. It provides protection in all of Washington's waters on a year-round basis. Science from common loon research in the primary Recommendation document indicates that is necessary to protect common loons and up to 123 other waterbird and raptor species (osprey, bald eagle and others) that are susceptible, on a year-round basis throughout Washington, from lead toxicosis from lead fishing tackle.
2. The Recommendation is worded to lessen the likelihood of requiring additional or corrective legislation, based upon experience from agencies and workers on similar legislation that has been written in other states to ban the use of lead fishing tackle.
3. The Recommendation as worded has enhanced enforceability, as it is clear in its ban on the use of lead fishing tackle, clear in the types and size of lead fishing tackle to be banned, and clear that the ban would be in force all year and throughout Washington.

Science Determinations

1. The primary Recommendation document summarized research by the authors conducted in Washington 1996-2009 that used the common loon as the indicator species of the health status of aquatic habitat. Data within the primary Recommendation document indicate the leading cause of death ($n = 9/23 = 39\%$; 1996-2008) of all known common loon mortalities in Washington is lead toxicosis, primarily from ingesting fish with attached line and lead fishing tackle, and secondarily from mistakenly selecting lost lead sinkers for grit.
2. Other primary Recommendation document survey data, corroborated by WDFW survey data by Nysewander, et al, (see primary Recommendation document for references) indicates the common loon has rapidly declining population densities in much of its former prime winter range in near-shore habitat, throughout greater Puget Sound, the Strait of Juan de Fuca and the Strait of Georgia. Many other waterbird species of that region are also demonstrating similar rapid population declines.
3. Other primary Recommendation document documentation indicates the breeding range of the common loon is contracting northward at a rate of 15 miles / year in western North America. This is caused by higher-than-natural mortality rates induced by increasing anthropogenic stressors, the largest of which in Washington is death from lead toxicosis.
4. Reduction of common loon lead toxicosis mortalities would have a positive effect on slowing the demonstrated northward contraction of the breeding range and declining winter population densities of the common loon in Washington.

Alternatives to Lead Fishing Tackle

At least 33 fishing tackle manufacturers market lead-free alternatives. Some have switched to exclusive manufacturing of lead-free fishing tackle. Several are using education to promote the benefits of lead-free alternatives. Spokespersons from some of these manufacturers indicate there is adequate supply capability of lead-free fishing tackle.

Precedence and Success of Banning Lead Fishing Tackle Elsewhere

Several other states and other countries have banned the sale and/or the use of and/or the possession of lead fishing tackle. New Hampshire has reported a significant reduction in the number of common loon mortalities from lead toxicosis in their post-ban era after 1998. Because of initial insufficiencies and non-optimization of recommendation wording, coverage area, coverage period, and tackle specificity, similar legislation has had to be re-done in several other states, and needs to be re-written in others.

Implementation Timeline of Recommendation Legislation

Several scenarios can be envisioned whereby the existing stock of lead fishing tackle could be bought back or exchanged for lead-free alternatives during a period of implementation of the Recommendation.

Cooperative Agencies of this Recommendation

Audubon Washington and various local Chapters

BioDiversity Research Institute and International Center for Loon Conservation, David C. Evers, Executive Director

Confederated Tribes of the Colville Reservation, Virgil Seymour, Director of Natural Resources. The Confederated Tribes of the Colville Reservation is presently considering changes to ban the use and sale of lead fishing tackle and to designate the common loon as "Endangered" on the Colville Reservation.

Loon Lake Loon Association, Joan Easley, President

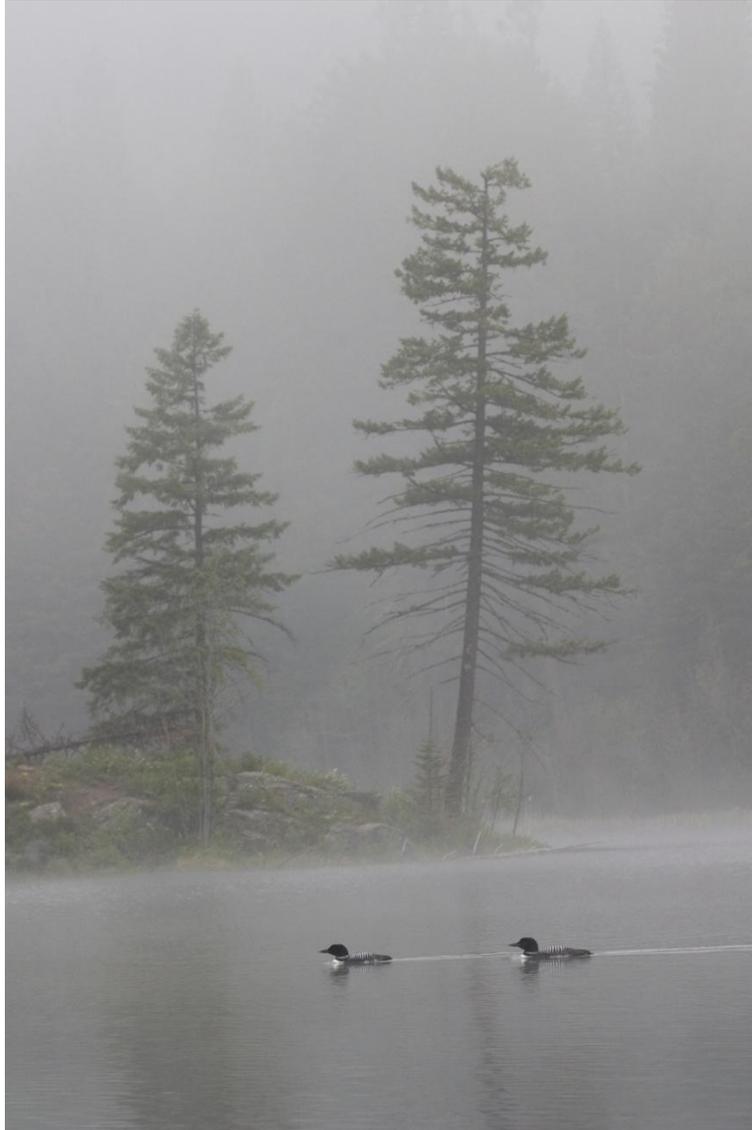
Northeast Loon Study Working Group, David C. Evers, Working Group Chair

United States Forest Service, Colville National Forest, Washington, James McGowan, Wildlife Biologist

Washington Trumpeter Swan Working Group, Martha Jordan, Chair

Recommendation to Ban the Use of Lead Fishing Tackle in Washington

**Submitted to Washington Fish and Wildlife Commission
November 2009**



Daniel Poleschook, Jr. and Virginia R. Gumm

A territorial pair of common loons awaits the start of nesting amid the beauty of a foggy morning at Swan Lake, Washington.

By Daniel Poleschook, Jr.¹ and Virginia R. Gumm

Adjunct Field Scientists, BioDiversity Research Institute, Gorham, ME

Co-Chairs, Education and Research, Loon Lake Loon Association, Loon Lake, WA

Members, Washington Department of Fish and Wildlife, Wildlife Diversity Advisory Council

¹Corresponding author: Poleschook@msn.com

Introduction

Long-term observations (1996-2009), data collection and mortality determinations of common loons (*Gavia immer*) and other waterbirds in Washington compiled as documents in *Common Loon Reference Records* (Poleschook and Gumm 2008) provide conclusive evidence of the toxicity of lead fishing tackle and the high frequency of mortalities it causes. Common loons are an important aquatic indicator species (Strong 1990) in northern North America and Washington because they reside for about six months each year in both fresh and salt water, they are a long-lived, high-trophic, piscivorous species, they are easy to identify, and because the species has high public appeal. A significant number have been banded in Washington since 1995 (68: 23 adults and 45 juveniles, Document 2.1), and have been providing an abundance of scientific data. Washington is unique in its year-round distribution of having common loons throughout the State on salt and fresh water, and to include summer, winter and juvenile-maturation ranges:

Table 1. Yearly Distribution of Common Loons in Washington

<u>Range/ Season</u>	<u>Maps</u>	<u>Common Loon Distribution in Washington</u>
Breeding/ Summer	2 & 6	Adults: Small populations (<50) of adult non-breeding common loons and 13 breeding pairs (2008) are in Washington during the summer. Breeding pairs utilize peripheral and outlier breeding range as shown on Maps 2 and 6.
Summer	5	Juveniles: Small populations (<100) of maturing juveniles are present in Washington during the summer. Their distribution is variable but similar to the adult winter range shown on Map 5.
Migration/ Migration- staging	3 4	Adults, fledglings and maturing juveniles use various migration routes (Map 3) and migration-staging waterbodies (Map 4).
Winter/ Juvenile- maturation	5	Larger populations of adults plus maturing juveniles winter on salt water in Puget Sound, Strait of Georgia, Strait of Juan de Fuca, and along the Pacific Ocean coastline, and on adjacent open fresh-water lakes (Map 5). The 11 reservoirs of the Columbia River, open tributary rivers and adjacent lakes are also utilized during the winter by both adults and maturing juveniles.

Note: Images, charts and maps used herein are shown below. Documents referred to are from *Washington Common Loon Reference Records* (Poleschook and Gumm 2008) previously distributed to biologists and wildlife managers of the Washington Department of Fish and Wildlife, and Commissioners of the Washington Fish and Wildlife Commission.

Recommendation

The recommendation is made to ban the use of lead fishing tackle in Washington, as:

No person shall use lead weights or sinkers (1-ounce or less), artificial lures or jigs (2-inches and less along the longest axis, measurement includes the hook), lead-core line, keel trolling weights, weighted flies, or any fishing gear lighter and shorter than these limits for the purposes of fishing in any Washington State waters (salt and fresh) which have any content of lead within.

Leaded tackle is defined as follows:

A. "Lead weights and sinkers" means any lead device designed to be attached to fishing line for the purpose of sinking the line, the lead portion of which is one ounce or less. Sinker category includes trolling sinkers, split-shot sinkers, bass-casting sinkers, worm weights, and many other shapes of fishing gear used to weight fishing lines.

B. "Lead jig" means any lead weighted fishing hook that measures two inches and less along its longest axis, measurements include the hook. Lead jigs, or jig heads are defined as lead weights of a variety of shapes that have been cast around a hook shaft.

Basis for Recommendation

Empirical data from documents compiled in *Washington Common Loon Reference Records* (Poleschook and Gumm 2008) and other data provide scientific support for the recommendation and its components. These data appear below in the following category headings:

- I. Support of Recommendation from Washington common loon mortality data
- II. Support of Recommendation to include ban on all various types of lead fishing tackle
- III. Support of Recommendation to include all Washington waters in a ban on the use of lead fishing tackle from common loon range and migration maps
- IV. Support of Recommendation based on population decline of the common loon in Washington and western North America

I. Support of Recommendation from Washington common loon mortality data

A. Fishing-related mortalities are more common than other mortalities: Twenty-seven common loon carcasses have been collected in Washington since 1996. Twenty-three of those have known causes of death (Map 1; Documents 5.0, 5.1, 5.2 and 11.0). Fishing-related mortalities account for 13/23 = 57% of all known common loon mortalities (Chart 1) in Washington.

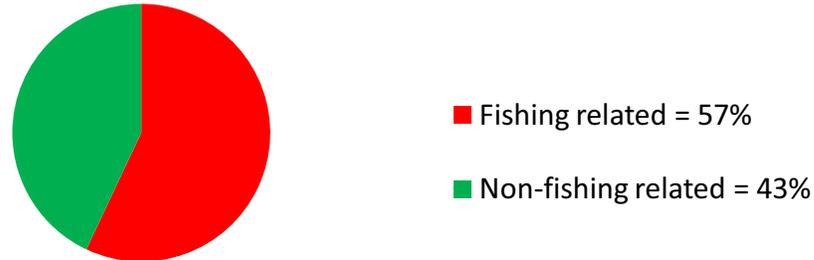


Chart 1. Categories of common loon mortalities in Washington 1996-2008 (n = 23) with known causes of death.

Fishing-related common loon mortalities (Chart 2) include:

1. Lead toxicosis = 9/13 = 69%
2. Fishing net entanglement = 2/13 = 15%
3. Fishhook puncture = 1/13 = 8%
4. Heavy metals (excluding lead) = 1/13 = 8%



Chart 2. Categories of fishing-related common loon mortalities in Washington 1996-2008 (n = 13).

Common loon mortalities not related to fishing (n = 10) include:

1. Trauma = 7/10 = 70%
2. Emaciation/parasites = 2/10 = 20%
3. Elevated mercury = 1/10 = 10%

B. Lead toxicosis has the highest frequency of cause of death in all known Washington common loon mortalities: Lead toxicosis from various forms of lead fishing tackle is the leading cause of death of fishing-related common loon mortalities as 9/13 = 69% (Chart 2), and also for all known causes of death of common loon mortalities as 9/23 = 39% (Chart 3).

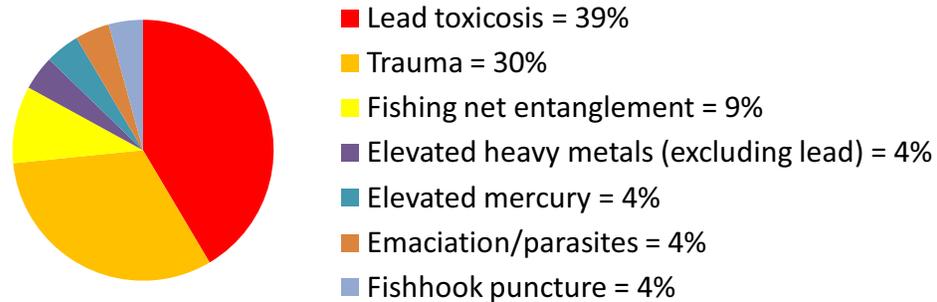


Chart 3. Causes of death of common loon mortalities in Washington 1996-2008 (n = 23).

Common loons ingest lead fishing tackle mainly by taking hooked fish on a live or broken line, and to a lesser amount by mistakenly selecting lost lead sinkers for grit to aid digestion. Images 1 – 12, below, provide poignant illustration from Washington of how adult, juvenile and chick loons ingest lead and the resulting mortalities.

Eliminating lead toxicosis mortalities, which are almost exclusively caused by lead fishing tackle, would reduce known common loon mortalities in Washington up to 39% (Chart 3), while also significantly reducing other waterbird mortalities. No other waterbird conservation action would provide greater benefit in Washington. Reducing common loon mortalities by this amount would have a positive effect on slowing the rate of northward contraction of the breeding range of the common loon in Washington and western North America (Maps 2 and 6) by reducing the rate of long-term population decline of breeding and wintering common loons.

New Hampshire enacted legislation to ban the use of lead fishing tackle in 1998. A comparison of pre-ban and post-ban gizzard contents of common loon mortalities there indicates a significant drop in the percentage of common loon mortalities due to lead toxicosis (Vogel 2005).

C. Lead toxicosis common loon mortalities occur in all habitat ranges and therefore occur on all Washington waters: The nine known Washington lead toxicosis common loon mortalities were recovered or found as follows:

4/9 = 44% were on winter/juvenile-maturation range, Chart 4, Maps 1 and 5, Document 5.1 mortality #'s: 5, 13, 20 and 21.

3/9 = 33% were on migration/migration-staging, Chart 4, Maps 1, 3 and 4, Document 5.1 mortality #'s: 3 and 6.

2/9 = 22% were on breeding territories/summer range, Chart 4, Maps 1 and 2, Document 5.1 mortality #'s: 7 and 26.



Chart 4. Ranges of known common loon lead toxicosis mortalities in Washington 1996-2008 (n = 9).

These data indicate that a ban on the use of lead fishing tackle limited to common loon breeding waterbodies would reduce the exposure to lead for a small number of common loons (about 13 breeding pairs annually, Map 2; Documents 3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6 and 9.0), for only part of the year, and provide virtually no benefit to a much larger population of common loons and other waterbirds throughout the year and throughout the remainder of Washington.

II. Support of Recommendation to include ban on all various types of lead fishing tackle

A. The following lead objects have been recovered from the gizzards of common loons in Washington: sinkers up to 1.78 cm = 0.70 inch (Image 3), weights, jigs, split-shot and lead-based line (Documents 5.0 and 5.1).

B. From work by Sidor, et al, (2003), and Pokras, et al, (2009), at Tufts Cummings School of Veterinary Medicine Wildlife Clinic, of 522 common loon carcasses that were examined from New England, 118 had ingested lead objects with the following frequency: sinkers 48%, jigs 19%, split shot 12%, shotgun pellets and bullets 11%, other lead 8%, and unknown lead 2%.

C. David C. Evers, Executive Director of BioDiversity Research Institute, stated (2007): “Lead poisoning from the ingestion of lead fishing tackle has been identified as a significant cause of common loon mortality throughout eastern Canada and the United States.”

D. All of the types of fishing tackle mentioned above have non-lead alternatives that are becoming increasingly more available and more moderately priced. The Minnesota Pollution Control Agency (2009) maintains a list of 33 companies that offer lead-free tackle. Many leading fishing tackle companies are now joining in this conservation effort, not only by offering lead-free tackle alternatives, but also by supporting the lead-free conservation effort through education. Some of these companies now offer exclusively lead-free fishing tackle.

E. A sizeable percentage of people fishing that we have given on-location education about the toxicity of lead fishing tackle have indicated that they would purchase lead-free fishing tackle in the future. Many others agree that the use of lead fishing tackle is harmful to wildlife and the environment, but state they will not change to lead-free alternatives until there is an actual ban on the use of lead fishing tackle.

III. Support of Recommendation to include all Washington waters in a ban on the use of lead fishing tackle from common loon range and migration maps

A. Common loons in Washington winter on salt water in Puget Sound, the Strait of Georgia, the Strait of Juan de Fuca and along the Pacific coastline, and in fresh water on the 11 reservoirs of the Columbia River, and in favorable winters on portions of the Okanogan River, Snake River and Pend Oreille River, and on various open lakes (Map 5, winter/juvenile-maturation range). See Document 7.0 for a complete listing and information of 28 common loon wintering waterbodies in Washington.

B. Only a small percentage of Washington common loon juveniles that were hatched and banded in Washington survive their first two or three years on their juvenile-maturation range (8 of 37 = 22%; Documents 6.0 and 8.0; Map 5) to return to their natal lake region to attempt to develop a breeding territory (a low-dispersal trait that nearly all surviving and maturing common loons demonstrate). Only one common loon chick, banded in Washington at Masonry Pool near Chester Morse Lake (Documents 2.1, 3.0, 3.1, 3.4 and 7.0), has survived and established a breeding territory (at Calligan Lake, 2007; Document 3.0). These factors indicate an unknown but high proportion of common loon mortality occurs in winter/juvenile-maturation range (Map 5), and loons and other waterbirds in these areas need protection from lead fishing tackle.

C. Common loons migrate throughout Washington State (Map 3). The use of specific migration-staging waterbodies (Map 4; Document 7.0) varies from year to year. Chart 4 shows the percentage of recovered common loon mortalities that have occurred on migration. This is an additional reason to provide protection to common loons with a ban on the use of lead fishing tackle on all waterbodies throughout Washington.

If a ban on the use of lead fishing tackle is placed only on common loon breeding lakes, of which there were 13 in 2008, 33 during 1979-2008, and 41 during 1881-2008 (Document 3.4), lead exposure will not be reduced in other ranges shown on Map 3, Map 4, Map 5 and Map 6.

IV. Support of Recommendation based on population decline of the common loon in Washington and western North America

There is a demonstrable long-term population decline of breeding common loons in Washington and throughout western North America (Map 6). Document 9.0 (Poleschook and Gumm 2008) shows how this population decline has caused the inexorable northward contraction of the southern limit of the breeding range of the common loon from northern California in the 1970's to northern Washington presently. This distance of 450 miles in 30 years represents an average contraction rate of 15 miles northward each year. Loss of habitat and higher-than-natural mortality rates, the largest single cause of which is lead toxicosis from lead fishing tackle, and other stressors are responsible for this northward contraction of the breeding range of the common loon.

There is also demonstrable population decline of the common loon in the heart of its winter range in northwestern Washington (Map 5). The most highly regarded, accurate and long-term

winter population surveys of all bird species in North America comes from annual Audubon Christmas Bird Counts conducted by thousands of advanced birders. Data acquired during 1985-2008 by the members of the Olympic Peninsula Audubon Society, provided by Bob Boekelheide (2009), Director of the Dungeness River Audubon Center, indicates a 94% reduction in winter common loon observations during that period at the Sequim-Dungeness, Washington area along the eastern end of the Strait of Juan de Fuca (Map 5). These data were standardized to counts per observer hour on repeated boat transects. The chart below shows the dramatic decline, which has the linear mathematical expression of $y = -0.0603x + 1.4673$, and a high correlation factor of $R^2 = 0.8122$.

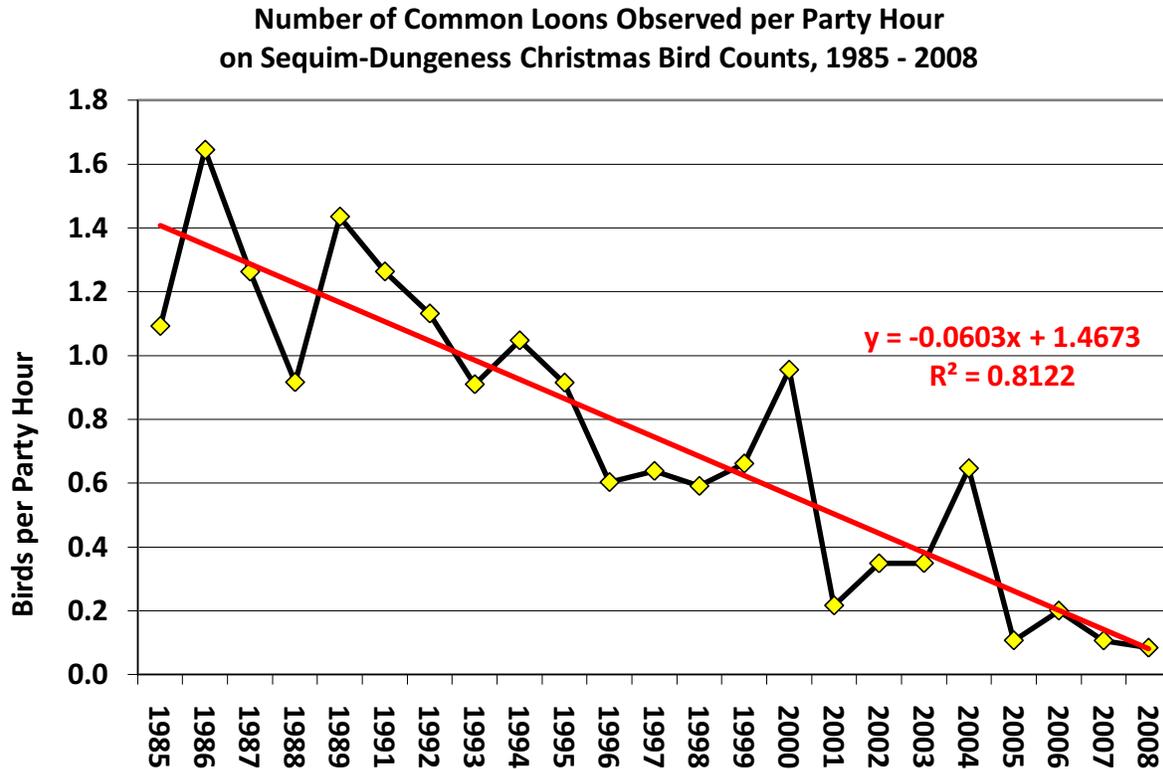
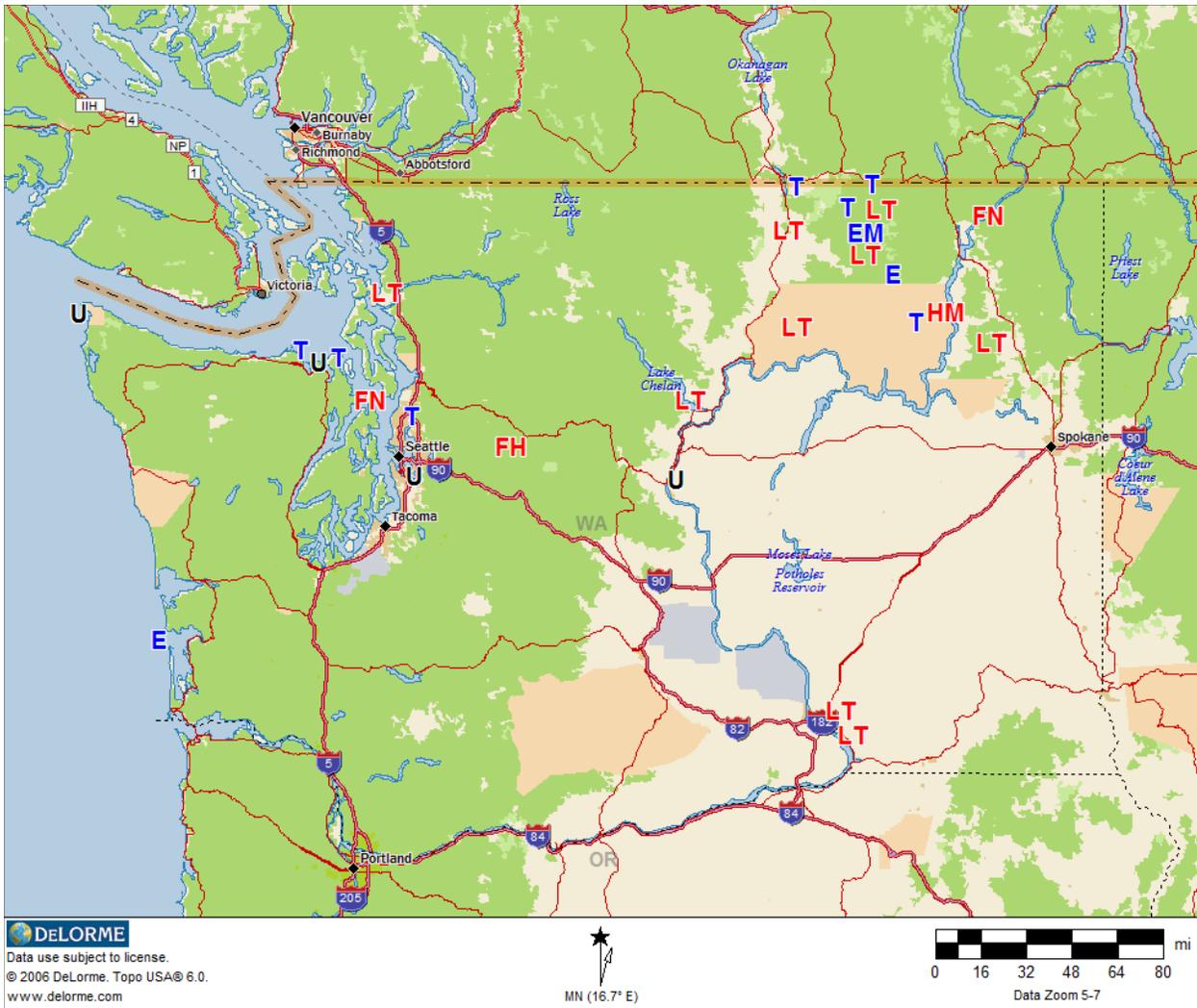


Chart 5. Number of common loons observed per party hour on repeated boat transects of the Sequim-Dungeness (Washington) Christmas Bird Count, 1985-2008 (Boekelheide 2009).

Corroborative data from the same source (Boekelheide 2009) and during the same period also shows red-throated loons, horned grebes, red-necked grebes and western grebes to have very similar winter survey declines. Highly disturbing is the indication that the trend of these declines appears to be linear regression rather than logarithmic, indicating potential extirpation.

The leading reasons for this dramatic decline in population density of common loons and other waterbird species are presently not well understood. However, data in this Recommendation show the leading mortality cause of death is known for common loons throughout Washington: lead toxicosis.



Map 1. Location of 23 known and 4 unknown (causes of death) common loon mortalities in Washington 1996-2008.

Known causes of death (see Documents 5.0 and 5.1 for additional information)

Fishing-related = 13/23 known = 57%

LT = Lead Toxicosis = 9/23 known = 39%

FN = Fishing Net entrapment = 2/23 known = 9%

FH = Fishing Hook puncture = 1/23 known = 4%

HM = Heavy Metal levels (excluding lead) = 1/23 known = 4%

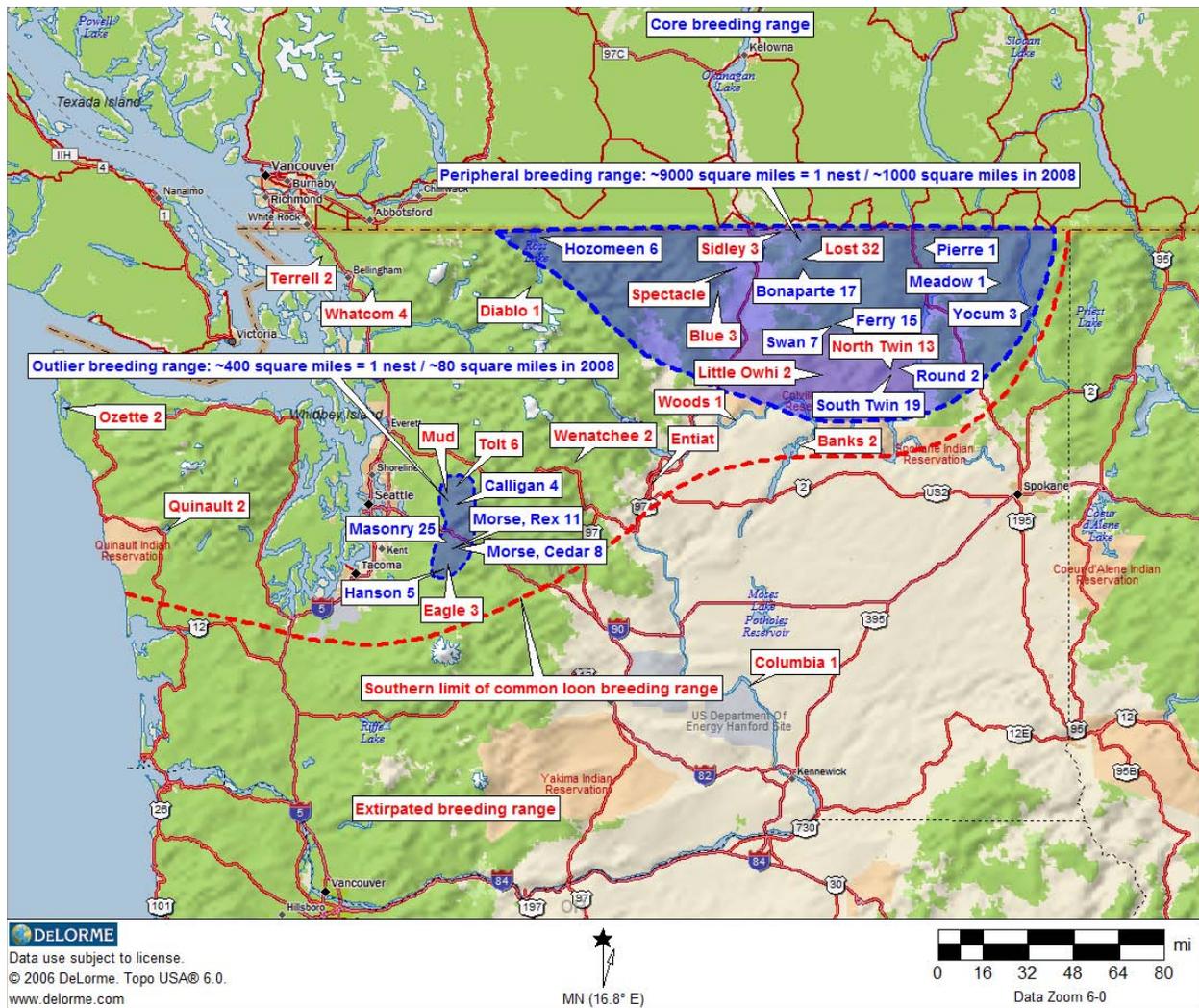
Non-fishing-related= 10/23 known = 43%

T = Trauma = 7/23 known = 30%

E=Emaciation/parasites = 2/23 known = 9%

EM = Elevated Mercury = 1/23 known = 4%

U = Unknown = 4/27 total = 15%

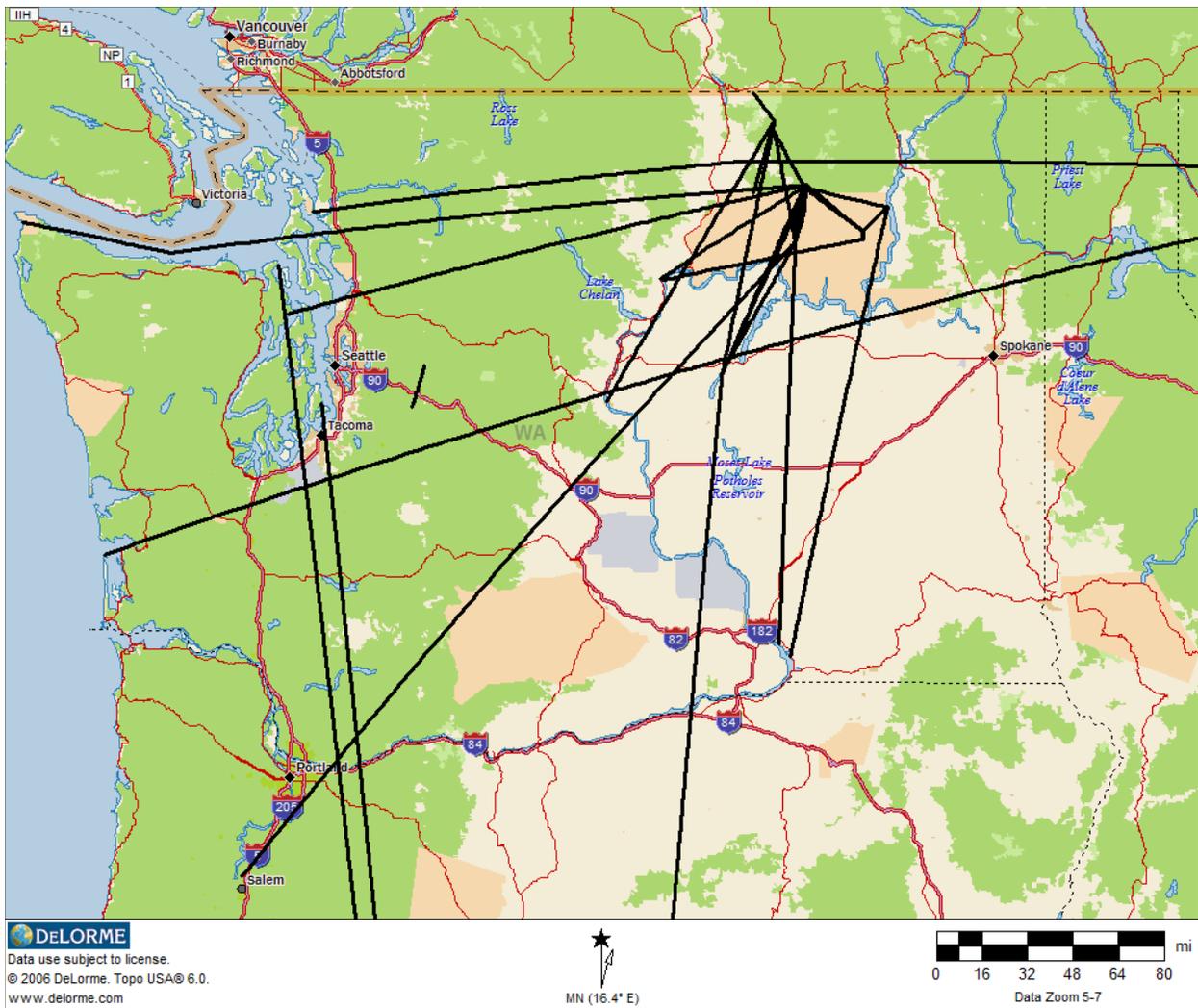


Map 2. Breeding/summer range of the common loon in Washington 1979-2008.

Thirty-three common loon breeding territories with numbers of young are known and mapped for Washington 1979-2008 (Documents 3.0, 3.1 and 9.0). A total of 207 young were produced in 30 years in these territories, averaging 6.9 young/year. Blue waterbody names with numbers of young 1979-2008 are territories that were active in 2008. Red waterbody names with numbers of young 1979-2008 are territories where at least one nest was located in the period, but inactive in 2008. Actual breeding locations vary in successive years. The red-dashed line indicates the generalized statewide southern limit of the common loon breeding range from records of nesting territories during 1979-2008 (Documents 3.0. and 3.1.).

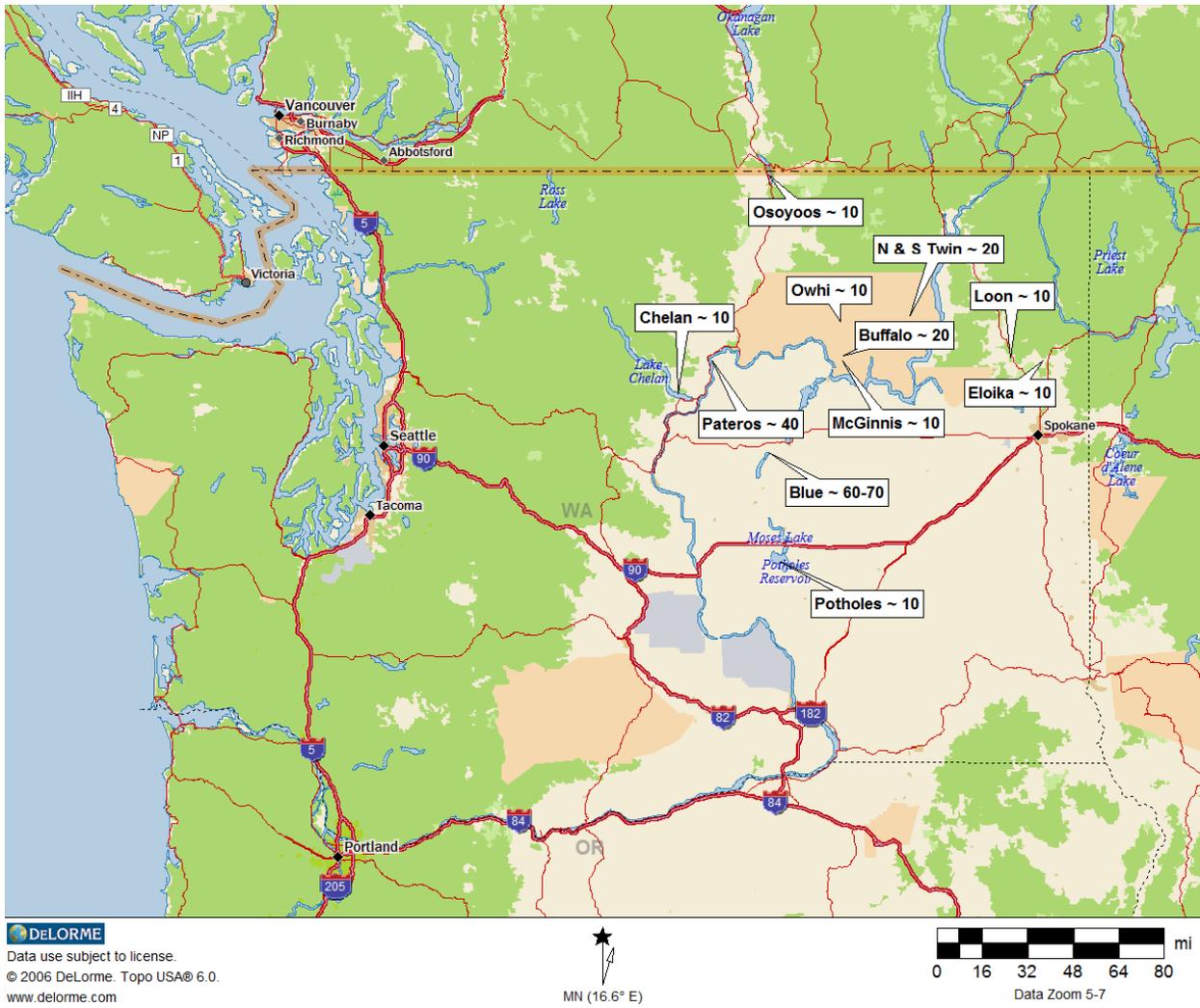
If a ban on lead fishing tackle is placed only on common loon breeding lakes, of which there were 13 in 2008, 33 known during 1979-2008, and 41 known during 1881-2008 (Document 3.4), lead exposure to common loons and other waterbirds will not be reduced in other ranges shown on Map 3, Map 4, Map 5 and Map 6.

Adapted from Figure 2 in Document 9.0. *Northward Contraction of the Breeding Range of the Common Loon in Western North America* (Poleschok and Gumm 2008).



Map 3. Washington banded common loon migration and movements 1996-2008.

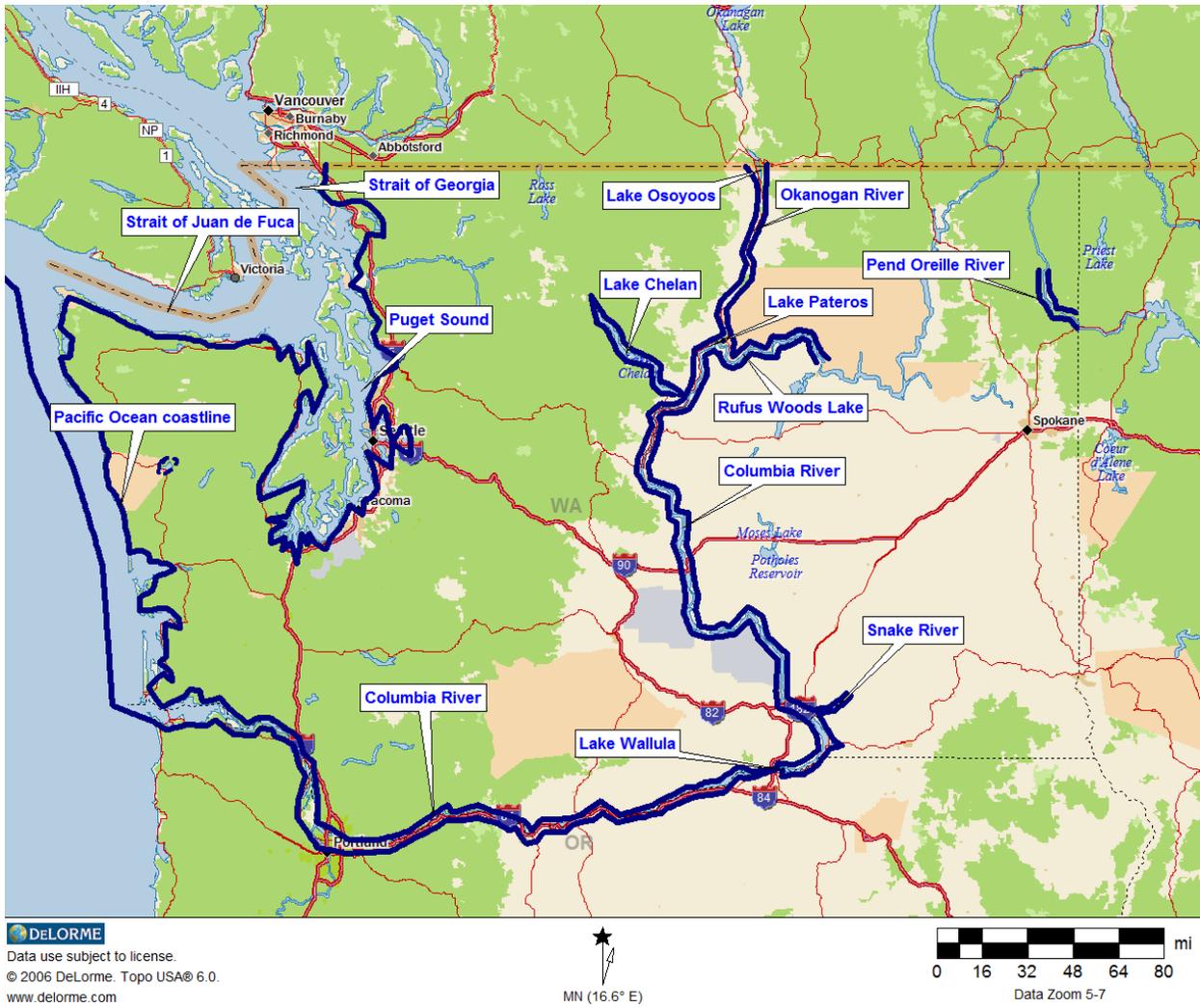
These lines show individual Washington banded common loon migrations and movements. They mainly indicate fall migration of territorial adults and fledglings from northeast Washington toward migration-staging waterbodies (Map 4), and toward winter/juvenile-maturation range (Map 5) on the west, southwest and south that remains ice-free. See Documents 6.0 and 6.1 for detailed information and a spreadsheet list of the migration and movements shown, GPS location coordinates and the direction of travel. These migrations and movements represent net travel, in some cases over substantial time, and may or may not indicate the actual flight paths. Not all movements are visible at this scale where there are multiple lines between points. The lines shown represent a total of 22 individual banded common loons on 41 known migrations and movements from re-observations and photography by the authors 1996-2008. The lines that depart to and arrive from the south off the map connect with Morro Bay, California (see map Document 6.3) where winter common loon banding is done by Darwin Long, IV. Two origins were in northwestern Montana (Document 5.1, mortality #'s 9 and 13). None of the above information would be known without an intensive banding program conducted yearly by biologists and field scientists of BioDiversity Research Institute. The lack of indicated movement of Washington common loons to and from British Columbia is an artifact, caused mainly by the lack of study of the common loon in British Columbia, where core wintering and breeding range exists. Adapted from Document 6.2 *Washington Common Loon Migration and Movements*.



Map 4. Principal common loon migration-staging waterbodies in Washington.

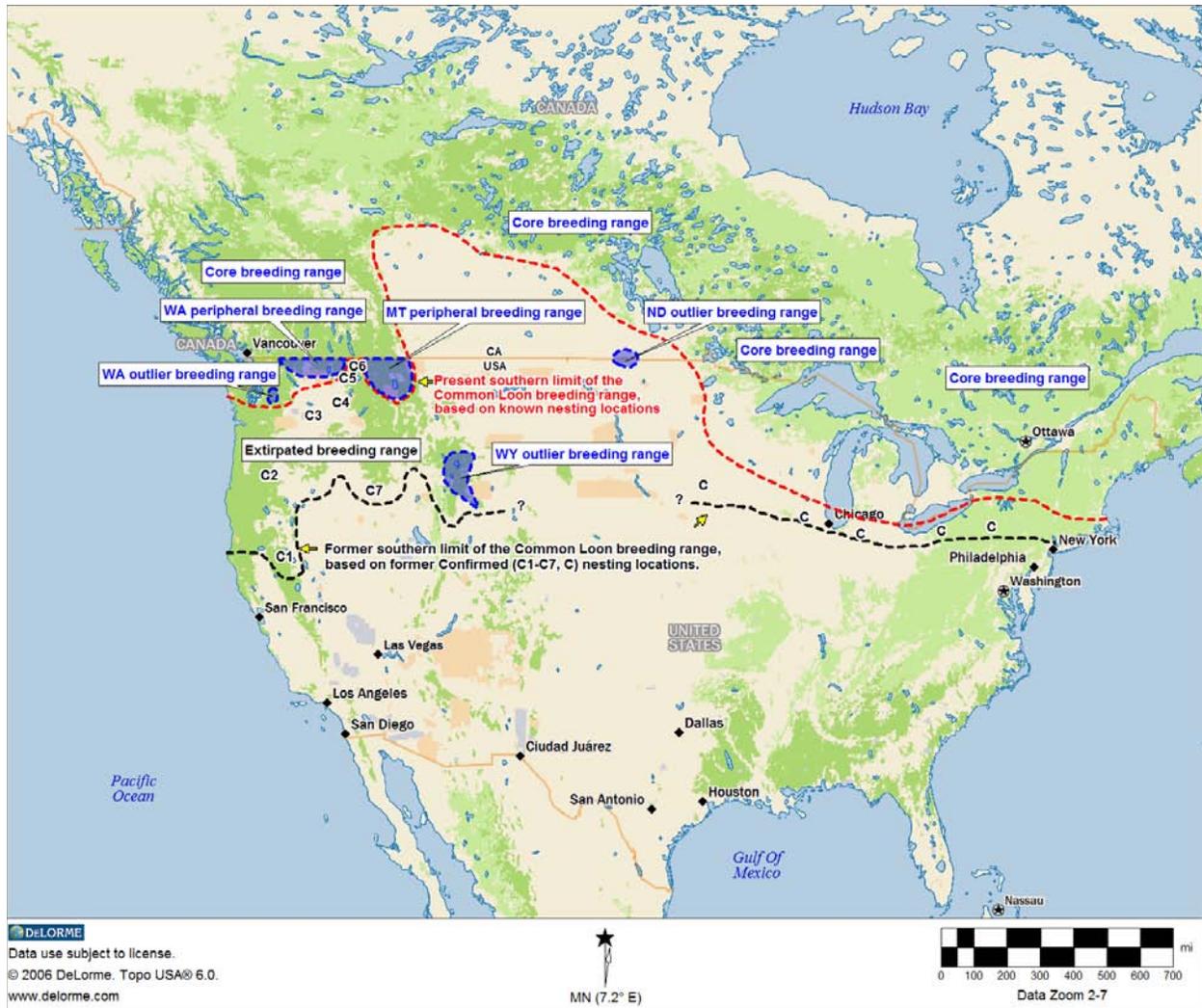
Hundreds of common loons congregate in eastern Washington during migration as they utilize traditional migration-staging waterbodies for a few weeks, the most prominent of which are shown above, indicating typical numbers during peak migration. Many additional waterbodies (not shown) are also utilized by smaller numbers. Migration-staging waterbodies provide a suitable abundance of fish and crayfish for the loons as they rest and socialize in loose rafts. This is followed by later migration in the fall toward winter/juvenile-maturation range (Map 5), or in the spring toward breeding territories and summer range in northeast Washington (Map 2), in northwest Montana, likely in British Columbia and Alberta, and possibly in Wyoming, Saskatchewan and Manitoba (Map 6; Figure 1 of Document 9.0). See Document 7.0 for a complete list and notes of known common loon migration and migration-staging waterbodies (n = 52) in Washington.

Because common loons utilize many waterbodies for migration and migration-staging each year, there is a strong argument for a recommended ban on the use of lead fishing tackle to be statewide.



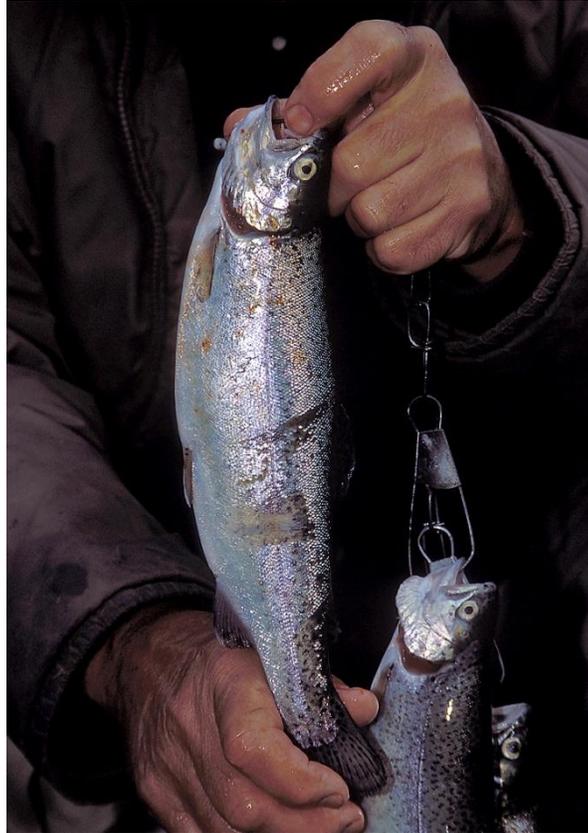
Map 5. Common loon adult winter and juvenile-maturation range in Washington. The largest population of common loons in Washington is during the winter. Common loon population densities increase in the winter in the waterbodies contained and highlighted in blue. Nearly all fresh-water breeding territory waterbodies (Map 2) are ice-covered in the winter, precluding loon occupancy. However, the use of the inland parts of the Columbia River for common loon winter and juvenile-maturation range from Lake Wallula to Rufus Woods Lake is increasing. The use of the indicated fresh waterbodies in north-central and northeast Washington in winter is variable, dependent on weather severity. This map represents typical winter/juvenile-maturation range distribution in an average year. See Document 7.0 for a complete list and notes of common loon winter/juvenile-maturation waterbodies in Washington (n = 52).

Common loons need protection from lead fishing tackle in all winter and juvenile-maturation range throughout Washington.



Map 6. Northward contraction of the breeding range of the common loon in North America. The approximate historical (circa 1850) former southern limit of the common loon breeding range (generalized black dashed line) in North America is shown based on former confirmed nesting locations (C1-C7 on the west, and five black letter C's on the east). The present generalized southern limit of the common loon breeding range (red dashed line) is defined by nesting surveys and records in various states and provinces north of the line; see Documents 3.0 and 3.1 for the Washington portion. Common loon breeding has been extirpated in approximately 300,000 square miles in the west, and 150,000 square miles in the east, in regions between the two lines, including large regions of formerly suitable nesting habitat (clear, fresh-water forested and prairie areas) in California, Oregon, Washington, Idaho, Montana, Iowa, Illinois, Indiana, Ohio, Pennsylvania, New York and Massachusetts. The distance between former common loon breeding locations in California in the late 1970's (C1) to the current southern limit of common loon breeding in Washington is 450 miles (all across formerly suitable nesting habitat). That amount of northward contraction of the common loon breeding range in 30 years represents a rate of 15 miles/year. The former southern breeding range limit between southern Wyoming and southern Iowa is unknown (queried medial ends of the black dashed line), but was connected in some way before settlement. The small common loon breeding populations shown in western Washington (WA), northwestern Wyoming (WY), and northern North Dakota (ND) are outlier breeding ranges. Other outlier common loon breeding ranges likely exist in north-central and eastern states. Slightly larger common loon breeding populations of north-central to northeastern Washington (WA) and northwestern Montana (MT) are peripheral breeding ranges. Core common loon breeding range is indicated in Canadian provinces and north-central and northeastern states. Dark green and light green shading indicated on the map represents coniferous and hardwood forest distribution, respectively. All common loon nesting was south of the present southern limit (red dashed line) of the common loon breeding range during the glacial maxima 15,000 to 12,000 ya. This map is adapted from Figure 1 of Document 9.0 *Northward Contraction of the Common Loon Breeding Range in Western North America* (Poleschook and Gumm 2008). The common loon breeding range limits and confirming nesting locations in central and eastern states (C's) and provinces are from McIntyre (1988).

Map 6 demonstrates long-term population decline and extirpation of breeding common loons in vast areas of North America including Washington. Lead toxicosis from the use of lead fishing tackle has been shown to be the largest cause of death of common loons in Washington and elsewhere. Therefore, if lead toxicosis mortalities are reduced by a ban on the use of lead fishing tackle, the northward contraction of the common loon breeding range in Washington would be slowed, halted or reversed.



Daniel Poleschook, Jr. and Virginia R. Gumm

Image 1. The grab marks on the sides of this trout indicate where the territorial male common loon at Ferry Lake, Washington attempted to take the fish as it was being reeled-in. The man fishing stated: "That loon hit it real hard." Fish on line are easier for loons to capture. When loons ingest fish on-line, there is high likelihood of also swallowing lead fishing tackle, which will cause lead toxicosis.



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Image 2. Another example is shown of grab marks, made on this fish by the edges of the bill of the common loon that attempted to take it while it was being reeled-in. The fisher indicated there was a sudden hard pull on the line while he was bringing-in the fish.



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Image 3. Common loons acquire lead mainly by ingesting fish on an active or broken line (above) with lead tackle, and to a lesser amount by mistakenly selecting lead sinkers for grit. As little as one lead sinker will kill a waterbird from lead toxicosis.



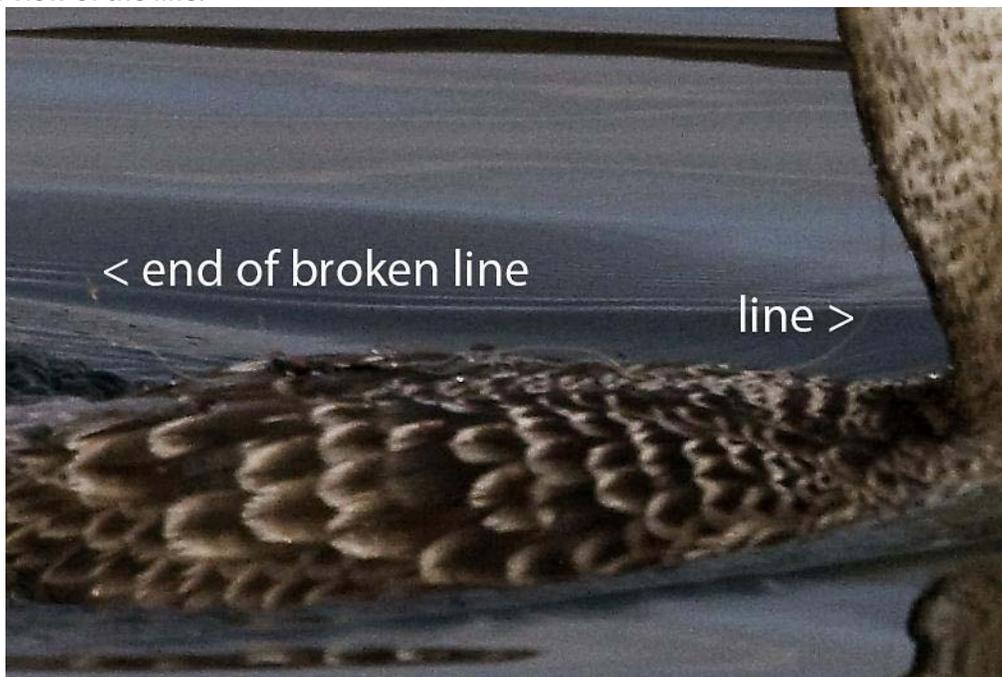
Daniel Poleschook, Jr. and Virginia R. Gumm

Image 4. This adult common loon has swallowed a fish with broken line and tackle. It is impossible from this image and the field observation that was made to ascertain if the bird ingested lead. Survival or death will make the determination.



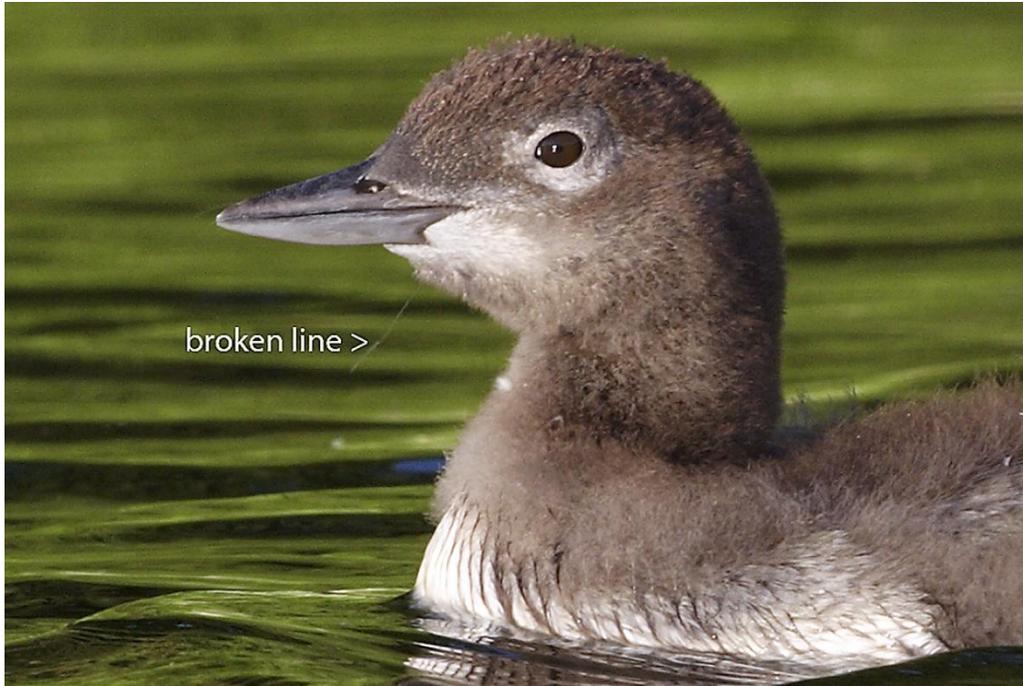
Daniel Poleschook, Jr. and Virginia R. Gumm

Image 5. This juvenile yellow-billed loon was observed and photographed March 9, 2009 at Rufus Woods Lake on the Columbia River. The rare bird ingested a fish with broken line which is visible on the left of the lower part of the neck and trailing over the back. Note the close-up below for an enhanced view of the line.



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Image 6. A close-up of the above image shows the trailing fishing line as indicated by the arrows. The line passes behind the neck as it continues upward to the gape of the bill (not visible in this image, but observed and photographed on other images).



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Image 7. This six-week common loon chick has ingested a fish with a broken fishing line as indicated by the arrow. Adult common loons are unaware of the hazard when they provide fish with hooks, other tackle and line to their young.



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Image 8. This 11-week common loon chick has ingested a fish with a broken fishing line. It is shown struggling to rid itself of the complication. Its sibling observes from behind.



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Image 9. This adult common loon expired from lead toxicosis on the shoreline of Lake Chelan, Washington (Document 5.1, mortality #5). Four lead sinkers were found in its gizzard (Images 10 and 11). More common loons die in Washington from lead toxicosis from ingesting lead fishing tackle than from any other cause. Many other waterbirds also succumb yearly to lead toxicosis.



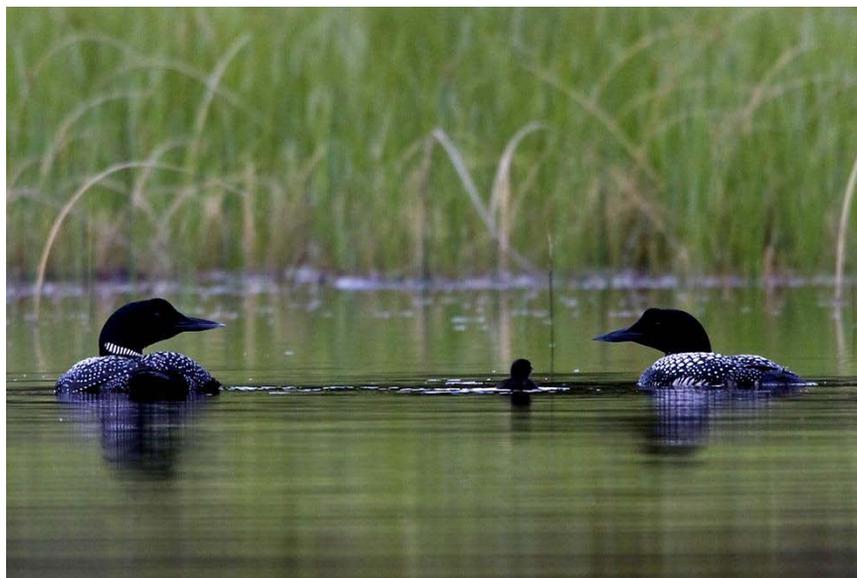
Daniel Poleschook, Jr. and Virginia R. Gumm

Image 10. X-ray imagery of the above common loon that died from lead toxicosis (Image 9) reveals four lead fishing sinkers (bright spots on X-ray) in its gizzard, two highly abraded (see Image 11).



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Image 11. The gizzard contents are shown of the common loon of Images 9 and 10 that expired from ingesting a fish with line and lead sinkers attached. Note the 20 pebbles on the three upper rows (average length = 1.00 cm = 0.39 inch) that were selected as grit to aid digestion. Note on the fourth row, the four lead sinkers, one oval (length = 1.78 cm = 0.70 inch), one spherical (diameter = 0.75 cm = 0.29 inch), and two smaller ones that were heavily abraded (center). Note also the two segments of the fishing line with a portion of a knot still visible. The loon's gizzard ground the two highly abraded lead sinkers (center of fourth row) releasing lead and causing death by lead toxicosis. Scale in centimeters.



Daniel Poleschook, Jr. and Virginia R. Gumm

Image 12. The common loon family outcome at Lost Lake, Washington in 2003: The male (left) perished from lead toxicosis (Document 5.1, mortality #7), and the less protected chick was predated by a bald eagle a few days later.

Summary

Independent and corroborative sources of data indicate the breeding range of common loons in Washington is in northward contraction and winter populations of this valuable aquatic indicator species are in rapid decline. Both indicate a higher-than-natural rate of mortality. Necropsies performed on common loon mortalities in Washington 1996-2008 provide data to indicate lead toxicosis from lead fishing tackle to be the largest single category of common loon mortality. Breeding/summer, migration/migration-staging, winter/juvenile-maturation range maps, documentation of the contraction of the breeding range of the common loon in Washington and standardized surveys showing steep population decline on winter/juvenile-maturation range indicate the need for a ban on the use of lead fishing tackle to be statewide. The scientific data used in this recommendation have been gathered over a long time period, they were acquired throughout Washington and they agree closely with other larger volumes of similar research done in other states. No other collection of scientific data, to our knowledge, is as relevant to address the problems associated with the anthropogenic distribution of lead into the Washington aquatic environment from using lead fishing tackle. From these indications and determinations we draw one conclusion: A ban on the use of lead fishing tackle in Washington needs to be made quickly, and it needs to be made statewide.

Importance of this Recommendation

Banning the use of lead fishing tackle will be controversial, but, at the same time, highly beneficial to many waterbirds (many of which are in steep population decline), the environment in general, and to the health of the general public. Stressors on wildlife, mainly from anthropogenic activities, such as loss of habitat, environmental contamination (including lead), aquatic recreation and global warming are increasing. No other Washington legislation has the potential for providing as much help to waterbirds. Bans on the use of lead fishing tackle in other states have been successful (Vogel 2005). Banning lead from fishing tackle will likely be the single most beneficial piece of legislation enacted by the present members of the Washington Fish and Wildlife Commission. We challenge the Commissioners to provide a legacy for the future. Many citizens of Washington will be appreciative of the passage of this recommendation. Thank you.

Education and Press Releases

The authors have been presenting education programs on the behavior, status and conservation, and ecology of the common loon since 1996 to various groups including: North American Loon Fund, elementary schools, over 25 Audubon Society groups, the Colville Federated Tribes Council (11/3/2009), and to wildlife managers of the United States Forest Service and the Washington Department of Fish and Wildlife. Several scientific articles in magazines and journals have featured our common loon images, including *BioScience*, *Journal of Wildlife Management* and *National Geographic Magazine*, and the book *The Call of the Loon* (Evers and Taylor 2006) featured our images exclusively. The article *Summary of Status and Conservation of the Common Loon in Washington* was published by *Wetland Ventures* 8(3) May 2006. Several newspaper articles and television interviews have carried our common loon conservation message and used our data and images.

Cooperative Agencies

Audubon Washington and various local Chapters
BioDiversity Research Institute and International Center for Loon Conservation, David C. Evers,
Executive Director
Loon Lake Loon Association, Joan Easley, President
Northeast Loon Study Working Group, David C. Evers, Working Group Chair
United States Forest Service, Colville National Forest
Washington Trumpeter Swan Working Group, Martha Jordan, Chair

Document Review

This document has been reviewed by the following prominent common loon and other waterbird scientists:

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David C. Evers, PhD, Executive Director of BioDiversity Research Institute, Executive Director of International Center for Loon Conservation, Gorham, ME; Working Group Chair of Northeast Loon Study Working Group
Jeff Fair, Director, Fairwinds Wildlife Service, Palmer, AK
Joe Gaydos, SeaDoc Society, Eastsound, WA
Chris Hammond, Wildlife Biologist, Montana Fish, Wildlife and Parks
Martha Jordan, Chair, Washington Trumpeter Swan Working Group of The Trumpeter Swan Society
Russell Link, District 12 Wildlife Biologist, Washington Department of Fish and Wildlife
Darwin Long, IV, Biologist, BioDiversity Research Institute, Gorham, ME
David R. Nysewander, Marine Bird and Mammal Component, Puget Sound Assessment and Monitoring Program, Washington Department of Fish and Wildlife
Mark Pokras, DVM, Associate Professor, Wildlife Clinic and Center for Conservation Medicine, Tufts Cummings School of Veterinary Medicine, North Grafton, MA
Scott Sutcliffe, Cornell Lab of Ornithology, Ithaca, NY
Kate M. Taylor, Biologist, BioDiversity Research Institute, Gorham, ME
Harry Vogel, Senior Biologist, Loon Preservation Committee, Moultonborough, NH

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11.0. Lead Fishing Tackle Facts and Legislation

By Daniel Poleschook, Jr. and Virginia R. Gumm

A. Basis for determining waterbird mortalities related to lead fishing tackle

1. Worked on common loon and other waterbird conservation in Washington since 1996.
2. Conducted projects, wrote reports and presented findings and recommendations to the National Forest Service, Washington Department of Fish and Wildlife, Loon Lake Loon Association, BioDiversity Research Institute, Colville Federated Tribes and 25 Audubon Societies.
3. Assisted with nearly all common loon banding in Washington since it began in 1995.
4. Arranged for Mark Pokras, Tufts University, one of the world's most prominent lead-toxicosis authorities, to present to Washington Department of Fish and Wildlife (2007) and Washington Department of Ecology (2007).
5. Wrote content and illustrated the pamphlet "Get the Lead Out of Washington—Promote Responsible Fishing," which is supported and sponsored by the National Forest Service.
6. Assisted with nearly all Washington common loon necropsies to determine cause of mortality.
7. Wrote *Washington Common Loon Reference Records* (this compilation), containing 49 documents and articles of research, observations and records of the common loon in Washington 1881-2008.
8. Made a formal recommendation to the Washington Department of Fish and Wildlife to up-list the protection status of the common loon from "Sensitive" to "Endangered" (Document 15.0).

B. Our determinations about lead fishing tackle

1. Lead toxicosis from fishing tackle is responsible for 39% of common loon mortalities ($n = 9/23$ known) in Washington (Documents 5.0, 5.1, 5.2 and 28.0). This is likely similar for other waterbirds. Since these mortality rates due to lead are as high in Washington as in other common loon states, Washington common loons need the same ban on the use of lead fishing tackle other states are providing or are considering to provide.
2. The number of common loon mortalities from lead toxicosis we recover is small compared to the actual total.
3. Common loons ingest lead mainly by taking fish on live or broken lines with lead fishing tackle attached, and secondarily by mistakenly choosing lost lead fishing tackle on the bottom for grit.
4. Lead toxicosis and loss of habitat are large contributors to the contraction of the common loon breeding range in the western United States to be moving northward, from northern California to northern Washington, at an average of 15 miles per year since the late 1970's (Document 9.0).
5. Only one piece of lead fishing tackle or lead shot can kill a waterbird. It will take up to 10-14 days and be a horrible death.

C. Determinations relating lead fishing tackle and waterbird population declines

1. The U. S. Fish and Wildlife Service states that 1.6 to 2.4 million waterbirds die from lead toxicosis in the United States per year, or about 4400 to 6500 per day. Lead toxicosis is either the largest or one of the largest contributors to the rapid population decline of many waterbird species.
2. Audubon Christmas Bird Count surveys conducted by the Olympic Peninsula Audubon Society during 1985-2008, standardized to observations per party hour and repeated boat transects, indicate a 94% reduction in common loon observations in winter habitat in the Sequim-Dungeness, Washington area in the Strait of Juan de Fuca. Similar reductions are also seen for red-throated loons, western grebes, horned grebes and red-necked grebes in the same surveys (Boekelheide 2009).
3. Since lead toxicosis, almost exclusively caused by lead fishing tackle, has been identified as the largest cause of death in recovered common loon mortalities in Washington ($n = 9/23 = 39\%$; Poleschook and Gumm 2008) and in New England ($n = 118/522 = 23\%$; Pokras, et al. 2009), lead toxicosis is highly implicated as the largest contributor to the rapid population declines of waterbird species.

D. Timeline of lead fishing tackle legislation

1987. Lead sinkers (28.35 g or one ounce or less) are banned in Great Britain.
1994. United States Environmental Protection Agency proposes a nationwide ban on lead sinkers.
1995. U. S. Fish and Wildlife Service banned the use of lead sinkers Yellowstone National Park and in National Wildlife Refuges where there are reasonable likelihoods of adverse impacts on trumpeter swans and common loons.
1997. Environment Canada and Parks Canada prohibit possession of lead sinkers and jigs (50 g or less) in National Wildlife Areas and National Parks.
2000. New Hampshire bans the use of all lead sinkers weighing one ounce or less and jigs less than one inch along the longest axis in freshwater lakes and ponds.
2000. Massachusetts fisheries and Wildlife Board prohibits the use of all lead sinkers on Quabbin and Wachusett Reservoirs, the common loon primary habitat in the state.
2001. California requires a toxicity warning on lead sinker sales.
2002. Maine bans sales of lead sinkers weighing half an ounce or less.
2002. Denmark prohibits import and marketing of lead products for fishing.
2003. Minnesota introduces a bill in the Minnesota Senate prohibiting the sale and use of lead sinkers.
2004. New York bans the use of lead sinkers weighing half an ounce or less.
2006. New Hampshire bans the sales and use of lead sinkers one ounce or less and lead jigs one inch or less in all lakes and rivers.
2006. Vermont bans the sale of lead sinkers less than half an ounce, and use of these sinkers as of 2007.
2009. Massachusetts passed bans on the use of lead fishing tackle less than one ounce in weight.

E. Outcomes of bans on lead fishing tackle legislation in other states

New Hampshire banned the use of all lead sinkers weighing one ounce or less and jigs less than one inch along the longest axis in freshwater lakes and ponds. New Hampshire has determined a 39% reduction of common loon mortalities due to lead toxicosis from pre-ban (1988-1999) and post-ban (2000-2008) analyses, based upon lead toxicosis mortalities/1000 common loons (Vogel 2005 and Vogel et al. 2009). No other state or country has made or published the results of bans on lead fishing tackle.

Minnesota decided about 10 years ago to attempt to lessen the complications of using lead fishing tackle by education alone, without legislation. Amanda Baribeau, Source and Toxicity Reduction Specialist, Minnesota Pollution Control Agency, states, "Most of the fishing tackle sold in Minnesota is still made of lead."

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**RECOMMENDATION TO BAN USE OF LEAD FISHING TACKLE IN WASHINGTON
AND DEFINITION OF LEAD SINKERS, WEIGHTS, AND JIGS
for WDFW #32 SPORTSFISHING RULE CHANGE II
By: Daniel Poleschook, Jr and Virginia Gumm
BioDiversity Research Institute and Loon Lake Loon Association**

October 20, 2009

“The lead problem in the United States can be expressed in a simple statement: lead is potentially toxic wherever it is found, and it is found everywhere.” (1998 Report to Congress, Toxic Substance and Disease Registry)

“Given what we know about the toxicity of lead to loons, humans, and a wide variety of other species, every effort should be made to utilize non-toxic alternatives and minimize the introduction of lead into the Environment.” (Pokras et al. 2009 *Lead Objects Ingested by Common Loons in New England*).

RECOMMENDATION:

No person shall use lead weights, sinkers (one ounce or less), artificial lures, jigs (two inches and less along its longest axis, measurement includes the hook), lead-core line, keel trolling weights, weighted flies, or any other fishing gear for the purposes of fishing in any Washington State inland water which has any content of lead within. The leaded gear is defined as follows:

(A) “Lead jig” means any lead weighted fishing hook that measures two inches and less along its longest axis, measurements include the hook. (Lead jigs, or jig heads, are defined as lead weights of a variety of shapes that have been cast around a hook shaft.)

(B) “Lead sinker and weights” means any lead device designed to be attached to fishing line for the purpose of sinking the line, the lead portion of which is one ounce or less. (Sinker category includes trolling sinkers, split-shot sinkers, bass-casting sinkers, worm weights, and many other shapes of fishing gear used to weight fishing lines.)

The primary goal of this proposal is for restricting use of lead on common loon territorial nesting lakes, including the wintering/maturation areas of the common loon; or on all Washington waters. This would provide continuity of protection for the territorial pairs and juveniles on all freshwater lakes, rivers, including saltwater areas, and also provide protection for many other piscivorous-eating birds, birds of prey, and birds/mammals known to have expired from lead toxicosis.

1. LEAD FACT SHEET FINDINGS

(A) A review of available literature and research indicates that lead sinkers and jigs pose a significant hazard to waterbirds (especially the common loon) that mistakenly ingest lead sinkers and jigs and experience lead poisoning.

(B) Lead is a toxic metal known to cause many health problems in waterbirds, increasing susceptibility to disease, predation, and infection. A single sinker can cause death within two weeks.

(C) Lead has been linked to human health problems, including brain damage, mental retardation, behavior problems, anemia, liver and kidney damage, hearing loss, hyperactivity, developmental delays, other physical and mental problems and, in extreme cases, death. Lower IQ scores, slower development, and more attention problems have been observed in children exposed to lead.

(D) Lead sinkers are small and easily swallowed, posing a toxic hazard to children. Furthermore, many anglers make their own sinkers or make sinkers in their home for sale to others. If proper precautions are not used, lead vapors and dust can impact anyone within the household.

(E) Effective and comparably-priced alternatives to lead sinkers and jigs exist and it would be irresponsible to continue to allow the use of toxic products and their deposition in our waters (State Environmental Resource Center, Madison, Wisconsin).

2. LEAD FACTS SINKERS AND WEIGHTS:

(A) EPA stated in 1994: It is estimated that approximately 2,500 metric tons of lead, zinc, and brass sinkers (over 98 percent of the volume represented by lead), and estimated 480 million sinkers are manufactured each year in the United States.

(B) 2,700 metric tons of lead fishing weights are produced every year—primarily to replace lost weights. Lead split shot accounts for 50% of the United States sinker market (Audubon Society—Waterbird Conservation Study).

(C) Studies in the United States indicate that an average of one sinker is lost every 6 hours fishing (North American Journal of Fisheries Management 26: 206-212, 2006).

(D) Nearly 3 million pounds (1500 tons) of lead sinkers and jigs are deposited accidentally in United States' waters every year (North American Journal of Fisheries Management 26: 206-212, 2006).

(E) According to studies by Tufts University, over the last 30 years, lead poisoning accounts for up to 57% of adult loon deaths (State of NH, Fish and Game Dept).

3. LEAD'S EFFECT ON WILDLIFE

(A) Lead poisoning is well-documented in all dabbling ducks, loons, geese, swans, grebes, eagles, vultures, condors, other birds of prey, all species of waterfowl, cranes, parrots, woodcock, mourning doves, songbirds, woodpeckers, herons, flamingos, pelicans, gulls, squirrels, horses, cattle, sheep, goats, pigs, dogs, cats, turtles, crocodiles, iguanas, many species of fish, and even humans. (Pokras, M. 2008. Lead Legislation Fact Sheet for Massachusetts Senate Bill 455).

(B) Domestic animals, cattle, dogs, cats, and including humans, children, have also inadvertently and/or intentionally swallowed lead sinkers with resultant lead toxicosis and even death (Pokras and

Chafel. 1992. Loons and Lead Poisoning Tufts Cummings School of Veterinary Medicine).

(B) Lead poisoning symptoms/effects include death, inability to feed normally, disorientation, altered behavior, moderate to severe gastrointestinal distress, increased susceptibility to disease, trauma, and predation, secondary poisoning of predators and scavengers (like bald eagles) (Pokras, M. 2008. Lead Legislation Fact Sheet for Massachusetts Senate Bill 455).

(C) Lead has been estimated to kill between 1.5 and 2.5 million migratory waterfowl in North America annually (Lead Legislation Fact Sheet for Massachusetts Senate Bill 455).

(D) In eastern North America, lead poisoning from lead sinker and jig ingestion is the leading cause of Common Loon mortality in their breeding areas, killing more loons than trauma, disease, entanglement in fishing line, or gunshot wounds (Lead Legislation Fact Sheet for Massachusetts Senate Bill 455).

(E) A single dose of 0.01059 ounces (0.3g) can kill an adult loon. Most sinkers and jigs weigh between 0.01765 ounces (0.5g) and 0.5295 ounces (15g) (Lead Legislation Fact Sheet for Massachusetts Senate Bill 455).

(F) The source of ingested lead by the Common Loon and other piscivorous waterbirds is from ingestion of fish with broken fishing line and attached gear, or taking fish and fishing tackle actively from anglers, or fishing gear picked up from lake bottoms. Because of the grinding action of the gizzard and the presence of small stones against which the fishing gear is abraded, it is suspected that measured sizes are somewhat smaller at necropsy than at the time they were first ingested by loons (Pokras, M. et al. 2009 Lead Objects Ingested by Common Loons in New England).

(C) Necropsies of *Gavia immer* (Common Loon) in New England recovered ingested lead and non-lead foreign objects from gastrointestinal tracts. Carcasses collected between 1987 and 2000 reveal that a great deal of loon mortality on lakes in New England is attributable to ingestion of lead objects. In this study, 522 carcasses were examined to inspect the types, sizes, and masses of 222 objects responsible for lead toxicosis. Most ingested lead objects were less than 2.5 cm long and weighed less than 25 g. Information on objects ingested by loons may help in development of non-toxic alternatives.

Type of Lead Objects Ingested by Common Loons

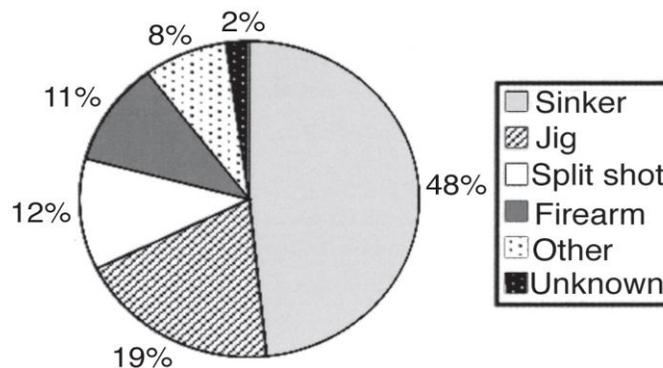


Figure 1. Data on 222 lead objects collected from 1989 through 2000 at Tufts Cummings School of Veterinary Medicine. The “Other” category includes other Pb fishing gear (lead wire, etc.). “Unknown” includes Pb fragments and objects too deformed to identify. The “Firearm” category includes shotgun pellets and bullets. (Pokras, et al. 2009 Lead objects ingested by common loons in New England).

(D) According to studies by Tufts University, over the last 30 years, lead poisoning accounts for up to 57% of adult loon deaths (State of New Hampshire, Fish and Game Department).

(E) Lead poisoning from fishing gear causes about half the mortalities in breeding and wintering adult Common Loons, removing otherwise healthy breeding loons from the population (Pokras, M. 2008. Lead Legislation Fact Sheet for Massachusetts Senate Bill 455).

(F) Of 650 bald eagles treated by the University of Minnesota’s Raptor Center between 1980 and 1999-2011, 161 bald eagles had lead poisoning—25% of the bald eagles admitted to the center annually (Raptor Center at the University of Minnesota).

(G) Over 25 species of birds are affected by lead poisoning with up to 31% of endangered Trumpeter Swans being killed by lead poisoning (Wisconsin Bird Conservation Initiative).

(H) 1991-2008 Bald and Golden Eagle Pacific N.W. Region U.S. lead toxicosis research study involving WDFW, WSU College of Veterinary Medicine per Dr. Eric Stauber, WSU., states that 47% of bald eagles and 64% of golden eagles tested had blood lead levels considered to be toxic by current standards.

4. LEAD’S EFFECT ON WASHINGTON’S COMMON LOONS

(A) 23 expired Common Loons, from 1995-2008, were collected and necropsied to determine cause of death. All contents from the gastrointestinal tracts were photographed or collected to determine sizes of fishing-related gear along with determining food contents, if any, indicating chronic or acute cause of death. Lead from fishing and other foreign objects were noted and documented. Sinkers up to one inch (including a “slinky” of sinkers about four to five inches long and two inches wide), split shot, egg-shaped weights, one inch and less, jigs, lures, fishing line fragments, along with one leaded fishing line the size of a small ball, partially digested hooks, various sized rocks and other foreign objects that were not lead, but were other metals/plastics used for fishing tackle. Most gizzard contents contained more than just one lead sinker/weight and also contained related fishing gear, such as; fragments of monofilament fishing line, hooks, swivels, and/or other related fishing objects. Necropsies, along with x-rays, were conducted by WSU pathologists, BRI biologists, other veterinarians in Washington, including consultations/review of findings with Dr. Mark Pokras, Tufts Cummings School of Veterinary Medicine.

(A) Fishing-related mortalities of 23 expired Common Loons collected from 1995-2008, account for 13/23 = 57% of all known mortalities, and is the leading cause of death.

(B) Lead toxicosis from ingestion of lead fishing tackle is determined to be = 9/23 = 39%.

(C) Other fishing-related mortalities include:

- 1.) fishing net entanglement = 2/13 = 15%
- 2.) fish hook puncture = 1/13 = 8%
- 3.) heavy metal/plastics non-lead = 1/13 = 8%

(D) Known Common Loon mortalities from lead toxicosis occurred in both freshwater and saltwater habitat territories as indicated by location:

- 1.) "Summer territory" or breeding/nesting territory on freshwater inland lakes = 2/9 = 22%
- 2.) Migration to and from "Summer/Winter territory" freshwater/saltwater = 2/9 = 22%
- 3.) "Maturation/Winter territory" (juvenile/sub-adult) freshwater/saltwater = 1/9 = 11%
- 4.) "Winter territory" (inland rivers/lakes plus Puget Sound/Pacific Ocean) or freshwater/saltwater = 4/9 = 44%

(E) Common Loon fledglings/juveniles/sub-adults remain in the "Maturation/Winter territory", which is either the freshwater/saltwater habitat, up to their third year of age--when they then return inland to their natal lake region.

(E) As indicated by the above data, Common Loon lead toxicosis mortalities have occurred on both freshwater and saltwater, year round, and affects all loons on both bodies of water and during all seasons or year round. .

(F) **Lead toxicosis mortalities of Washington's Common Loons, and reduced productivity as a result, are limiting factors for its loon population. Therefore, in order to protect Washington's Common Loons (and other aquatic birds) from lead toxicosis and resultant death, the use of non-toxic fishing tackle needs to be implemented in all waters and year round.**

5. KNOWN RESULTS OF LEAD BAN LEGISLATION AND RECOMMENDATIONS

(A) "Lead poisoning resulting from the ingestion of Pb (lead) fishing tackle has been identified as a significant cause of Common Loon mortality throughout eastern Canada and the United States."

Evers, D.C. 2007. *Status assessment and conservation plan for the Common Loon (Gavia immer) in North America* BRI Report 2007-20. U.S.F.W.S Hadley, MA.

(B) "Because of the apparent recent success of restricting Pb (lead) sinker use in New Hampshire and neighboring states and lower loon mortality related to Pb ingestion of sinkers from the reservoir of Pb tackle lying on lake bottoms along with pebbles to aid in digestion, might not be as prevalent as once thought." (Evers 2007)

(C) **"The timing of Pb deaths and the presence of associated tackle in the gizzard suggest that a significant proportion of Pb (lead) ingesting is recently introduced into lake systems."** (Evers 2007)

(D) "The Vermont legislation banned the use and sale of sinkers **only 1/2 ounce or less** and has been in effect since 2007. We have picked up close to 60 loons since 1989 (most of these since the late 1990's). 21 have died from lead plus another 8 from "other" fishing gear. ...and at least 2 lead deaths last year, 2008. ... monitoring over 7 loons this summer caught up in fishing line, several with lures/hooks in the side of the bill. **Loons definitely taking anglers active lines.** "

Eric Hanson, Conservation Biologist, Vermont Loon Recover Project

(E) Montana is working on a position statement in support of lead-free fishing alternatives for our Montana Common Loon Working Group. Laura Holmquist, USFS

(F) New Hampshire, Loon Preservation Committee 2008 Season Report, Harry Vogel, Senior Biologist. **LPC 2008 Season Report** includes:

1.) In 1998, the N.H. Legislature passed a bill to restrict the use of lead fishing sinkers of one ounce or less and lead-headed jugs less than an inch in total length, including hook, in lakes and ponds. This Legislation took effect in 2000. The Legislature passed a follow-up bill in 2004 to restrict the use of the same lead sinkers and lead-headed jugs in all freshwater (including rivers) beginning in 2005, and the sale of these sinkers and jugs beginning in 2006.

2.) 2008 Mortality results: LPC field staff collected 18 loon carcasses: 14 adults and 4 chicks. In 2008, 44% or (7/16) of adult mortalities were due to lead poisoning.

3.) Pre-and Post-ban Lead Mortality Rates: The difference in means between pre-ban and post-ban lead mortality rates showed a significant drop after the 1998 legislation was implemented. The difference between pre-ban and post-ban lead mortality rates was significant at $\alpha = 0.05$. Between 1988 and 1999, from 54 lead mortalities, 37 gizzards contained only lead sinkers; 17 had either sinkers with other fishing tackle with no sinkers, representing 31.5% (SE = 6.4) of all sampled gizzards. Between 2000 and 2008, 16 lead mortalities had 6 gizzards with only lead sinkers and 10 gizzards containing fishing gear with other lead tackle, representing 68.5% (SE + 12.5) of necropsied lead mortalities.

4.) **The timing of mortality from ingested lead tackle suggests that loons are ingesting sinkers and jigs from current fishing activity rather than from the reservoir of lead sinkers and jigs on lake bottoms.** A comparison between pre-and post-ban gizzard contents provided corroboration and further suggests that lead sinkers currently cause a smaller portion of loon lead mortalities than prior to N.H. Legislation enacted in 1998. A larger set of loon mortality necropsies performed on northeastern United States loons at Tufts University School of veterinary Medicine shows a similar switch in prevalence from lead sinkers to other lead-based fishing gear (Mark Pokras, personal communication). Harry Vogel, LPC

5.) Studies of banded loons reveal an 86% reduction in nesting potential in a loon territory the year after the death of the female of a territorial pair and a 42% reduction after the death of the male (David Evers, personal communication). Mortality and reduced productivity as a result of lead sinkers and jigs are clearly limiting factors for New Hampshire's loon population. Harry Vogel, LPC

E-mail from Harry Vogel, Senior Biologist, LPC ..."while you are banning lead tackle, ban lead-headed jigs AT LEAST TWO INCHES OR LESS (measured with the hook attached). See mortality rates in New Hampshire in 2008 Season Report."

(G) Pers. Comm. per Dr. Marcus Pokras, Tufts Cummings School of Vet. Medicine: **"The lead ban legislation use and/or sale in New England States, indicates an 80% increased protection for the Common Loon, but not entirely! 100% of all fishing gear, (one-inch and less and/or one-ounce and less) including lead jigs (two inches and less), measured from the hook, is recommended. A reduced number of lead sinkers available due to lead legislation is now being replaced with continued mortalities of the loon from taking other fishing tackle, such as the lead-headed jigs and lures. So ban 100% of all fishing gear including split-shot, fly fishing lead heads, buzz baits, weights, etc."**

(H) **"WI and MN have been doing education for about 10 years and most of the fishing tackle sold is still made of lead."** The proportion of lead poisoning among loon fatalities in Wisconsin (25%) is comparable to that observed in Canada (26%–30%) but is slightly lower than that of breeding loons in the New England states (44%–52%). Our findings suggest that lead exposure is a major mortality factor

for loons in Wisconsin. **Amanda Baribeau**, Source and Toxicity Reduction Specialist, Minnesota Pollution Control Agency phone number: (651-757-2211)

6.) LEAD BAN UNITED STATES AND OTHER COUNTRIES

- **1987** Lead sinkers (28.35g or less) are banned in [Great Britain](#).
- **1994** [EPA](#) proposes nationwide ban of lead sinkers.
- **1995** [Fish and Wildlife Service](#) bans use of lead sinkers in [National Wildlife Refuges](#) where there is reasonable likelihood of an adverse impact on trumpeter swans or common loons. These include Red Rock Lakes NWR in Lima, Montana, National Elk NWR in Jackson, Wyoming, Seney NWR in Seney, Michigan as well as Yellowstone National Park.
- **1997** [Environment Canada and Parks Canada](#) prohibit possession of lead sinkers and jigs (50 g or less) in National Wildlife Areas and National Parks.
- **2000** [New Hampshire](#) bans use of all lead sinkers weighing 1 ounce or less and jigs less than 1 inch along longest axis in freshwater lakes and ponds (voted 1998).
- **2000** [Massachusetts](#) Fisheries & Wildlife Board prohibits the use of all lead sinkers in Quabbin and Wachusett Reservoirs, the loons' primary habitat in the state.
- **2001** [California](#) requires toxicity warning on lead sinker sales: "This product contains lead, a chemical known to the state of California to cause cancer and birth defects and other reproductive harm."
- **2002** [Maine](#) bans all sales of lead sinkers weighing half an ounce or less (voted 2001).
- **2002** [Denmark](#) prohibits import and marketing of most products containing lead in 2000 with lead products for fishing specifically banned in 2002.
- **2003** [Minnesota](#) a bill prohibiting both the sale and use of lead sinkers was introduced in the Minnesota Senate in January of 2003. Bans being considered in Michigan also.
- **2004** [New York](#) bans the use of lead sinkers weighing half an ounce or less (voted 2002).
- **2005** [New Hampshire](#) bans the use of lead sinkers (one ounce or less) and lead jigs (less than one inch) in any freshwater (rivers were excluded from previous 2000 legislation). The sale of these sinkers is banned as of January 2006 (voted 2004).
- **2006** [Vermont](#) bans the sale of lead sinkers less than half an ounce, and use of these sinkers as of 2007 (voted 2004).
- **2008** [California and Arizona](#) have lead bans in areas protecting the California Condor.

- **2009** [Massachusetts](#) recently passed lead fishing regulation and bans use of: Lead Jig means any lead-weighted hook which has a mass of less than one ounce. Lead Sinker or Lead Weight means any sinker or weight made from lead and which has a mass of less than one ounce."

Other countries:

- **1987** Lead sinkers (28.35g or less) are banned in [Great Britain](#).
- In [Canadian](#) national parks and national wildlife areas, it is illegal to use lead fishing sinkers and jigs weighing less than 50 grams, a ban that went into effect in 1997. In 2002, the Canadian House of Commons debated [proposed legislation](#) to expand the restrictions of lead tackle use across the country. In February 2004, [Environment Canada](#)—the federal agency in Canada responsible for environmental protection issues—announced its intent to pursue actions to prohibit the import, manufacture, and sale of lead sinkers and jigs. [Fishing Lead-free: A Regulatory Proposal](#)
 In Ontario, Quetico Provincial Park officials are proposing to restrict the use of lead sinkers and tackle as part of the [Quetico Fisheries Stewardship Plan \(4.3Mb\)](#). While no restrictions are currently in place, visitors are encouraged to use lead-free tackle. Park officials are pursuing a regulation change under the Provincial Parks Act to ban the use of lead in sinkers and tackle.
- In Australia, leaders have colorfully debated whether to restrict the use of lead fishing tackle. In October 2005, the [New South Wales Legislative Council](#) (state senate) discussed Canada's proposed restrictions and members of Parliament sparred over the severity of the issue.
- In [Denmark](#), companies are now prohibited from importing and marketing any product containing lead. Prohibitions for both sport and commercial fishing equipment were effective December 2002.
- [New Zealand](#) has recent lead legislation.

LEAD SHOT LEGISLATION:

- **1991** Lead shot banned in waterfowl hunting in all 50 states (enacted in 1986 for phased implementation by 1991).
- **1999** Lead shot banned in waterfowl hunting in Canada. (Pokras, M. Tufts CSVM)

7.) WASHINGTON’S COMMON LOON FACTS

(A) “In Washington, recent monitoring indicates that while the western part of the state is on the verge of losing its breeding population, the number of territorial pairs in eastern Washington is increasing. While Washington has a poorly substantiated historical record of breeding, nesting records exist for both sides of the Cascade Mountains (Richardson et al. 2000). Urban development near Seattle and Tacoma has displaced breeding pairs from several lakes, but protection of shoreline habitat around several municipal water supply reservoirs supported at least five territorial pairs during the 1990s. This success may have been temporary, since only three pairs remained in 2006 (D. Paige, pers. com.). In northeastern Washington, a single and very successful breeding pair in the Okanogan highlands was first located in 1985. Since then, the number of loon pairs has slowly grown to seven (D. Poleschook and G. Gumm, pers. com.). In summary, Washington’s breeding population has rebounded from severe lows in

the early and mid 1900s to 14 territorial pairs in 2006.” (Evers, D. C. 2007. Status assessment and conservation plan for the Common Loon (*Gavia immer*) in North America. BRI Report 2007-20. U.S. Fish and Wildlife Service, Hadley, MA)

(B) 2009 Washington Common Loon’s breeding population of 14 territorial pairs produced 14 chicks with 10 surviving to fledge (Poleschook, Jr. and Gumm, 2009).

(C) The Common Loon is a classic example of a K-selected species; it is long-lived and has a relatively low lifetime reproductive performance. Because of the loon’s top trophic-level position, high visibility to people, limited dispersal ability and relatively slow replacement rate, it is widely used as an “indicator species” for aquatic integrity. The Common Loon serves that role for a variety of persistent bioaccumulative toxins including Hg (mercury) in the U.S. and Canada. (Evers, D.C. 2007).

(D) Loons Hg (mercury) body burdens are well-established as providing an approach for measuring both biological Hg hotspots and tracking the impacts of temporal changes in Hg deposition. Evers et al. 2007 (Adverse effects from environmental mercury loads on breeding common loons).

(D) Loons are slow at recolonizing new areas. The average first-breeding-year age for a Common Loon is six years; and it can range from four to 11 years. (Evers, D.C. 2007)

(E) Washington common loon chicks/juveniles remain on the winter territory (freshwater and/or saltwater) and return to the natal lake region at three years of age. Only one banded chick from the west side of Washington returned to take a territory; and, (in 2009), only one banded chick from the east side of the state has been noted to have survived since banding began in 1995.

(E) **The primary goal of this proposal is for restricting use of lead on common loon territorial nesting lakes, including the wintering/maturation areas of the common loon; and/or on all Washington waters. This would provide continuity of protection for the territorial pairs and juveniles on all freshwater lakes, rivers, and to include the saltwater areas and also provide protection for many other fish-eating birds, birds of prey, and mammals.**

8.) HUMAN HEALTH EXPOSURE TO LEAD –Environmental Defense Fund 1994

In 1994, the U.S. EPA published, in the Federal Register, a proposed rule under the *Toxic Substances Control Act* to prohibit the manufacture, processing, and sale, within the United States, of sinkers containing lead, zinc, or brass that are 2.54 cm (1 inch) or less in any dimension (U.S. EPA 1994). The regulation as initially drafted was not enacted, because many states and angling groups, including the American Sportfishing Association, argued that there was insufficient evidence to warrant a national ban on lead fishing sinkers. The American Sportfishing Association, among others, recommended that regional measures be taken to address this issue — specifically, that the U.S. EPA and U.S. Fish and Wildlife Service evaluate the extent of the problem nationwide, promulgate regulations in areas where there was evidence of a threat, pursue regulations in National Parks and National Wildlife Refuges where a problem has been documented, and initiate educational programs to inform people about the dangers associated with improper in-home production of these products.

During the discussion of the U.S. EPA's proposal to ban lead fishing sinkers and jigs, the **Environmental Defense Fund suggested that there was a potential risk to human health from the exposure to lead fumes during home manufacturing of sinkers and from lead ingestion as a result of biting split shot sinkers to crimp them onto fishing lines (U.S. EPA 1994). It was estimated that 875 tonnes of lead may be used annually in the home production of fishing weights in the United States. In the United States, over 40 cases of lead toxicosis in humans** as a result of home production and use of lead sinkers have occurred in New York, New Hampshire, North Carolina, and Iowa. In New York state, seven cases of high lead exposure from sinker production were reported between 1988 and 1993. Blood lead levels in all seven individuals exceeded 25 µg/dL, with three individuals having blood lead levels exceeding 60 µg/dL, a level that typically causes noticeable symptoms of lead poisoning in adults (U.S. EPA 1994). Three small children in New Hampshire were exposed in a home where lead sinkers were made and had blood lead concentrations ranging between 27 and 53 µg/dL. Adult family members producing the lead sinkers and cleaning the work areas also had elevated blood lead concentrations. Following transfer of home ownership, the subsequent family's three children also experienced high lead exposure, with blood lead levels ranging between 29 and 42 µg/dL (U.S. EPA 1994). In North Carolina, an outdoor cauldron where lead was melted for sinker production resulted in severe contamination (450 000 µg/g) of soils in the area. U.S. EPA guidelines recommend that children not be allowed access to areas with soil lead levels exceeding 2000 µg/g. Soil lead levels in this instance were more than 200 times the allowable level, and lead levels in dust on outdoor patio areas around the home where the pot was situated were roughly 50 times the level allowed following lead paint abatement. At least 26 children and adults were exposed to lead at this sinker production site (U.S. EPA 1994). In Iowa, two children were found to have elevated blood lead levels associated with biting lead split shot to attach it to fishing line (New Hampshire Department of Fish and Game 1998). In the published medical literature, one case of lead poisoning from sinker ingestion was reported in an 8-year-old child from Ohio. The boy had an elevated blood lead level of 2.6 µmol/L (~54 µg/dL) following ingestion of 20–25 lead sinkers (Mowad et al. 1998). Following removal of the sinkers and chelation therapy, blood lead levels returned to normal. (2005 Canadian Wildlife Services ***Lead fishing sinkers and jigs in Canada: Review of their use patterns and toxic impacts on wildlife***).

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National and International Resources (Minnesota Pollution Control Agency)

- [Tufts University's School of Veterinary Medicine](#) conducted an ongoing study of loon mortality, in which they name lead fishing gear as a danger to waterbirds.
- [Michigan's Department of Natural Resources](#) has posted information on lead poisoning of waterbirds and waterfowl.
- The Canadian Wildlife Service has introductory information on [loons](#).
- Environment Canada has posted resources as part of their [Fish Lead Free](#) education efforts.
- [Adirondack Cooperative Loon Program](#) offers information on lead and loons, and ran a lead sinker exchange program in New York (Summer 2003).
- The New York Department of Conservation hosts a [Common Loons and Lead Fishing Weights](#) web page.
- Canadian wildlife rehabilitation expert Kit Chubb shares her experiences and perspective in caring for lead-poisoned loons in her column [Studies of 32 lead-poisoned Common Loons](#) (March 2005).
- Washington state Department of Fish and Wildlife published [Fish and Wildlife Issues Related to the Use of Lead Fishing Gear](#) (December 2006).

Scientific research and published studies

Citations of scientific studies on lead fishing gear ingestion in common loons. (Sorted by publishing date.)

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- Abstracts of eleven papers presented at the "Lead Sinker Symposium" held during the 32nd Aquatic Toxicity Workshop (October 2-5, 2005) in Waterloo, Ontario. [1Mb](#)
- Cooley, Thomas M., Michigan Department of Natural Resources, Loon Mortality in Michigan 1987-2004. [PowerPoint \(6.2Mb\)](#)
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Lead-free alternatives: Manufacturers and retailers (MN PCA)

Non-lead fishing tackle is not a novelty product. Ask for it at retailers and shops, and visit these tackle web sites. We maintain this list of 33 companies offering lead-free tackle—weights of all shapes and sizes that are made without toxic lead. Minnesota Pollution Control Agency, at 651-757-2211 or 800-657-3864 toll free.

Bass Pro Shops | www.basspro-shops.com

Search their web site for "XPS" and "Excalibur" weights (tungsten), "Ultra Steel 2000," and "Sticky Weight" tungsten putty, "Lake Fork" tungsten jigs, Gremlin Green "bismuth worm sinkers," and "Safe-Sink" densified plastic worm weights.

Big Ten Tackle | www.bigtentackle.com

An online source for ceramic and steel sinkers.

BossTin | www.bosstin.com

Fishing weights made of tin, including split shot, stylers, swivel sinkers, and a variety of egg and bullet sinkers.

Bullet Weights | www.bulletweights.com

Alternative terminal tackle products. "Ultra Steel" sinkers and interchangeable jigs; tin split shot; tungsten bullet and screw-in weights.

Cabela's | www.cabelas.com

This retailer carries many brands of "non-toxic fishing weights" in their online catalog.

Conquistador Tackle Company | www.conquistadortackle.com

The Conquest tungsten bullet slip weight is available in seven different sizes.

Double Necker Rigs | www.doublenecker.com

Fishing rig made from recycled beverage bottles. Use as a bobber or a weight.

Dr. Drop tungsten composite sinkers | <http://drdropsinkers.com>

Tungsten composite sinkers use exclusive "friction grip" allowing for fast attachment and retrieval. New for 2006, a "click and slide" weight, as well as traditional bullet and bell sinkers in several weights.

Eagle Claw Fishing Tackle | www.eagleclawclassic.com

Colorado retailer's online catalog includes non-toxic removable split-shot made of tin, and a variety of steel sinkers (bass-casting, egg, and rubber core).

First Mate Lures, Inc. | www.firstmatelures.com

Online retailer of non-toxic tackle made from a bismuth/tin alloy. Jigs, drop shots, bottom bouncers, and slip sinkers, available in a variety of styles and sizes.

Fiskas Wolfram Jigs | www.yourbobbersdown.com

Tungsten jig heads in a variety of sizes, shapes, and colors. Available at many retailers throughout the U.S. and Canada; made in Sweden.

Flambeau Outdoors | www.flambeauoutdoors.com/fishing.asp

"Safe-Sink" worm weights and jig heads are made from a proprietary nontoxic plastic material with tungsten that promises the same specific gravity as lead, so the weights are the same size.

Green Tackle | www.greentackle.com

Custom-made unpainted round jig heads made from a bismuth-tin alloy. Green Tackle is also an online retailer of "environmentally friendly" tackle, including lead-free and biodegradable options.

Islander Lures | www.islanderlures.com

Ice fishing and crappie jigs made of tin.

Jackfish Lures | www.jackfishlures.com

Jigs and sinkers made of bismuth.

JC Manufacturing | www.planer-board.com

Cast-iron downrigger weights in 4, 6, 8, and 10-pound sizes. The torpedo-style weights are covered with a soft plastic which makes them easy on your boat.

Kanji International | www.tacklewarehouse.com/catpage-KANJI.html

Tungsten drop-shot weights are more dense than lead, up to 50% smaller than their lead cousins of same weight. The smaller weight is marketed as more sensitive for detecting subtle bites in deep-dropshot fishing.

Keitech | <http://keitech.co.jp/english/>

Tungsten-composite bass jigs and round head jigs.

Lead Free Jig Heads | www.leadfreejigheads.com

Online retailer of tin/bismuth alloy sinkers and jigs in a variety of styles.

Lindy Fishing Tackle | www.lindyfishingtackle.com

The Techni-Glo Rattl'n Flyer Spoon is made from a tin/pewter alloy with a brass rattle. Eco-Safe E-Z Tube Weights are made of a tin/pewter alloy, and available in four weight sizes, with and without rattles.

Loon Outdoors | www.loonoutdoors.com/sinkets.html

The "Deep Soft Weight" (1 oz.) is made from tungsten.

Lucky Strike Bait Works Ltd. | www.luckystrikebaitworks.com

Jigs, jig heads, sinkers, and split-shot made from nontoxic bismuth and tin.

Northland Fishing Tackle | www.northlandtackle.com

The "Nature Jig" is 100% lead free, cast from a nontoxic bismuth/tin alloy.

Pallatrax USA | <http://pallatraxusa.com>

Weights in the Stonze System are made from naturally occurring stones. Available in a range of sizes and colors, in swivel and in-line versions.

Penetrater Weights | www.penetraterweights.com

Tungsten steel bullet-style worm weights available in a variety of colors.

PJ's Finesse Baits | www.ejigs.com

Non-toxic tackle made from bismuth: Maribou jigs, Barbless Woolly Buggers, Eggboos, and Wormaboos.

Recycled Fish | www.recycledfish.org/safekit

All new for 2009! The SAFE Angling Kit has everything you need to catch fish, and do so as a steward of lakes and streams. Packed with name-brand gear--non-lead weights, biodegradable molded lures, circle and cam-action hooks--these kits are ready to go. Great for the novice or a seasoned angler making the switch to non-toxic weights and baits. Visit the web site for participating retail locations.

River2Sea | www.river2seausa.com

California-based manufacturer of non-toxic tungsten sinkers and bismuth/tin alloy buzzbaits and spinnerbaits.

Rocky Ledge Bass Tackle | www.rockyledge.com

Spinnerbaits, buzzbaits, and jigs made from pewter.

Salamander Sinkers | www.salamandersinkers.com

Steel sinkers with a new, patent-pending design for terminal tackle. Nontoxic, snag-resistant, and weight-adjustable.

South Bend | www.south-bend.com

Eco Weights are made from highly pressurized iron oxide, and come in many weights and styles: worm weights, egg sinkers, and bank sinkers. Also makes steel removable split-shot sinkers.

Tacklesmith | www.tacklesmith.com

Wisconsin-based online retailer of lead-free sinkers and jigs made from a variety of non-toxic metals.

Yakima Bait Co. | www.yakimabait.com

The Hildebrant® product line includes many spinnerbaits made from molded bismuth or tin.

Suppliers to tackle manufacturers

Du-Co Ceramics | www.du-co.com

Jigs and sinkers made from ceramic. Call Nick Norante for product information or becoming a distributor.

Ecomass Technologies | www.ecomass.com

Ecomass is a non-toxic polymer-metal composite with the same density as lead which can be molded into fishing weights and lures. Used in lead-free fishing tackle lines from Flambeau Outdoors and Bass Pro Shops.

RTP Company | www.rtpcompany.com

Manufactures lead-free "high gravity compounds" for terminal tackle and ammunition manufacturers.

Handling Lead Safely

Health Notes—Many anglers use lead to make homemade tackle, including sinkers, jigs, and lures. While these hobbyists enjoy their craft and the money it saves, some may not be aware of the health hazards associated with melting, grinding, and cutting lead when unsafe practices are used.

The fumes given off by melting lead and the dust created by cutting and grinding it can be easily spread throughout the home. This can pose health risks for children who can ingest lead by putting contaminated objects or hands in their mouths, or for adults who can inhale fumes or accidentally ingest lead by not washing their hands before they eat, smoke, or chew gum.

Lead can cause a variety of health problems. Children are especially vulnerable because they are still growing and their bodies are not able to get rid of the lead they absorb. Also, pregnant women are at high risk because they can transfer lead to their unborn baby. If you feel you or your family may have been placed at risk you might consult a physician about getting a blood test.



The U.S. Environmental Protection Agency offers several suggestions for anglers:

- Set up your shop in a building that is detached from your house. Do not handle or use lead within the common living spaces in your home.
- Keep children and their toys out of work areas. Children under the age of six, particularly those who are crawling or are just starting to walk, are especially at risk.
- Wash your hands before you leave the shop. You should also shower and change clothing, especially shoes, which can carry lead dust, before entering a home.
- Work in a well-ventilated area. A fume hood with a micron filter can greatly reduce airborne exposure to lead fume and dust.
- Wear a respirator mask with a high-efficiency filter. Health professionals suggest using a "HEPA" cartridge filter or a NIOSH-approved N-95 or better mask. These masks are inexpensive and can be found in hardware stores or on the Web. If you have asthma or another lung condition, check with your doctor to see if you can safely wear a respirator.
- Keep your work area clean. Clean the floors and walls with a wet mop and household soap or detergent and water to reduce the amount of lead dust. Never use a broom to dry sweep. ■

Dr. Jim Blando

Some Environmental Public Health Background Information on Lead Fishing Weights and Washington State

Human Health

We don't know how much lead exposure occurs from the use of fishing weights. Children have been known to bite or swallow the weights. Also, people can be exposed after handling the weights if they eat, drink, smoke, or touch their hands to their mouths without washing them first.

The Washington State Lead Chemical Action Plan

<http://www.ecy.wa.gov/biblio/0907008.html>

The Lead Chemical Action Plan (CAP) was developed by the Washington Department of Ecology (Ecology) with the help of the Department of Health (DOH), other agencies, and representatives of numerous interests across the state. The purpose of a CAP is to identify the dangers of lead, detail where this substance can be found in our environment and recommend ways to reduce its harm. Although CAPs are developed in accordance with the PBT rule (WAC 173-333), the recommendations in the Lead CAP do not have the force of a new law or regulation.

One of the goals of the Lead CAP is to reduce or eliminate threats to human health and the environment from consumer products that are a source of lead exposure. This is based on the finding that an important way to reduce lead exposures in the long term is to eliminate its use in new products and use less toxic alternatives when available.

The following recommendation related to fishing tackle was included in the Lead CAP:

Recommendation #12- Ecology should work with stakeholders to reduce the use of lead in products where non-lead alternatives are available.

Lead is used in different products for different reasons, therefore, each product and its uses should be considered individually. Ideally, Ecology would work with the appropriate stakeholders for each product on voluntary steps to prevent exposures. Because lead is found in so many products, Ecology recommends focusing on the largest uses where safer alternatives are available. These products include lead shot, fishing weights and wheel weights.

Ecology should work with WDFW, shooters, hunters, fishers, industry representatives and other stakeholders to promote non-toxic alternatives to lead ammunition and fishing tackle and reduce releases without negatively affecting hunting, shooting, or fishing. Some ammunition and fishing tackle are released into the environment during the intended use. Different uses and different types of ammunition and fishing tackle should be dealt with in individual ways. Ecology recommends collaborating with users on workable solutions to reduce exposures. Voluntary steps should be taken to prevent effects on wildlife and the creation of hazardous sites without new laws. Ecology should support WDFW in their efforts to determine where non-toxic shot or other types of non-toxic ammunition should be used.

One of the stakeholders involved with the development of the Lead CAP was Paul Ronald, representing Puget Sound Anglers.

Information in the Lead CAP about Lead Sinker Use and Its Impact on Wildlife

WDFW reported on possible environmental effects from lead fishing gear (Michael 2006). Many different species of birds, reptiles, and small mammals are known to have died from ingesting lead, but birds seem to be the most susceptible to lead poisoning. Lead poisoning from ingested fishing gear has been documented in many species, including the laughing gull, herring gull, whistling swan, mute swan, trumpeter swan, American black ducks, wood ducks, redheads, scaups, scoters, Canada Geese, great blue heron, snowy egret, white ibis, common merganser, red-breasted merganser, double-crested cormorant, green heron, while and brown pelicans, painted turtle, and snapping turtle (Scheuhammer et al. 2003). Loons are the birds most likely to ingest lead fishing tackle, and one lead sinker or lead jig can kill a loon (Michael 2006).

Lead fishing tackle can be a significant source of lead, especially in popular fishing areas. Smaller pieces (less than an inch or an ounce) are most dangerous to waterfowl that accidentally ingest them and then die of lead poisoning. Loons are particularly affected by small lead fishing tackle, including loons in Washington State. People can also be exposed when they handle lead fishing tackle, especially when combined with eating, drinking and smoking. There are many non-lead alternatives available. Some states restrict the use or sale of lead fishing weights. Also there are lead-free fishing areas, such as in Yellowstone Lake in Yellowstone National Park where use of lead fishing tackle is prohibited.

Fishing Weights

An estimated 48 to 80 tons of fishing weights are lost annually in Washington. The first estimate, shown in Table IV-8, from Sheuhammer used USEPA estimates for the amount of money spent on fishing weights, while the second estimate used USEPA estimates for number of sinkers produced (Scheuhammer et al. 2003). It is assumed that the number of weights purchased is equivalent to the number of weights lost. The EPA estimate is only for lead sinkers smaller than 2 cm (U.S. Environmental Protection Agency 1994). The Ecology estimate is based on the number of fishing licenses in Washington and estimates 30% are fly fishermen, and each angler loses 4 ounces of lead per year.

Table IV-8 Lead fishing weights Study	U.S. Weights Sold/Lost Annually (Metric Tons)	Basis Of Estimate	Washington State Weights Lost Annually (Metric Tons)
Canadian Wildlife Service, 2003 Sheuhammer <i>Lead Fishing sinkers and jigs in Canada: Review of their use patterns and toxic impacts on wildlife.</i>	3977	\$87.5 million / \$0.022/g	80
Canadian Wildlife Service, 2003 Sheuhammer <i>Lead Fishing sinkers and jigs in Canada: Review of their use patterns and toxic impacts on wildlife.</i>	2600	480 million sinkers * 5.4 g/sinker	52
EPA, 1994. Lead fishing sinkers; response to citizens' petition and proposed ban: proposed rule.	2385	450 mil. sinkers *, 5.3g/sinker	48
Nussman, M 1994. US sport fishing industry's position paper in lead fishing sinkers.	2700	Report unavailable	54
Ecology		550,858 anglers * 4 ounces	63

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The Online Source for Washington Fishing Information

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Proposed Lead Ban for select Washington Lakes---Guys we had better get involved!!!

- Posted by Gary Stiles on November 4, 2009 at 2:56pm in Bass Fishing
- [Back to Bass Fishing Discussions](#)

To all,

WDFW is proposing a lead ban on select lakes in our state. The proposal reads as follows:

"This proposal would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in the following freshwater lakes:

Ferry Lake, Swan Lake and Long Lake (Ferry County), Pierre Lake (Stevens County), Big Meadow Lake, Yocum Lake and South Skookum Lake (Pend Oreille County), Lost Lake, Blue Lake and Bonaparte Lake (Okanogan County), Calligan Lake, Hancock Lake (King County) and Lake Hozomeen (Whatcom County)."

Explanation:

"Common loons are currently state listed as a sensitive species with significant questions as to the species population status. Washington has both breeding populations and wintering populations of common loons. Ingestion of small lead fishing gear has been identified as on the major causes of loon mortality in WA. Lead toxicosis from fishing tackle was responsible for mortalities in 39% of common loon carcasses recovered in Washington from 1996-2008. Over the past few years, an increasing number of manufactures have begun offering for sale lead-free sinkers and jigs. this is an incremental step in reducing the availability of lead to loons and the proposal is restricted to lake in Washington where we have documented common loon breeding."

Testimony can be sent to:

Lori.Preuss@dfw.wa.gov, by fax to 360 902-2155 (Attention: WDFW Rules Coordinator) or by regular mail to the WDFW rules Coordinator at 600 Capital Way N, Olympia Wa 98504 Must be received by December 1.

My gut tells me that this proposal, if adopted, could be expanded in the future to encompass a larger geographic area than what is currently proposed. Further I have concerns as to what a "Lead Jig" actually is? Would this include spinner baits, chatter baits, on and on? Also, is the science complete? Lots of questions. At any rate, discuss it among yourselves and feel free to offer constructive guidance to the folks at WDFW. One other note, the WDFW Fisheries Dept. did not propose this. It was actually proposed by the bio's in the game department. Also, apologies for my typo's I will try to type slower next post.

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Replies to This Discussion



Permalink Reply by Tom Edwards on November 4, 2009 at 3:05pm
quote;

39% of common loon carcasses

Now just what is the actual number of birds?

► Reply to This



Permalink Reply by Shawn O'Connell on November 4, 2009 at 3:10pm
Thanks for the info Gary. We need one of our good writers on here to type up a form email that we can all send to this email address.

I would love for them to make available their research and findings on this. It definitely seems like a skewed percentage to me and I'm also guessing that we will find it is incomplete and probably not representative as a whole.

There is not a lot of time to respond to this. Looks like they will be trying to push this through quietly.

► Reply to This



Permalink Reply by WCCT on November 4, 2009 at 3:27pm
Thanks for the heads up Gary. I agree that this is only a stepping stone for the environmentalists to ban lead completely.

► Reply to This



Permalink Reply by AARON373V on November 4, 2009 at 4:24pm
Great question. If 7 are dead, and 3 of those are because of lead, then this is stupid. If it's 100 plus birds, then maybe it's worth considering.

I have two thoughts here. 1st, it feels like it is targeting us and I want to be defensive about it. I don't fish any of those lakes, but I am sure it's only a matter of time before others fall under the umbrella. 2nd, what was it, about 10-15 years ago that lead shot over water for bird hunting was banned? Well, the sport adapted. We can do the same.

Tom Edwards said:

quote;

39% of common loon carcasses

Now just what is the actual number of birds?

► Reply to This



Permalink Reply by Marc Marcantonio on November 4, 2009 at 5:40pm
What part of "this is an incremental step in reducing the availability of lead to loons" would cause anyone to doubt their goal is to ban lead like in the New England states?

As a biologist I have studied and written 2 papers about lead toxicity to waterfowl. This doesn't make me an expert, but it does give me some scientific experience to have some knowledge on the subject. I also manufacture lead sinkers, and I tried to manufacture lead substitute sinkers. I am also a fisherman with some experience on how suitable lead substitutes are. Having been on the Inland Fish Policy Advisory Group for 10 years, I saw this come up once before and luckily get dropped. I established the above for the sole purpose of pointing out that I have given this subject a tremendous amount of thought, so my comments come from careful consideration and not biased emotion.

Let me state up front that there are incidents in which lead toxicity is a problem, but I will need to see the WDFW's data and analysis before I believe a problem exists in Washington.

As several mentioned above, we all need to see the study that is referenced, and we need to carefully consider both the data and the conclusions. If you ask for the study, the State has to provide it under the Freedom of Information law.

Remember, loons are migratory. Even if loons have been found dead with lead toxicity, it doesn't mean the lead was ingested in Washington state unless there is evidence of that. Usually this occurs in waterfowl when feeding on mud flats where gravel is unavailable

to waterfowl, but where lead shot has fallen during waterfowl hunting activities. Sure, there are some mud flats in Washington, but not many, and not where the ban is being proposed. Use the common sense test here; if an angler loses a 1/4 oz lead sinker on one of these proposed lakes, what is the likelihood of a migratory loon finding and eating it? Our lakes have no shortage of gravel/pobbles, and of a size that a loon would prefer over a 1/4 oz size...and it would be easier to find a needle in a haystack since at least a needle looks different than a piece of hay.

When I first saw this proposed by Pat Michaels(WDFW) roughly six years ago, it went nowhere because the department was sold on the science, and they didn't want to fight the anglers since lead is important to angler success. Tungsten, Bismuth, and Steel were not readily available as alternatives, and were deemed unacceptable by anglers so the WDFW dropped the issue. Apparently WDFW feels they have a better chance now, but lets prove them wrong and voice our objections. Otherwise consider QuickDrops to be gone, and all your other favorite lead fishing tackle because it is all in the sights of those whose REAL objective is to end fishing and hunting. You better enjoy paying more than a dollar per weight for Kanji Tungsten dropshot sinkers, because that is what you will have to use. Yea, I know some of you are rolling your eyes at the "conspiracy theory" but believe me, these people do exist and are manipulating well-intentioned biologists and legislators to pass laws that make us give up on our activities.

This is a slippery slope that needs to be recognized for the first step that it truly is. Why only Loons? Why not all birds including ducks, geese, doves, etc.? It is all about incrementalism. Loons are mystical creatures, that everyone will agree should be protected. So it is an easy sell to the public, and the law gets passed. Then comes the next argument, that if it protects loons to ban lead in their breeding lakes, then it would protect ducks and geese in their habitats too.

Please be sure to educate these "well-intentioned" but ill-informed rule proposers where and how all of these lead substitutes are manufactured. They are sold as environmentally friendly, when the opposite is true. The production of Tungsten sinkers involves extremely intense heat that wastes energy on an enormous scale, and for what? A fishing sinker! Ever wonder why these lead substitutes are made in China? I suppose it makes sense to pollute the air, ground and water in China but not in the USA? Or waste their energy sources? With very little research it is easy to see that Tungsten and other lead substitutes are NOT environmentally friendly. And we know they are not cost effective. Please pass this on to WDFW.

Gary is right, we all need to act to protect our interests. Insist on the science and insist that any new law accomplishes the targeted purpose, and no more.

The proponents of lead bans pull out all the stops, especially the scare tactics. Much of their claims are completely false, so don't be quick to accept them. Lead is a natural element, and very stable. It does not poison anything until specific unusual conditions exist that allow it to be dissolved where it can be toxic. There are still lead water pipes in use by water companies, and these pose no threat unless acidic conditions or electrolysis conditions exist.

In conclusion, please see this as the threat to your lifestyle that it really is. It is a conspiracy aided unwittingly by well-intentioned but foolish individuals whose salaries you pay with your taxes and license fees. Get involved or suffer the consequences.

P.S. I have made my comments known, and will continue to do so, but they fall on deaf ears because my arguments are dismissed since I manufacture lead fishing sinkers. Don't wait, your ox is being gored right now!

ciao,
Marc

► Reply to This



Permalink Reply by Jake "The Snake" Anderson on November 4, 2009 at 6:29pm
Wow....great post Marc. Eyc opening and enlightening.

► Reply to This



Permalink Reply by Jon Sessler on November 4, 2009 at 8:33pm
Great post Marc,

This is exactly what we have talked about with the Animal Rightists on this site before. They attack on all fronts and the incrementalism you speak of is real. They also infiltrate and work from within. Remember the post about the plastic worm in the trout? Where did that joker go? If he would have gained any traction, you can bet it wouldn't have stopped there. They will also try to divide and conquer by pitting one group against another, and then pick off each group separately.

Remember when they outlawed bear baiting, and hunting with hounds in this state? Many sportsmen, fishermen included, didn't care and didn't get involved. Shortly thereafter, they made trapping, with any body gripping trap a FELONY!! That includes mice, rats, and moles. Don't believe me? The letter of the law makes no distinction between trapping a rat, or trapping a coyote. Again the sportsmen were not united. Now it's our turn in the barrel. My guess is the fly-fishermen won't care, because it doesn't affect them, and the hunters won't care because it doesn't affect them, and the trappers won't care because it doesn't affect them, and the hound hunters won't care because it doesn't affect them, and the bear baiters won't care because it doesn't affect them.

It's time to get involved, contact your State Reps, and the WDFW, and don't expect the other guy to do it, because he won't you need to. GUESS WHAT WE HAVE ALREADY BEEN DIVIDED, LET'S NOT BE CONQUERED.

► Reply to This



Permalink Reply by Ben Hanes on November 4, 2009 at 8:47pm
Who the heck do we contact? What do we say???

► Reply to This



Permalink Reply by Jon Sessler on November 4, 2009 at 8:51pm
You contact the people in Gary's post, and you contact your elected officials, and get them onboard.

You say what you believe....

Ben Hanes said:

Who the heck do we contact? What do we say???

► Reply to This



Permalink Reply by Jordan Doucet on November 4, 2009 at 9:13pm
I nominate Marc....

Nice post Marc, very enlightening.

Marc Marcantonio said:

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ciao,
Marc

► Reply to This



Permalink Reply by Marc Marcantonio on November 4, 2009 at 9:54pm

Jordan, I wish I could have more of an impact on this situation. I helped get it shelved several years ago, but when I bring up the subject now WDFW ignores my experience as an angler, my training and experience as a fisheries biologist with an additional degree in ecology, and they point to the fact that I manufacture QuickDrops and therefore I am biased and not to be trusted.

You should see the information that is being used to justify this ban; junk science and emotional based misinformation that they trust won't be questioned by reasonable people. They use words like "this loon is suspected to have succumbed to lead toxicosis but the body was dragged off by predators so an autopsy could not be performed". They say things like half of all deaths in Washington are the result of lead toxicosis, but then you realize when reading the information that they are talking about half of the bodies they recovered (4 in one "study" they cite); ask exactly what the population of loons are in the State of Washington, and how many die of other causes like old age, habitat loss, disease, predation, etc. These aren't included when they cite "half of the deaths are from lead toxicosis". This is the misinformation we have to challenge to put the problem in proper perspective.

Ask for the study, then question the data and analysis. Ask how many loons are in Washington (the real loons are the people who push this junk), and ask how many are confirmed dead from lead toxicosis.

Google studies on this and you will see they come from the Audubon folks, and their goal is a complete ban on all lead fishing equipment. They say in some of these studies that lead alternatives will only cost an angler an average of \$5 more per year!!! How is that for credible information. A QuickDrop cost \$0.30 for one, a Kanji Tungsten teardrop costs \$1.30 for one!

Or simply send your comments and concerns to the person Gary identified in his message, and to your legislators and the fisheries commission. Even if you only say you are not in favor of the ban, you will have helped.

ciao,
Marc

Jordan Doucet said:

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What part of "this is an incremental step in reducing the availability of lead to loons" would cause anyone to doubt their goal is to ban lead like in the New England states?

As a biologist I have studied and written 2 papers about lead toxicity to waterfowl. This doesn't make me an

expert, but it does give me some scientific experience to have some knowledge on the subject. I also manufacture lead sinkers, and I tried to manufacture lead substitute sinkers. I am also a fisherman with some experience on how suitable lead substitutes are. Having been on the Inland Fish Policy Advisory Group for 10 years, I saw this come up once before and luckily get dropped. I established the above for the sole purpose of pointing out that I have given this subject a tremendous amount of thought, so my comments come from careful consideration and not biased emotion.

Let me state up front that there are incidents in which lead toxicity is a problem, but I will need to see the WDFW's data and analysis before I believe a problem exists in Washington.

As several mentioned above, we all need to see the study that is referenced, and we need to carefully consider both the data and the conclusions. If you ask for the study, the State has to provide it under the Freedom of Information law.

Remember, loons are migratory. Even if loons have been found dead with lead toxicity, it doesn't mean the lead was ingested in Washington state unless there is evidence of that. Usually this occurs in waterfowl when feeding on mud flats where gravel is unavailable to waterfowl, but where lead shot has fallen during waterfowl hunting activities. Sure, there are some mud flats in Washington, but not many, and not where the ban is being proposed. Use the common sense test here; if an angler loses a 1/4 oz lead sinker on one of these proposed lakes, what is the likelihood of a migratory loon finding and eating it? Our lakes have no shortage of gravel/pebbles, and of a size that a loon would prefer over a 1/4 oz size...and it would be easier to find a needle in a haystack since at least a needle looks different than a piece of hay.

When I first saw this proposed by Pat Michaels(WDFW) roughly six years ago, it went nowhere because the department was sold on the science, and they didn't want to fight the anglers since lead is important to angler success. Tungsten, Bismuth, and Steel were not readily available as alternatives, and were deemed unacceptable by anglers so the WDFW dropped the issue. Apparently WDFW feels they have a better chance now, but lets prove them wrong and voice our objections. Otherwise consider QuickDrops to be gone, and all your other favorite lead fishing tackle because it is all in the sights of those whose REAL objective is to end fishing and hunting. You better enjoy paying more than a dollar per weight for Kanji Tungsten dropshot sinkers, because that is what you will have to use. Yea, I know some of you are rolling your eyes at the "conspiracy theory" but believe me, these people do exist and are manipulating well-intentioned biologists and legislators to pass laws that make us give up on our activities.

This is a slippery slope that needs to be recognized for the first step that it truly is. Why only Loons? Why not all birds including ducks, geese, doves, etc.? It is all about incrementalism. Loons are mystical creatures, that everyone will agree should be protected. So it is an easy sell to the public, and the law gets passed. Then comes the next argument, that if it protects loons to ban lead in their breeding lakes, then it would protect ducks and geese in their habitats too.

Please be sure to educate these "well-intentioned" but ill-informed rule proposers where and how all of these lead substitutes are manufactured. They are sold as environmentally friendly, when the opposite is true. The production of Tungsten sinkers involves extremely intense heat that wastes energy on an enormous scale, and for what? A fishing sinker! Ever wonder why these lead substitutes are made in China? I suppose it makes sense to pollute the air, ground and water in China but not in the USA? Or waste their energy sources? With very little research it is easy to see that Tungsten and other lead substitutes are NOT environmentally friendly. And we know they are not cost effective. Please pass this on to WDFW.

Gary is right, we all need to act to protect our interests. Insist on the science and insist that any new law accomplishes the targeted purpose, and no more.

The proponents of lead bans pull out all the stops, especially the scare tactics. Much of their claims are completely false, so don't be quick to accept them. Lead is a natural element, and very stable. It does not poison anything until specific unusual conditions exist that allow it to be dissolved where it can be toxic. There are still lead water pipes in use by water companies, and these pose no threat unless acidic conditions or electrolysis conditions exist.

In conclusion, please see this as the threat to your lifestyle that it really is. It is a conspiracy aided unwittingly by well-intentioned but foolish individuals whose salaries you pay with your taxes and license fees. Get involved or suffer the consequences.

P.S. I have made my comments known, and will continue to do so, but they fall on deaf ears because my arguments are dismissed since I manufacture lead fishing sinkers. Don't wait, your ox is being gored right now!

ciao,
Marc

► [Reply to This](#)



OTTAWA PLANS TO BAN LEAD FISHING SINKERS

MANITOBA WILDLIFE FEDERATION



National Post
Saturday June 18, 2005

By Peter Shawn Taylor

This year's fishing season could be the last time Canadian anglers are allowed to use those ubiquitous lead fishing sinkers. That's because the federal government is proposing to ban lead tackle and force fishermen to find more expensive alternatives. But even non-anglers should be concerned with how and why the government is making this decision.

The circumstances surrounding the proposed lead-sinker ban reveal that whimsy and fabrication have replaced science in setting environmental policies. The government and the environmental group that has spearheaded this crusade, the World Wildlife Fund (WWF), claim the move is necessary to save Canadian loons from lead poisoning. Yet the actual evidence suggests the size and danger of the lead-sinker issue has been grotesquely exaggerated. And if the Liberals are prepared to pervert scientific evidence in order to justify new laws for picayune issues such as fishing tackle, what does this suggest for bigger and more significant policies?

Now urban folk might require a bit of background on the lead debate. In 1991, the U.S. banned lead shotgun pellets because of evidence that they found their way into lakes and rivers and were then ingested by water birds, causing lead poisoning in loons. Canada followed suit in 1997 with its own ban on lead shot.

But success on lead shot prompted a broader and bolder agenda, one that appears to be part lead hysteria and part antifishing campaign. Today the WWF and the federal government's Canadian Wildlife Service (CWS) argue that if banning lead shot makes sense, then it must also make sense to ban lead fishing tackle, since those small sinkers could get snagged or lost and end up on lake bottoms as well.

The WWF and CWS even came up with a catchy factoid — they claim 500 tonnes of lead sinkers are deposited in Canadian waterways annually. "That's the equivalent weight of dropping 500 cars into our lakes, rivers and streams each year," said former Environment Minister David Anderson last year in announcing the proposal to ban lead sinkers. And this is where policy parts ways with logic and science.

There's a fundamental difference between firing a shotgun shell over water and watching the pellets fall into the lake, and fishing with a sinker. Shotgun pellets are not designed to be reused. Sinkers are. In fact there is no reason why a careful fisherman couldn't use a handful of sinkers his entire life. That famous 500-tonne figure — and the image of an endless parade of cars being driven off piers into our lakes — assumes that every fisherman in Canada manages to lose his entire collection of sinkers at the end of every season. Selling a sinker is, in the government's mind, the same as ramming it down the throat of an unsuspecting loon.

OTTAWA PLANS TO BAN LEAD FISHING SINKERS

MANITOBA WILDLIFE FEDERATION

Then there is the fact that a sizeable portion, perhaps even a majority by weight, of lead sinkers sold in Canada are not the tiny bits of metal you squeeze on your line, but what are called downrigger balls. These are five to 10-pound weights used for trolling for Great Lake salmon and other deep-water fish. And if there are loons out there swallowing 10-pound balls of lead, the environment has bigger problems than sinker ingestion.

But of course all this is just speculation. If there really is a credible danger to waterbirds from lead sinkers, then there should be a scientific process to determine the extent of the havoc being wreaked.

In fact, ingestion of lead sinkers has been studied extensively on both sides of the border. When environmentalists first began moving against lead sinkers, the U.S. National Wildlife Health Center in Madison, Wisc., was asked to study the issue. Scientists there examined 2,240 individual waterbirds over four years and found only 23 birds (including 11 loons) that had lead sinkers in their stomachs. A larger study in Illinois found one bird out of 16,651 was carrying a lead sinker. As a result of these findings, the U.S. government abandoned plans for a nation-wide lead-sinker ban.

Canadian research reveals the same basic level of lead-sinker mortality north of the border. Between 1964 and 1999, the CWS was able to identify 71 birds and one turtle that had died from swallowing lead sinkers. A more recent study shows much the same thing. A 2003 CWS publication says: "An average of six cases of wildlife mortality from sinker ingestion have been documented annually in Canada between 1987 and 1998." Six dead birds. Per year. It's not exactly a bird holocaust out there.

Now this might be compared with the thousands of loons that have died over the past three years on Lake Erie due to botulism. Or the fact that virtually the entire loon nesting habitat was wiped out in 2004 on Lake of the Woods when the water table rose precipitously. Or that the North American loon population is estimated at 700,000 birds.

Six dead birds nationwide due to lead sinker ingestion is insignificant to the point of amusing. Or it would be, if not for the fact that the federal government has seen fit to ignore its own scientific evidence when making policy. Brochures from Environment Canada call lead-sinker ingestion "the leading cause of death reported in adult common loons." The WWF for its part has claimed that the lead-based loonie death toll "could be as high as 30,000 birds per year" in Ontario alone. It is pure fantasy.

This winter, Environment Minister Stephane Dion claimed to hold a consultation on the lead-sinker debate. But with his department working hand in glove (or worm on hook) with the WWF and a ban already unveiled as the preferred policy of the government, the fishing community is bracing for an inevitable end to lead sinkers some time this year.

OTTAWA PLANS TO BAN LEAD FISHING SINKERS

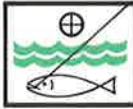
MANITOBA WILDLIFE FEDERATION

The actual monetary impact of a ban is a question mark. Sinkers themselves are relatively inexpensive and phasing out lead might only add a few bucks a year to the cost of fishing. Yet the proposed regulation talks about banning any tackle with a 1% lead content, which would include brass fishing reels and a wide variety of spinners, jigs and other paraphernalia. And at a much greater cost to the industry.

Regardless of whether the cost is big or little, however, the key issue remains the process by which government is making this decision, since it appears to be driven by an egregious misrepresentation of scientific evidence. Biologist David Ankney is a member of the CWS editorial board, but he takes a dim view of what passes for science at that government agency. "In my 30 years as a wildlife scientist, I've seen bad science and I've seen abuse of science," he says of the 2003 CWS report on lead-sinker ingestion. "But never have I seen so much bad science and abuse of science in one document."

If six dead loons can become the basis for a policy that could force Canadians to spend more money, change their habits or even give up fishing — in other words, if a fact-blind environmental agenda can drive government actions — then what else is Ottawa capable of manipulating? Easy question, of course. The answer is Kyoto.

Peter Shawn Taylor is a writer in Guelph, Ont.



Dear Washington Fish and Wildlife Commission,

As a member of the sportfishing industry who does business in Washington, I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes. I am deeply concerned not only about the ban's potential impact on my business, but on a family-oriented activity with significant social, cultural, and economic value to the state.

The Tom Posey Company has been doing business in Washington for over four decades, paying business and employee taxes.

In its 2000 study, the Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins, all of which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented by supporters of the restriction on lead products claim that 39 percent of loon deaths result from lead toxicosis. However, this estimate was based on only 27 loon carcasses collected from 1996-2008 of which only nine loons were said to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. While some alternatives on the market are at approximately the same cost of lead, most of these products can cost from six to 20 times more than lead products (depending on the alternative metal and current prevailing raw material costs), are not as available and do not perform as well. Mandatory, transitioning to non-lead fishing tackle would require significant changes from both the industry and anglers, and therefore must be strongly justified. Given the scarcity of evidence supporting a lead fishing tackle ban at this time, this proposal is clearly unwarranted and ignores that in this Nation fish and wildlife are managed for populations, not individual animals.

As opposed to a ban on lead sinkers and jigs, we suggest the Department work with the industry to better understand the products available and their costs and performance. In addition, we suggest the Department include information in its media meant to educate anglers about angling techniques on lakes where nesting loons occur. This can range from encouraging anglers to use non-lead terminal tackle to tips on how to minimize the loss of tackle.

According to the Census Bureau and the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures. Annually,

fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration in Washington. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers and have a significant impact on the state's economy. At a time when jobs are threatened and the economy is suffering, it is important for industry and government to work together to find ways of supporting jobs, not eliminating them. Through my business and our trade association, the American Sportfishing Association, we would be pleased to work with the Commission and the Department toward a better understanding of lead in recreational fishing tackle and how to achieve practical solutions that minimize resource impact and maintain a healthy economy.

Please reject this proposed ban on lead fishing tackle. In addition to unnecessarily harming my business, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose.

Sincerely,



Ron Hiller
Tom Posey Company
President

Andrew P. Marcantonio, Jr.
603 Kautz Court
Steilacoom, WA 98388

November 30, 2009

WDFW Rules Coordinator
600 Capital Way N
Olympia, WA 98504

Subject: "No" on Lead Fishing Tackle Ban Proposal

Dear Washington Fish and Wildlife Commission and Director Phil Anderson,

As a biologist (and former fisheries biologist) and professional angler, I urge you to vote "no" on the proposed lead fishing tackle ban on selected waters in Washington. I was also a member of the Inland Fish Policy Advisory Group since its inception through 2008, and have been involved with this issue when earlier proposed by Pat Michael (after writing her paper on Fish and Wildlife Issues Related to the Use of Lead Fishing Gear, Dec 06). I have also read the paper by Daniel Poleschook, Jr. and Virginia R. Gumm titled Recommendation to Ban the Use of Lead Fishing Tackle in Washington, Nov 09, and watched their testimony on video from the Nov. 6 hearing.

I have studied and written papers on lead toxicosis as far back as 1975, and I clearly recognize the potential danger ingestion of lead poses to certain species of waterfowl. My concern with the proposed lead ban is that WDFW has not yet established or quantified that a problem actually exists that warrants this proposal, and until doing so should not take actions that will have unintended consequences. Such a decision may invite legal action from the businesses that depend on lead tackle manufacturing and sales, and if escalated to a total ban of lead tackle will significantly reduce the very revenue that pays the salaries of biologists through Federal Excise Tax and fishing license sales, as well as reducing sales tax revenue to the State.

The paper submitted by Poleschook and Gumm suggests that 9 loons over a 13 year period may have died from lead toxicosis (no liver or blood tests confirmed this). This number is not statistically significant, nor is it a significant limiting factor to Common Loon populations in Washington. Shoreline development and the loss of breeding habitat are more significant. As you are probably aware, Washington is not considered within the normal breeding region of the Common Loon to begin with, and the population of the Common Loon is believed to be increasing in Washington. Again, where is the problem that justifies such an important decision?

Both of the referenced documents cite sources of information that are dated and make incorrect conclusions. More recent studies of Common Loons have determined that Loons

rarely ingest lead when graveling, and a ban on lead tackle does not address the problems limiting loon populations (loon populations are actually increasing in all but two states). Most papers submitted by Common Loon advocates repeat information from the initial study held up as the centerpiece for lead bans (Pokras et al., 1991; Pokras and Chafel, 1992). The number of loons found with lead toxicosis from fishing tackle over a 14 year study period encompassing 6 New England states (with large loon populations) amounted to 118 loons (and this geographical area is far more important to loon populations than the State of Washington). Compare this to a single incidence in which 400 loons died from an oil spill off the coast of Rhode Island in the Spring of 1996 (JOURNAL OF WILDLIFE DISEASES, VOL. 39, NO. 2, APRIL 2003).

We must use factual information and scientifically supported data (provided by WDFW biologists sampling the Washington Loon population) to make decisions rather than react to rhetoric and unsupported claims. I am concerned that the Commission has not sought data from its own biologists and used such data to support this proposed ban.

I get it about lead toxicosis. It does occur, and it does occur in Common Loons and many other waterfowl. Lead is toxic under certain conditions, but so are many other substances in our environment including tungsten, brass, copper, zinc, iron, mercury, herbicides, pesticides, insecticides, fertilizers, and even items that are normally inert. We should be especially concerned about the effect of endocrine disrupters from medications and hormone supplements entering our groundwater and surface water in septic and sewer systems. We can all agree that there are many dangers to consider, from loss of habitat, predation, and toxins. This issue before the Commission is a matter of perspective, and context.

Further I submit that lead does not pose nearly a danger to wildlife and the environment that the media leads the public to believe. Lead is an important element, and serves many valuable purposes. It is only under acidic conditions that lead can dissolve in liquids, or when lead fumes are inhaled that toxicity will occur. I have handled lead almost daily for more than 50 years, and several months ago I was concerned enough to have my blood tested at Madigan Army Medical Center. I am happy to report that I had no detectable level of lead in my blood, contrary to the statement you heard on Nov 6 that a single grain of lead will cause toxicosis in humans.

Concerning lead fishing tackle substitutes: while lead alternatives are becoming available in split shot and other limited tackle items, the vast majority of lead tackle items have no suitable alternative that is either cost effective or any less of a danger. Lead fishing tackle includes literally thousands of diverse products from weighted swimbait hooks to plugs (crankbaits). Most of these items cannot be made with substitutes, and do not exist on the market and likely will never be on the market. Additionally, the vast majority of lead tackle substitutes are manufactured overseas at the expense of American jobs and at the expense of the environment. Tungsten is a popular though expensive alternative (20 times greater expense than lead), but the manufacture of tungsten is more environmentally unfriendly than the lead it is intended to replace. Tungsten requires more than 6,000 degrees of heat to melt, and the energy consumption required creates a huge carbon footprint. More than half of the world's tungsten supply exists in China. Brass is not suitable in that it has lead in it. Bismuth has some

application value and works for split shot weights, but tin has to be added to keep it from being too brittle, which greatly adds to its bulk making it unsuitable for most applications. None of the proposed lead alternatives have been studied to my knowledge to determine what danger they pose to wildlife or the environment. The claims that lead tackle alternatives are widely available or only marginally more expensive than lead are made by those who do not understand the sport of fishing or the industry. It simply isn't true. Products made from alternative materials can cost 20 times more than lead products, are not as available and do not perform as well.

Environmental stewards are not born, but rather become stewards by learning to love the outdoors experience. Lead fishing tackle enables beginning and advanced anglers to be successful, which is the critical element in enjoying the outdoor recreational experience and learning to become stewards. A ban would be counterproductive to this process.

According to the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures. Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers who have a significant impact on the state's economy.

In conclusion, I would submit that many things are toxic or bad for loons and other wildlife. It is a matter of context and perspective. The Fish and Wildlife Commission should utilize the knowledge and data of peer reviewed scientific studies done by professionals, and they should use their own biologists to determine the impact of any proposal as it relates to Washington State. If a concern exists regarding loon populations, then an analysis of all limiting factors should be conducted, and ranked according to importance. We should then decide which factors are worthy of action, and a cost benefit analysis should be done. This has not occurred concerning the proposed lead ban in Washington, and until such we should not make rules that limit recreational opportunity without scientific evidence that the rule would solve any specific problem in Washington State.

Please reject this proposed ban on lead fishing tackle. Ultimately, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and wildlife conservation efforts. In the end, everyone loses.

Sincerely,


Andrew P. Marcantonio, Jr.



Western Bass Club
Since 1938

WESTERN BASS CLUB
Renton, WA

cc: Fish Program
Commission

November 19, 2009

Dear Mr. Phil Anderson,

We are the Western Bass Club, the oldest bass club in the United States, established in 1938. We are based in Renton, but our members come from all over the state.

We are writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes.

As a large group of avid bass anglers, We are deeply concerned about the ban's potential impact on an activity that our club stands for, and which our members are deeply passionate about. Not to mention the income it generates for the state.

The Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented in the proposal says that 39 percent of loon deaths result from lead toxicosis. However, this estimate was determined by examining only 27 loon carcasses collected from 1996-2008 of which only nine loons were found to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. This just isn't true. Products made from alternative materials can cost 20 times more than lead products, are not as available and do not perform as well. This would not only put a large strain on the recreational fishermen, but the guides and tournament anglers as well.

According to the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures. Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for

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fisheries conservation and restoration. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers who have a significant impact on the state's economy.

Please reject this proposed ban on lead fishing tackle. Ultimately, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose.

Sincerely,

The Western Bass Club

Russell Baker - Kent, WA.

Bill Hill Kirkland, WA

Troy Kelly Bonney Lake, WA

Robert Fitzgerald Roy, WA

 SEATTLE, WA

Godfrey & Reynold TACOMA WA

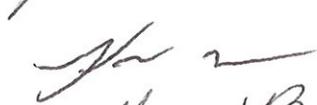
Thomas Maciel SEATTLE, WA.

Ernest Griffin MAPLE VALLEY

Daniel Monroy Auburn, WA

 ENUMCLAW, WA.

 BELLEVUE, WA

 PUYALLUP, WA

Alan Ban - Lacey, WA.

W. Bruce Lacey, WA

Johnson/ Vermeire

PO # 5219
Benton City, WA 99320
541-977-2929 or 541-318-1070
ontheroadster@msn.com

November 18, 2009,

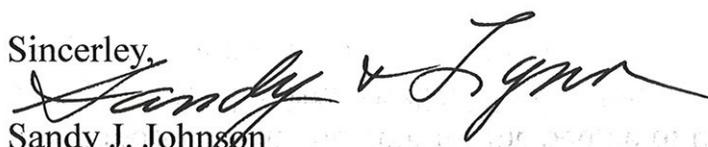
Dear Mr. Anderson,

Sport fishing in our state is very important to our economy and to many families, one of which I represent. Please do not add to the madness and irresponsibility of our national leaders by placing a ban on a product, lead fishing tackle, when there is no evidence that such harms our waters, fisheries or environment. The loon will be fine, just like the spotted owl is fine, even after all that hype and madness some time ago.

With over 700,000 anglers in our state who spend a lot of money it is important that you vote for the people of this state and our well-being, not for the fringe radical faction that just wants some cause to hang their hat on and make trouble where there is no trouble.

Please do all that you can to ensure that WA State Fish & Wildlife Commission rejects this ban on lead fishing tackle. I own shares in a small company that uses lead for a very popular fishing lure and this ruling would be absolutely devastating and a huge disaster for our small company. Thank you for taking action against this ruling and I thank you in advance.

Sincerley,


Sandy J. Johnson
Lynn R. Vermeire

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Comments of the American Sportfishing Association
To the Washington Fish and Wildlife Commission
On Rule Proposal #32, Lead-Tackle on Lakes
Where Loons Breed

December 1, 2009

On behalf of the members of the American Sportfishing Association (ASA), and its Washington members, I urge you to reject a proposal (proposal #32) before the Commission that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 ½" in select Washington freshwater lakes.

ASA is the sportfishing industry's trade association, committed to representing the interests of the entire sportfishing community, providing a unified voice when emerging laws and policies could significantly affect sportfishing business or sportfishing itself. We invest in long-term ventures to ensure the industry will remain strong and prosperous as well as safeguard and promote the enduring economic and conservation values of sportfishing in America.

ASA also represents the interests of America's 60 million anglers who generate over \$45 billion in retail sales, with a \$125 billion impact on the nation's economy and creating employment for over one million people.

According to the Census Bureau and the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures. Annually, fishing license sales and revenues from the federal manufacturers excise tax on fishing tackle, which is paid by our members, provide approximately \$25 million for fisheries conservation and restoration in Washington. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue and supporting 15,000 jobs.

The heritage of fishing as a family friendly outdoor activity plays vital societal, economic, and conservation roles. Recreational fishing is a traditional American pastime that introduces new generations to the great outdoors and reconnects others with outdoor activities. America's anglers are conservationists first and foremost, having paid over \$8 billion since 1950 for fisheries conservation, and have a long history of making sacrifices for the betterment of the resources. However, these sacrifices must be science-based with clear evidence that the sacrifice will produce an outcome beneficial to the resources.

Because of the significant lack of evidence that lead fishing tackle poses a risk to loon *populations*, we are greatly concerned with the current proposed ban on lead

AMERICAN SPORTFISHING ASSOCIATION

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fishing tackle, especially because it is indicated as the first stage in an incremental, sweeping state-wide ban.

Lead Sinker Impacts on Loon Populations

It is important to note that a central tenant of fish and wildlife management is management for the optimal overall population level, not for the well being of any one individual. Simply put, sustaining populations is the goal of fisheries and wildlife management. While lead toxicosis may harm or kill loons, the pivotal question the Commission must consider is: are loon populations significantly reduced by lead sinker ingestion? Or phrased in a more comprehensive fashion: is mortality from lead toxicosis in loons high enough to threaten self-sustaining loon populations? Based on available research the answer to both of these questions is no.

The data presented by supporters of the restriction on lead products claim that 39 percent of loon deaths result from lead toxicosis. However, this estimate was based on only 27 loon carcasses collected from 1996-2008 of which only nine loons were said to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 individuals over 13 years is not nearly large enough to accurately represent an entire wild bird population. Many other studies, using more comprehensive sampling designs, have concluded that lead fishing tackle does not negatively impact loon populations, and that bans on lead fishing tackle are not warranted.

In its 2000 study, the Washington Department of Fish and Wildlife (WDFW) found no evidence of a declining loon population or a substantial change in distribution. In fact, while possibly attributable to increased sampling, the number of known loon nests in the state had increased over the 15 years previous to the study. Throughout their North American range, loon populations are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins, all of which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

In 1994 the U.S. Environmental Protection Agency (EPA) offered a proposed rule banning the nationwide use of lead and zinc sinkers for fishing. The final rule would have prohibited all persons from: 1) manufacturing, 2) processing, 3) distributing (selling), and 4) importing any lead or zinc-containing fishing sinker (including brass) that is one inch or under in any dimension. The EPA withdrew the rule because of insufficient data to support its supposition that lead sinkers were adversely affecting water bird populations.

Similarly, the European Union in 2006 completed an extensive two year study on the advantages and drawbacks of lead used in various products, including fishing tackle, and their overall effect on the environment, and determined that a ban on lead fishing tackle was not warranted.

A comprehensive 1999 study requested by the U.S. Fish and Wildlife Service, Division of Federal Aid and conducted by the National Wildlife Health Research Center in Madison, Wisconsin found that only 3.5% of common loons (from a sample of 313) had ingested lead sinkers and just 27 of 36,671 waterbird and bald eagle carcasses (0.007%) contained ingested lead sinkers. It has also been noted that lead poisoning, when occurring in larger birds, causes the bird to be more noticeable, more vulnerable to capture, and more likely to be brought forward for examination, thus causing examination in a disproportionate frequency in relation to the actual

mortality of the population. Samples collected over a wide geographic area and involving many specimens, such as occurred in the National Wildlife Health Center report, provide a more accurate profile of the actual occurrences in the wild.

Lead Alternatives

The proposal also incorrectly claims that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. While steel sinkers are approximately the same cost of lead, most alternative sinker products can cost from six to twenty times more than lead products (depending on the alternative metal and current prevailing raw material costs), are not as available and most do not perform as well. For example, tin is the only reliable substitute for lead split shot sinkers but has a much lesser specific gravity than lead and costs (at prevailing market rates) seven and one-half times that of lead. Steel sinkers must be tie-on or slide-on sinkers and this does not always match the fishing technique required for certain species or locations.

Other substitutes such as bismuth and tungsten are also tie-on or slide-on sinkers and at current market prices are nine and one-half times to thirteen times, respectively, more expensive than lead. These estimates are raw material market costs and do not include the more expensive costs of manufacturing because of the higher temperatures required to work with these metals. Tungsten is also a metal in high demand in the electronics and defense industries and therefore price and availability are volatile.

Making jigs from materials other than lead presents a special problem because of the high heat required for molding metals other than lead. This causes the hook to which the metal is bonded to lose its temper and break or bend when used.

Clearly, mandatory transitioning to non-lead fishing tackle would require significant changes from both the industry and anglers, and therefore would have to be balanced and justified. Given the scarcity of evidence supporting a lead fishing tackle ban at this time, this proposal is clearly unwarranted and ignores that in this Nation fish and wildlife are managed for populations, not individual animals. A full ban of lead sinkers and jigs of any size also forecloses any chance of using alternative products that use emerging technology in composites and coated products that seal the lead surface of the lead or any lead components.

Potential Implications for Fisheries Conservation

The sportfishing industry is concerned about the stated intentions of the supporters of proposal #32 – namely, that this is just the first step in a state-wide ban of lead in recreational fishing products. Lead is not only used in sinkers (including downrigger balls and mooching sinkers – both of which are at the core of Coastal and Puget Sound fishing) and jigs, but in flies, fly line, spinners, ballast for a wide variety of lures, reel components and a host of terminal tackle components that are made of brass.

Anglers are a fickle lot. They are price sensitive but opportunity eager. This state has just seen a great example of the importance of recreational fishing to its economy. Recently expanded sportfishing opportunity in this state provided increased license sales for fishery resource management. It also boosted Washington jobs and its economy. In these challenging economic times the likelihood that the WDFW will experience diminished general fund moneys is high. Such a scenario means that maintaining, or even increasing, angler participation (and thus license money)

becomes more critical. In addition, our manufacturing members pay a federal manufactures' excise tax each quarter and that money is apportioned to each state fishery program based on its license population and size. Washington receives \$8.3 million annually from this revenue. A key factor in determining Washington's apportionment of these monies is the number of licensed anglers in the state. Protecting fishing opportunity, the fishery resource, jobs and the state's economy is critical to keeping a solid fishery program.

Conclusions

As opposed to a ban on lead sinkers and jigs, we suggest the WDFW:

- Work with the industry to have a full understanding of the non-lead products available and their costs and performance values
- Include information in its media meant to educate anglers about angling techniques on lakes where nesting loons occur
- Encourage anglers to use non-lead terminal tackle on lakes where loons nest and where documented cases indicated mortality from ingesting lead sinkers or jigs
- Provide tips to anglers on how to minimize the loss of tackle
- Analyze the recreational fishing pressure at each of the 13 lakes listed in proposal #32, the actual loon mortality and the actual impacts on loon populations in Washington

At a time when jobs are threatened and the economy is suffering, it is important for industry and government to work together to find ways of supporting jobs, not eliminating them. ASA would be pleased to work with the Commission and the WDFW toward a better understanding of lead in recreational fishing tackle and how to achieve practical solutions that minimize resource impact and maintain a healthy economy.

The Practical Biological Impacts of Banning Lead Sinkers for Fishing

Position of the American Sportfishing Association

December 4, 2002

Issue

Mortality in some waterfowl species has been linked to ingestion of lead fishing sinkers and has prompted several states to impose bans on the sale or use of lead sinkers. In response, the American Sportfishing Association has reviewed the existing science on the effects of lead on waterfowl populations to ensure further regulatory action is based upon the best available information.

Background

The most publicized instance of lead poisoning (toxicosis) in wildlife is the well-documented death of significant numbers of dabbling ducks from ingestion of spent lead shotgun pellets expended over water. Lead shot was shown to cause at least two million waterfowl deaths each year, and significantly affected duck populations nationwide, before lead shot restrictions were enacted and alternatives developed.

Deliberations on the science, economic, and social impacts of a possible lead shot ban were thorough and involved all possible stakeholders including industry, sportsmen, environmentalists, and scientists. Key for the shooting sports industry was finding a substitute that had comparable ballistics to lead and did not cause an unacceptable crippling rate. In the end, the protracted discussion and depth of research stemming from that issue ultimately resulted in federal regulations that prohibited use of lead shot for waterfowl hunting in all 50 states (enacted in 1986 for phased implementation by 1991).

As early as 1988, some loon advocacy groups expressed concern about the death of waterfowl, especially common loons (*Gavia immer*), from the ingestion of lead fishing sinkers. However, it was not until 1994 when the Environmental Protection Agency (EPA) offered a proposed rule banning the nationwide use of lead and zinc sinkers for fishing that the issue gained national attention. The final rule would have prohibited "all persons from: 1) manufacturing, 2) processing, 3) distributing (selling), and 4) importing any lead- or zinc-containing fishing sinker (including brass) that is one inch or under in any dimension." The proposal caused immediate public opposition and was in fact responsible for eliciting the largest number of comments on an EPA draft rule to date. The EPA subsequently withdrew the rule because of insufficient data to support its supposition that lead sinkers were adversely affecting water bird populations.

The enactment of new federal regulations banning the use of lead shotgun pellets had set the stage for further investigations into the effects of lead fishing tackle on wildlife, especially common loons (*Gavia immer*) in New England. In

1992, a study released by Tufts University School of Veterinary Medicine professor Mark Pokrus indicated approximately 50 percent of loons brought to the school for necropsy had likely died from ingestion of lead sinkers.¹ This study became the driving force behind the effort to ban lead fishing sinkers.

Ever since the Pokrus assertion that loons are at risk from lead sinkers, states within the summer breeding range of common loons have experienced increasing pressure from loon advocacy groups to ban lead sinkers, especially small split shot under ½ ounce in weight. Smaller lead sinkers are targeted because they may approximate the size of gravels ingested by loons to aid in their digestive process. Indeed, citing the Pokrus study as evidence, the state of New Hampshire in 1998 (effective in 2000) became the first state to ban the use of lead sinkers. New Hampshire was soon followed by Maine in 2001 (effective January 1, 2002) and most recently New York in 2002 (effective May 2004). In general these states have banned the sale of lead sinkers ½ ounce or less, with the exception of New Hampshire that prohibits the use of lead sinkers up to one ounce and lead jigs up to one inch in length. While each state has taken a different legislative approach, the background material furnished to legislators to substantiate the ban has generally been the same study by Pokrus.

Different Cases: Lead Shot vs. Fishing Sinkers

Although the shotgun pellet and fishing sinker issues may appear similar, the quality and scope of the scientific data make each case remarkably different. In determining the impact of spent shotgun shells on waterfowl, a nationwide effort covering several years and samples from millions of waterfowl was conducted. Evidence from the research was scrutinized closely by hunters and the general public and ultimately proved, under close scientific review, that lead toxicosis from spent shotgun pellets shot over shallow water was a significant mortality factor affecting waterfowl populations.

Meanwhile, the most commonly cited evidence for sinker bans remains Pokrus' decade-old paper dealing with loon mortality from lead fishing sinkers. Despite data for this paper being limited in sample and geographic scope, its sweeping conclusion is that lead sinkers have the same potential to cause lead poisoning in aquatic species as shotgun pellets spent over water.

To fully understand the inherent difference between the two cases, one must contrast the number of lead sinkers introduced to a body of water versus the number of spent shotgun pellets. One single shell shot over water expends approximately 225 to 430 small lead pellets into the water, depending on the load, gun gauge, and shot size chosen by the hunter. Over the course of a waterfowl season, millions of lead pellets may be introduced to a body of water. This in turn leads to an increased chance of dabbling ducks, and other water birds, mistakenly ingesting the lead pellets as they select small rocks or grit to assist with their digestive process.

In contrast, it is not predetermined that any lead fishing sinkers will be left in the water, although it is likely that some will be lost over the course of a season. Fishing sinkers are reusable and unless the line snags on an obstruction or is broken by a fish, the lead is typically not left in the body of water.

As a result, the opportunity for ingestion of lead sinkers by water birds is greatly lessened by virtue of there being far fewer lead sinkers introduced to the body of water.

This is supported by research conducted during the shotgun pellet debate. Thousands of birds were examined and except for a very few "hot spots" where a concentrated fishing effort occurred in waters frequented by bottom feeding birds, the incidence of ingested lead sinkers by waterfowl was incidental to non-existent.²

A Note On Management

A central tenant of fish and wildlife management is management for the optimal overall *population* level, not for the well being of any one *individual*. Simply put, sustaining populations is the goal of fisheries and wildlife management, not sustaining individuals. Mortality caused by human factors certainly can and should be controlled where necessary to benefit the health of a population. In populations of all living organisms there are known causes of mortality that contribute to the dynamics of the population. Some types are compensatory while others are supplemental. When a specific mortality level that is caused by man and can be controlled is a demonstrated threat to the sustainability of that species or group of species (an example of supplemental mortality), then action is taken to minimize that threat. The prohibition of lead shot shells for hunting waterfowl over water is an example of such an action.

Lead Sinker Impact on Loons

It is not disputed that lead toxicosis may harm or kill loons and other water birds. This fact is well documented. The pivotal question is: are loon populations, and populations of other water birds, significantly reduced by lead sinker ingestion? Or phrased in a more comprehensive fashion: is mortality from lead toxicosis in loons and other water birds high enough to threaten self-sustaining loon populations? Based on available research the answer to both of these questions is no.

This determination is based on a comprehensive 1999 study requested by the U.S. Fish and Wildlife Service, Division of Federal Aid and conducted by the National Wildlife Health Research Center in Madison, Wisconsin. In this under-reported study, liver, blood, stomach, and radiograph samples were taken from 2,749 individual birds of 30 species, a significantly greater sample size than Pokrus studied. In addition, necropsy records of 36,671 waterbirds and bald eagles (*Haliaeetus leucocephalus*) from the files of the National Wildlife Health Center from the years 1975 through 1999 were examined.

The results showed that only 3.5% of common loons (from a sample of 313) had ingested lead sinkers and just 27 of 36,671 waterbird and bald eagle carcasses (0.007%) contained ingested lead sinkers³

The Fish and Wildlife Service study went on to reexamine the results of the Pokrus research on loons and lead sinker ingestion as well as five other related studies. The determination was that "[t]hese data are insufficient to evaluate the role of lead poisoning as a proportional cause of mortality in this

species, or its role in population dynamics. Likewise, there is insufficient data to understand the importance of this form of lead poisoning in other species in which it has been documented in the U.S..."

Lead poisoning, when occurring in larger birds, causes the bird to be more noticeable, more vulnerable to capture, and more likely to be brought forward for examination, thus causing examination in a disproportionate frequency in relation to the actual mortality of the population.² Samples collected over a wide geographic area and involving many specimens, such as occurred in the National Wildlife Health Center report, provide a more accurate profile of the actual occurrences in the wild.

An examination of the proceedings of a symposium given at the 115th meeting of the American Ornithologists' Union in August of 1997 further bolsters the conclusion that lead sinker ingestion is not a significant factor in the health of common loon populations.⁴

- The largest U.S. breeding populations are found in Minnesota (over 4,600 pairs) and range to just over 100 territorial pairs in New York, Michigan, and New Hampshire.
- Canada (being the core of the breeding range) has the largest number of pairs (213,400).
- The population trend of common loons in the U.S. is stable to increasing in 12 of the 14 states where pairs occur.
- The two states where the population is decreasing are Michigan and Montana.
- In the United States loon populations are increasing in areas where they were extirpated and recolonizing in the New England states.

In the two states where decreasing populations were noted there are significant points to consider. In Michigan non-breeding pairs congregate from the entire Great Lakes region and this results in a larger number of adult loons summering in Michigan as unpaired, therefore not counted in the Michigan data of territorial pairs. Within the breeding range of the common loon, Montana's population is disjunctive and most loon habitat is in valleys subject to development and habitat disturbance.⁴ This evidence does not support the proposition that lead sinker ingestion is placing loon populations at risk.

In a separate request, the National Wildlife Health Center asked the Arizona Cooperative Fish and Wildlife Research Unit at the University of Arizona to estimate the impact of lost or discarded terminal fishing tackle on waterbirds. This limited and smaller scale study examined 15 sites "to assess the availability of lead sinkers, other fishing tackle and potentially harmful trash (e.g. plastics) to waterbirds at selected geographic areas..." It concluded "[b]ecause of the general lack of evidence of ingestion of sinkers by waterbirds across the United states, there may be little obvious justification for a nationwide ban on lead sinkers."³

Conclusion

Based on a review of the impact of lead sinkers on water bird populations, the American Sportfishing Association has found that insufficient data exists to warrant statewide bans on lead sinkers used for fishing. Further, the American Sportfishing Association has found that loon populations in the lower 48 states are stable and increasing in most cases, but that loon populations are subjected to substantial threats such as habitat loss through shoreline development.

The American Sportfishing Association acknowledges that lead toxicosis can kill water birds and lead fishing sinkers may contribute to this mortality. The American Sportfishing Association recommends that before further laws are enacted to restrict lead sinkers for fishing on a statewide basis, sufficient data must exist to demonstrate discarded lead sinkers are an actual threat to the sustainability of loons or other water bird populations. The American Sportfishing Association realizes that certain waters may be "hot spots" for ingestion of sinkers by water birds and encourages any restrictions of lead sinkers in those waters to be based on sound science that supports the appropriate action for that water body.

Furthermore, the American Sportfishing Association continues to encourage and supports voluntary angler education programs for the use and proper disposal of lead sinkers and urges state and federal fish and wildlife agencies to do the same. The American Sportfishing Association would be pleased to work with any federal or state agency, or the International Association of Fish and Wildlife Agencies, that wishes to address this issue.

¹ Pokras, M.A. and Chafel. 1992. Lead toxicosis from ingested fishing sinkers in common loons (*Gavia immer*) in *New England Journal of Zoology and Wildlife Medicine* 23(1):92-97.

² Peterson, R. M., International Association of Fish and Wildlife Agencies in comments to the U.S. Environmental Protection Agency on the proposed rule on lead fishing sinkers. December 1, 1994.

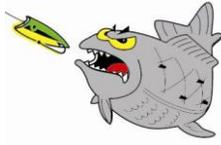
³ U.S. Geological Survey, National Wildlife Health Research Center. December 1999. Prevalence and effects of lead poisoning resulting from ingestion of lead fishing sinkers and other fishing tackle on selected avian species.

⁴ McIntyre, JW and DC Evers (eds). 2000. Loons: Old history and new findings. Proceedings of a Symposium from the 1997 meeting, American Ornithologists' Union. North American Loon Fund, Holderness, N.H.

Properties of Commonly Used Lead Substitutes in Recreational Fishing Equipment

Material	Specific Gravity	Cost/lb*	Comments
Lead	11.35	\$1.17	Low melting point, malleable, low manufacturing costs
Tungsten			High melting point, high manufacturing cost, volatile price and supply. Department of Defense believes it presents a human health hazard. In high demand by defense and electronics industry. Limited to tie-on or slide
	19.62	\$12.27	-on sinkers
Bismuth	9.79	\$9.50	High manufacturing costs, frangible (breaks easily), volatile pricing, limited to tie-on sinkers
Tin	7.51	\$7.36	Moderate manufacturing cost, precious metal, only jig substitute, is the most reliable split shot substitute
Steel	7.85	\$0.35	High melting point, rusts, cannot be used on jigs, limited to tie-on or slide on sinkers
Brass	8.56	\$3.75	An alloy and contains lead, limited to tie-on and slide-sinkers

* Market prices within last week



November 24, 2009

WDFW Rules Coordinator
600 Capital Way N
Olympia, WA 98504

Dear Washington Fish and Wildlife Commission,

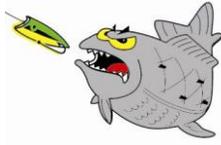
As a member of the sportfishing industry whose business is located in Washington, I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes. I am deeply concerned not only about the ban's potential impact on my business, but on a family-oriented activity with significant social, cultural, and economic value to the state.

Silver Horde Fishing Supplies Incorporated has been a small family owned and operated business in Washington since 1949. We have about 10 employees that help us with our manufacturing and distribution business. Our Washington State manufactured lures fishing lures and the supplies we import are used for both sportfishing and commercial use. As a manufacturer we contribute to the federal manufacturers excise tax on fishing tackle from which the state of Washington benefits. In this time of economic challenge we have managed to keep our staff employed and our business profitable. Washington State can benefit from the continued success of our business not only through the taxes we pay but also the people we employ.

In its 2000 study, the Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins, all of which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented by supporters of the restriction on lead products claim that 39 percent of loon deaths result from lead toxicosis. However, this estimate was based on only 27 loon carcasses collected from 1996-2008 of which only nine loons were said to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. While some alternatives on the market are at approximately the same cost of lead, most of these products can cost from six to 20 times more than lead products (depending on the alternative metal and current prevailing raw material costs), are not as available and do not perform as well. Mandatory, transitioning to non-lead fishing tackle would require significant changes from both the industry and anglers, and therefore must be strongly justified. Given the scarcity of evidence supporting a lead fishing tackle ban at this time, this proposal is clearly unwarranted and ignores that in this Nation fish and wildlife are managed for populations, not individual animals.



November 24, 2009

WDFW Rules Coordinator

As opposed to a ban on lead sinkers and jigs, we suggest the Department work with the industry to better understand the products available and their costs and performance. In addition, we suggest the Department include information in its media meant to educate anglers about angling techniques on lakes where nesting loons occur. This can range from encouraging anglers to use non-lead terminal tackle to tips on how to minimize the loss of tackle.

According to the Census Bureau and the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures. Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration in Washington. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers and have a significant impact on the state's economy. At a time when jobs are threatened and the economy is suffering, it is important for industry and government to work together to find ways of supporting jobs, not eliminating them. Through my business and our trade association, the American Sportfishing Association, we would be pleased to work with the Commission and the Department toward a better understanding of lead in recreational fishing tackle and how to achieve practical solutions that minimize resource impact and maintain a healthy economy.

Please reject this proposed ban on lead fishing tackle. In addition to unnecessarily harming my business, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose.

Sincerely,

Kelly Morrison

Yakima Bait / Dec '09 Mtg.

PUBLIC INFORMATION
RESPONSE

CC: COMMISSION

*P. Michael
L. Krenas*

Worden's Lures

Yakima Bait Company, P.O. Box 310, 1000 Bailey Ave.,
Granger, WA 98932 (509) 854-1311 Fax: (509) 854-2263

November 24, 2009

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RECEIVED
DEC 03 2009

FISH AND
WILDLIFE COMMISSION

FISH PROGRAM

Dear Washington Fish and Wildlife Commission,

We as employees of a tackle manufacturing business located in Granger, WA are writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes. We are deeply concerned not only about the ban's potential impact on our company, but on a family-oriented activity with significant social, cultural, and economic value to the state.

Yakima Bait was started in 1934 in the depths of the great recession by R.B. Worden and has grown into one of the largest tackle manufacturers in the world. Yakima Bait has paid millions of dollars in Wallop-Breaux excise taxes that help support fish conservation and restoration efforts in our state. We employ over 175 people and feel the proposed ban will have substantial negative impact on our company.

In its 2000 study, the Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins, all of which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented by supporters of the restriction on lead products claim that 39 percent of loon deaths result from lead toxicosis. However, this estimate was based on only 27 loon carcasses collected from 1996-2008 of which only nine loons were said to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. While some alternatives on the market are at approximately the same cost of lead, most of these products can cost from six to 20 times more than lead products (depending on the alternative metal and current prevailing raw material costs), are not as available and do not perform as well. Mandatory, transitioning to non-lead fishing tackle would require significant changes from both the industry and anglers, and therefore must be strongly justified. Given the scarcity of evidence supporting a lead fishing tackle ban at this time, this proposal is clearly unwarranted and ignores that in this Nation fish and wildlife are managed for populations, not individual animals.

As opposed to a ban on lead sinkers and jigs, we suggest the Department work with the industry to better understand the products available and their costs and performance. In addition, we suggest the Department include information in its

media meant to educate anglers about angling techniques on lakes where nesting loons occur. This can range from encouraging anglers to use non-lead terminal tackle to tips on how to minimize the loss of tackle.

According to the Census Bureau and the U.S. Fish and Wildlife Service, Washington is the fifteenth largest state in terms of annual sportfishing expenditures. Annually, fishing license sales and funds from the federal manufacturers excise tax on fishing tackle provide approximately \$25 million for fisheries conservation and restoration in Washington. Washington's 736,000 anglers spent \$1.04 billion in 2006, generating \$210 million in state and local tax revenue. Washington's anglers support 15,000 jobs with \$513 million in salaries and wages. If Washington's anglers stopped fishing and did not spend their money elsewhere in state, the state's economy would shrink by \$1.66 billion. In addition, non-residents comprise 13 percent of Washington's anglers and have a significant impact on the state's economy. At a time when jobs are threatened and the economy is suffering, it is important for industry and government to work together to find ways of supporting jobs, not eliminating them. Through our business and our trade association, the American Sportfishing Association, we would be pleased to work with the Commission and the Department toward a better understanding of lead in recreational fishing tackle and how to achieve practical solutions that minimize resource impact and maintain a healthy economy.

Please reject this proposed ban on lead fishing tackle. In addition to unnecessarily harming our business, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose.

Sincerely,

Yakima Bait Employees
(See Attached)



Hawken Industries
13386 Manzanita RD NE
Bainbridge Island, WA 98110
360 600 2410

Dec. '09 Mtg./Public Input

cc: Commission
cc: Pat Michael
Lori Preuss

Dear Washington Fish and Wildlife Commission,

As a member of the sportfishing industry whose business is located in Washington, I am writing to urge you to reject a proposal that would make it unlawful to use lead weights weighing less than one half ounce or lead jigs measuring less than 1 1/2 inches in select Washington freshwater lakes. I am deeply concerned not only about the ban's potential impact on my business, but on a family-oriented activity with significant social, cultural, and economic value to the state.

We had done business in the great state of Washington now for 8 years. We average sales of \$500,000 per year and have just purchased another company that will push that number to \$800,000 - \$1M - ALL PRODUCTS WHICH UTILIZE LEAD. We employ 6 people in house with numerous home workers throughout Washington and the US. On average we pay \$35K - \$40K in Federal Excise Tax which is in addition to our yearly federal taxation. If this proposal passes the numbers mentioned above will likely disappear as will our company and those we employ.

In its 2000 study, the Washington Department of Fish and Wildlife found no evidence of a declining loon population. In fact, loon populations throughout their range are stable and increasing in most cases despite substantial threats such as habitat loss, predation, disease and environmental toxins, all of which have much more significant impacts on loon populations than ingestion of lead fishing tackle.

The data presented by supporters of the restriction on lead products claim that 39 percent of loon deaths result from lead toxicosis. However, this estimate was based on only 27 loon carcasses collected from 1996-2008 of which only nine loons were said to have died as a result of ingesting lead fishing tackle. As any scientist would agree, a sample size of 27 over 13 years is not nearly large enough to accurately represent an entire wild bird population.

The proposal also says that alternatives to lead sinkers and jigs are widely available and no more expensive than lead. While some alternatives on the market are at approximately the same cost of lead, most of these products can cost from six to 20 times more than lead products (depending on the alternative metal and current prevailing raw material costs), are not as available and do not perform as well. Mandatory, transitioning to non-lead fishing tackle would require significant changes from both the industry and anglers, and therefore must be strongly justified. Given the scarcity of evidence supporting a lead fishing tackle ban at this time, this proposal is clearly unwarranted and ignores that in this Nation fish and wildlife are managed for populations, not individual animals.

As opposed to a ban on lead sinkers and jigs, we suggest the Department work with the industry to better understand the products available and their costs and performance. In addition, we suggest the Department include information in its media meant to educate anglers about angling techniques on lakes where nesting loons occur. This can range from encouraging anglers to use non-lead terminal tackle to tips on how to minimize the loss of tackle.

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DEC 03 2009

FISH PROGRAM

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Please reject this proposed ban on lead fishing tackle. In addition to unnecessarily harming my business, an unjustified lead ban will reduce fishing participation, which will have a significant impact on our state's economy and fisheries conservation efforts. In the end, everyone will lose.

Sincerely,



David Hawken
360 680 2410

Sales1@hawkenindustries.com

Aerajig
Beau Mac Jig Co
Simon Wobblers
Sy's Jigs and Files
Woolly Bugger Jig Company
Hooked On Tackle

November 24, 2009

To: Washington Fish and Wildlife Commission
Re: Fishing Rule Proposal 32: Lead tackle on Lakes Where Loons Breed

Dear Commission Members;

The Spokane Walleye Club would like to present this letter as testimony opposing Fishing Rule Proposal 32: Lead tackle on Lakes Where Loons Breed. This proposal is ill-considered, unnecessary, and not supported by any reliable science. The Spokane Walleye Club is opposed to this regulation because it will have no effect on loon populations and impose an unfair burden on anglers and tackle suppliers. Contrary to the assertion in the proposal, there are no lead substitutes for many types of fishing tackle and the limited lead substitutes available are very expensive.

The scientific study cited in Proposal 32 (Poleschook and Gumm, 2008) is deeply flawed and frankly unsupportable. In the course of this study, 9 loon carcasses were collected over a period of 13 years. Without any accompanying toxicology studies, the authors of this study somehow reached a figure of 39% as loon mortality due to lead ingestion. It is virtually impossible to determine whether lead toxicosis was the agent of death without any screening for lead! The flaws in this study are glaring: no toxicity tests, a ridiculously small sample- so small that it cannot be used in any reliable statistical analysis, and a leap to a conclusion driven not by facts but by emotion and animus towards anglers. The fact that this deeply flawed study is offered as evidence is, in itself, enough to impel the Commission to dismiss this proposal out of hand.

I would direct the Commission to another study, this one commissioned by the National Fish and Wildlife Service to examine lead toxicity in water birds. This study (National Wildlife Research Center, 1999) analyzed 315 loon carcasses, with complete toxicology screens and necropsies. Only 3.5% of the loons examined had ingested any form of lead objects, and the number who died of lead toxicosis was deemed statistically insignificant. This reliable peer reviewed study caused the National Fish and Wildlife Service to withdraw its proposal for a lead ban on fishing tackle.

Proposal 32 is nothing more than a vanity proposal unsupported by science. The Spokane Walleye Club supports proposals of the Washington Fish and Wildlife Department that are supported by science and will have a beneficial effect on Washington's precious natural resources. Proposal 32 meets neither of these criteria. It will make law-breakers out of unsuspecting anglers and impose inconvenience and expense on anglers and tackle suppliers while having no beneficial affect whatsoever on loons. Follow the lead of the National Fish and Wildlife Service and reject this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "George Allen", with a long horizontal flourish extending to the right.

George Allen, Spokane Walleye Club

Robert F. Stricklin

Angler, conservationist, and activist.

RE: Banning use of lead in Washington State

November 25, 2009

Lead has been used as fishing weights for over 5000 years, and over this course of time we have learned a lot about its toxicity. We know that it is dangerous to humans under certain conditions (if inhaled or ingested) and we know how to mitigate, and have mitigated most of these dangers. There is ample evidence that lead fishing weights are relatively harmless when left undisturbed on the bottom of a lake or stream ¹, unless ingested by dabbling or feeding birds ². After such a long and studied history, there is no scientific evidence that lost lead is getting into the fish, fishermen, or higher level predators.

Tungsten is on a fast track to replace lead, and is now available on line and in a lot of tackle shops. Tungsten is being accepted by anglers despite its high cost, based on its effectiveness at catching fish, not how good it is for the environment. Its alloyed density, being greater than that of lead, makes for a smaller profile for equivalent weight. Because Finesse Tactics are effective in Washington's clear water lakes, our anglers will switch to Tungsten to catch more fish, but not for altruistic reasons.

In my opinion, Tungsten is not a suitable replacement for several reasons.

1. The amount of energy required to shape it into a usable form.
2. The alloys used with Tungsten to manufacture the product,
3. Its cost and availability
4. The toxicity of Tungsten based heavy metal alloys.³

Elemental Tungsten may be harmless, but the weights in tackle shops are not pure Tungsten, they are alloys. Who can tell me what effects Tungsten alloys will have when ingested by these same birds? Tungsten fishing weights are not made of elemental Tungsten. In order to increase the density and lower the high melting temperature of Tungsten, one manufacturer adds copper and cobalt, another nickel and cobalt. Most companies do not list their alloying metals. Will these "lead substitutes" be worse than the lead? They are touted as "non toxic", but who has determined that? ⁴ There are no provisions in the Toxic Substances Control Act to determine non toxicity of these "lead free" substitutes. If we rush to switch from one heavy metal to another, we leave ourselves vulnerable to unintended negative consequences.

Brass weights are rejected by anglers because they are larger compared to their lead equivalent, not because they contain about 9% lead.

Steel is rejected by anglers because of its size, and sharp machined edges that abrade and cut monofilament.

Nevertheless, we should always try to reduce toxins in our environment, so I will continue to research suitable replacements *ON MY OWN* for my terminal gear. I hold out hope for Bismuth-Tin alloy.

As organized sportsmen, bass anglers have always led the way towards clean water and habitat improvements for fish and wildlife. I think we will continue to do so, and I will lead the charge, *WHEN* and if scientists find suitable replacements for lead.

There is a better approach for the near term: Educate anglers about the alternatives to lead tackle, and leads impact on loons. This approach will be supported by anglers, tackle manufacturers, tackle retailers, and conservation groups. I submit we do not want to ban lead, only to discover we have created a market for something much worse than lead

I am currently opposed to a total ban on lead in Washington.

References

¹ [//www.fisheries.org/afs/docs/fisheries/fisheries_3305.pdf#page=201](http://www.fisheries.org/afs/docs/fisheries/fisheries_3305.pdf#page=201)

² "Lead Fishing Weights and Other Fishing Tackle in Selected Water birds" US Geological Survey, National Wildlife Health Center, Department of Veterinary Sciences, University of Wyoming, Bio Diversity Research Institute. J Christian Franson, Scott P Hansen, Terry E Creekmore, Christopher J Brand, David C. Evers, Adam E Buerr, and Stephen DeStefano.

http://www.nwhc.usgs.gov/disease_information/lead_poisoning/publications/waterbirds_sinkers.pdf

³ <http://ehp.niehs.nih.gov/docs/2008/0800121/abstract.html>

⁴ <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2679595/>



*Carl Burke
& Mark Masterson*

November 30, 2009

**Northwest Sportfishing
Industry Association**
PO Box 4, Oregon City, OR 97045

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Jim Martin

Washington Fish and Wildlife Commission
600 Capitol Way N.
Olympia, WA 98501

Re: Opposition to Regulation proposal #32

Honorable Fish and Wildlife Commissioners,

The Northwest Sportfishing Industry Association appreciates this opportunity to participate in a discussion of the use of small pieces of lead in fishing tackle on lakes where common Loon breeding has been documented. The NSIA represents over 300 businesses dependant on healthy fishery resources and meaningful sport fishing opportunity. NSIA's businesses are the infrastructure for the nearly 3/4 of a million Washington anglers. In 2006 our industry supplied 14,245 family wage jobs, generated over \$1 billion in retail sales, while paying \$88.5 million in state taxes and \$117 million in federal taxes. This industry seeks to represent economic, cultural and environmental health to the state.

NSIA appreciates the WDFW Commission commitment to conservation and understands the necessity of taking a closer look at the role that small pieces of lead in a lake environment may play in the overall health of common loons. NSIA has always been a trusted conservation partner due in large part to the organization's highly talented science and policy board, with over 120 years of collective management experience.

At this time, we do not think the data suggests that there is a threat to the overall health of Common Loon populations in Washington from fishing tackle. However, the industry fully recognizes that the issue of smaller lead weights is one that warrants monitoring and action. In other states where concerns over lead tackle were identified, the industry partnered with the managers to develop an effective education program that directly targeted the concerns brought forth by monitoring.

We are confident that the conservation mission of the agency can be met without rendering millions of dollars of current inventory worthless. With our proven conservation track record, and stellar science team, NSIA will be a valuable partner with WDFW to develop a response that is based on data and reduces risk to loon populations in a manner that is also thoughtful to the industry and the customers we jointly serve with the agency.

Thank you for the opportunity to be a part of the solution.

Daniel Anderson

Dear Washington State Fish and Wildlife Commission and Director Phil Anderson,

As members of the Washington State Bass Federation, The Bass Federation (TBF) and FLW, our primary goals are Conservation and youth projects. We are first and foremost environmentally conscious, we want the air and waters to be clean and pollutant free. Our organization works to enhance and protect the environment the Loons and other wildlife inhabit. Our state has many clubs, and there are thousands of clubs around the United States working to enhance and continue the sport for our children, grandchildren, and generations to come.

We are against the Lead Ban proposal. There is no specific science behind this proposed lead ban. There is only junk science in the proposed ban. The statistics show that only nine loons have died over a thirteen year period of time. The implied indication is the loons died from fishing lead sinkers as the cause of death; yet there were no testing/autopsy to find the actual cause of death. There was no testing to prove lead toxicosis as cause of death.

This is an attempt to ban fishing with lead in all waters within the state of Washington. A small group of people with political motivations is attempting to control a vast number of anglers. This small group starts out with just a few lakes and incrementally work their way to controlling fishing activities on all bodies of water. The loons are being used as an avenue that easily gets the attention of others, because of the loons appealing nature.

Many times with the best of intentions we humans have some problem and with the best of intentions try to solve that problem and only create a bigger problem. These environmentalists have the best of intentions but are misguided in their approach with faulty statistics. They even skew the data in an attempt to scare unsuspecting allies willing to listen.

Testing should be completed on replacement materials before replacing lead in salt and fresh water with other unknown materials. What long term affects will happen with new unknown materials as they break down in water especially salt water. Once proven replacements such as Tungsten, Bismuth and Steel have been tested and determined as safe substitutes, they need to be readily available to anglers at a reasonable cost.

The carbon print of replacement items on the planet may be far worse than lead. Lead is a natural element. It is naturally in the environment. Lead melts at a much lower temperature than other possible alternatives. More research needs to be completed so as to protect the entire eco-system.

In the early 1990's lead shotgun pellets were banned from use. There is a fundamental difference in the way lead shotgun pellets are used and the way lead fishing sinkers are used. Shotgun pellets are not designed to be reused. Sinkers are. One single shell shot over water expels 225-430 small lead pellets. There is no reason why a careful fisherman couldn't use a handful of sinkers his entire life.

The key issue remains the process by which government is making this decision, since it appears to be driven by an egregious misrepresentation of scientific evidence. If a handful of loons died from lead poisoning; can this set the policy, forcing Washingtonians to change their habits or even give up fishing? Can we allow a fact-blind environmental agenda drive government actions? We believe the answer is no, and hope that you will vote against this proposal.

Daniel Anderson
Conservation Director
Washington State Bass Federation

LEAD AND COMMON LOON INFORMATION FOR WILDLIFE AND FISHING COMMISSION 12/06/09

1. A piece of lead as small as a grain of sand is enough to poison a child.

(Centers for Disease Control, 1991)

2. WDFW listed the common loon as a state "sensitive species" in 2000 (Richardson et al.), and noted that the common loon is currently a rare breeder and a common migrant and wintering species in Washington. The loon nested historically in the 1900's on 41 lakes, (doc.3.6) and currently about 12-14 lakes have territorial nesting pairs.

3. A recent recommendation was made to WDFW to uplist the common loon to "threatened or endangered" and develop a conservation plan; demonstrated by conservation efforts at common loon nesting lakes in NE Washington that have resulted in higher productivity of young and a slight increase in new nesting territories compared to territories with little or no conservation efforts.

4. The common loon has been used as an important "indicator species" to help determine the quality of the aquatic environment and human health by determining and identifying contaminants, such as mercury bioaccumulation due to fish consumption and other metal contaminants, such as lead and lead toxicosis.

5. In 2009, Washington's common loon nesting population decreased on the ~~west~~ east side of the state with the loss of the southern-most nesting pair at Howard Hanson Reservoir and the pair on Calligan Lake. Only one chick hatched and survived from the ~~west~~ east side of the state.

6. Russell Link, WDFW Wildlife Biologist stated: "The result of more than a decade of conservation efforts, primarily on the part of two volunteers, have produced an overall ^{my} perception that the common loon population in Washington is stable or increasing and without urgency for higher protection. Please note that Dr. David Evers, BioDiversity Research Institute, stated that "Washington common loons face the highest risk of all states for breeding extirpation."

7. WDFW, Pat Michael, Fish Program, wrote the 2006 research paper, "**Fish and Wildlife Issues Related to the Use of Lead Fishing Gear**", that discusses lead toxicity in the environment, wildlife, loons and other waterfowl, swans, etc., lead fishing tackle and lead shot, states with laws enacted regarding lead and use of non-toxic alternatives, resources and scientific studies of research written about the above subjects, etc.

8. Tufts Cummings School of Veterinary Medicine, Dr. Marcus Pokras, has much information on their website regarding common loons and lead toxicosis. Dr. Pokras and colleges necropsied over 1000 common loons in the New England States for 30 years. They found that lead toxicosis accounted for up to 26- 52% of mortalities of the common loon in those states and that lead toxicosis is a considerable threat to common loon nesting populations.

9. Washington State's common loon lead toxicosis mortality rate is 39% and is considered the highest threat to its common loon nesting population. Within one week, two territorial pairs and one chick were noted to have swallowed a fish with active or broken fishing line on two different lakes. This threat is often seen repeated throughout the nesting/rearing of chicks on territorial lakes with fishing activities.

10. Washington Department of Ecology in their Lead Cap review shows a breakdown of fishing tackle, lead vs non-lead alternatives, based on a study in 2003. Some alternatives to lead, such as steel, are equal or lower in price than lead fishing gear. Most manufacturers of non-lead alternatives state that they can supply Washington State with required fishing tackle, especially since they are already manufacturing such for other states, Canada, and National Parks with lead bans already emplaced. Some companies also stated that they are now manufacturing more non-lead alternatives for fishing than they did lead tackle.

11. According to the 2006 United States Fish & Wildlife Service Survey of Fishing, Hunting, and Wildlife Associated Recreation in Washington, (residents and non-residents) 2.3 million participated in wildlife-watching activities, 736,000 participated in fishing, and 182,000 participated in hunting. Total expenditures for Wildlife-watching were \$1, 502, 311, ~~000~~ with fishing expenditures at \$904, 796, ~~000~~. Wildlife-watching within the U.S. also had more participants than either fishing, (second), or hunting, (third), and had the highest total expenditures comparatively. It is not that one is more important than another, but that all are important regardless of numbers of participants and amount of revenue created.

12. Washington's common loon territorial/nesting lakes are located or bordered on state and federal lands, Seattle and Tacoma Public Utility Watershed Reservoirs with no access, The Colville Confederated Tribal lands, and by Hancock Forest Management, with limited access. With many territories falling on USFS property, the Colville National Forest or Three Rivers District FS helped develop the "Get the Lead Out Brochure and Promote Responsible Fishing Practices." They are supporting the use of non-toxic alternatives for fishing on these lakes and have expressed their interest to WDFW. The Colville Confederated Tribes also expressed interest in beginning the process to ban the use of lead on tribal lands.

13. Four common loon nesting lakes in NE Washington are known "winter-kill" lakes or have situations where there is no spawning of small-fry fish. These lakes are supplied with fingerlings and an additional supply of "catchables" has been added to support a common loon family. A recommendation has been made that on lakes with nesting common loons, an assessment of fish availability could be determined by WDFW fish biologists and make recommendations to add fish, if warranted.

14. Within the last decade, there has been a change in numbers of people coming to NE Washington to not only fish, camp, but to see and hear the common loons. Linda Fee, Acting Deputy Forest Supervisor, of the Colville National Forest, states in a letter reporting their accomplishments for the fiscal year:

"The softer targets like the areas improved for wildlife or the expanded opportunities for wildlife viewing sometimes get lost in the shuffle. I am frequently reminded of these other elements of forest management because people tell me about the loons they see on the lakes on the Colville National Forest. Loons seem to strike a chord for many people, their calls reminding them of wild places. We wouldn't have as many loons in the area or know what we do about them if it were not for the inconceivably large amount of work that you two invest in loon research and management. I want to extend a heartfelt thanks to you two, who work so well with us and teach us so much about the loons in our area."

Linda Fee

15. Thank you,

Ginger Gumm and Daniel Poleschook, Jr.
Adjunct Field Scientist, BioDiversity Research Institute
WA Common Loon Conservation
Research and Education Chairs,
Loon Lake Loon Association



United States
Department of
Agriculture

Forest
Service

Colville
National
Forest

Headquarters Office
765 South Main
Colville, WA 99114
509-684-7000
Fax: 509-684-7280

File Code: 2610

Date: November 12, 2009

Ginger Gumm and Dan Poleschook
40046 North Shore Lane
Loon Lake, WA 99148

Dear Ginger and Dan,

It is the end of our fiscal year and time for closing out old projects, initiating new ones, and reporting our accomplishments. I was pondering the last of these that brought you two to my mind. Each year we report the number of board feet of timber that we provide to the American public, or the acres of land treated in the wildland-urban interface to reduce the potential for wildfires: those hard targets that Congress mandate that we reach.

The softer targets like the areas improved for wildlife or the expanded opportunities for wildlife viewing sometimes get lost in the shuffle. I am frequently reminded of these other elements of forest management because people tell me about the loons they see on the lakes on the Colville National Forest. Loons seem to strike a chord for many people, their calls reminding them of wild places. We wouldn't have as many loons in the area or know what we do about them if it were not for the inconceivably large amount of work that you two invest in loon research and management.

I want to extend our heartfelt thanks you, Ginger and Dan, who work so well with us and teach us so much about the loons in our area. Thank you again for being such great cooperators. We hope that our partnership continues long into the future.

Sincerely,

LINDA M. ELLETT-FEE
Acting Deputy Forest Supervisor



Fishing weights

Ecology expects that replacing lead fishing weights with other metals will increase the cost of fishing weights by a factor of one to 4.5 depending on the metal used and the shape of the weight. Table 39 displays a variety of sizes and shapes made from different metals. The results for each type are relatively consistent. The total expenditure for this estimate is based on a Canadian study (Scheuhammer et al. 2003) of lost fishing weights. This study estimated that 3977 metric tons of fishing weights are lost each year in the U.S. Extrapolation to Washington is based on a 2% multiplier used against the US estimate, since Washington has approximately 2% of the U.S. population. This yields an estimate of 80 metric tons and a range of costs for weights from \$1.8 to \$7.9 million per year. Costs per angler per year range from \$3 to \$14.

The USFWS estimates \$13 was spent, per angler, in 2006 for hooks, sinkers, swivels, and other items attached to a line. However, multiplying this figure by the number of people participating in fishing in Washington gives an estimated cost of \$11.5 million per year, though not all of this cost is for sinkers. Ecology believes this number is high. The USFWS reports that the average fisherman spent \$1,407 per year for costs related to fishing (U.S. Department of Interior, Fish and Wildlife Service 2006).

References

- Scheuhammer AM, Money SL, Kirk DA, Donaldson G. Lead Fishing sinkers and jigs in Canada. 2003.
- U.S. Department of Interior, Fish and Wildlife Service. 2006 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation. U. S. Department of Commerce and U.S.Census Bureau. 2006.

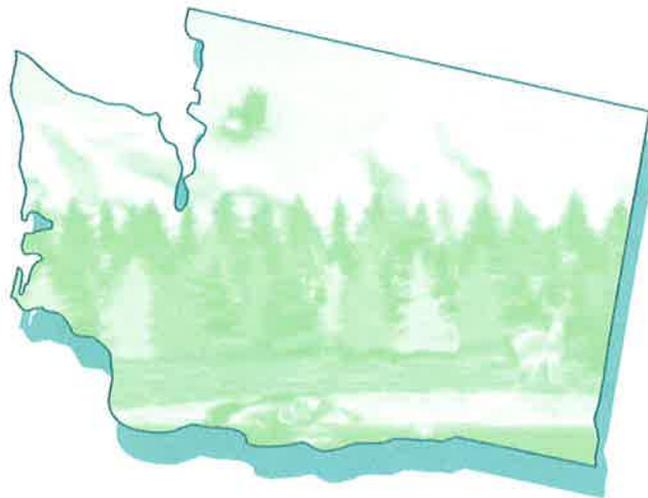
Table 1- Comparison of Fishing Weight Costs

Split Shot Per Unit Cost by Size	Lead	Tin	Ratio T/L	Cost Estimate
Size BB	\$0.01	\$ 0.05	5.74	
Size 3/0	\$.01	\$ 0.07	5.92	
Size 7	\$.02	\$ 0.10	4.01	
Size 5	\$ 0.03	\$ 0.14	4.20	
Size 4	\$ 0.04	\$ 0.15	3.74	
Size 1	\$ 0.08	\$ 0.29	3.46	
Average			4.51	\$ 7,942,895

Sling Shot Worm Weights Per Unit Cost by Size				
	Lead	Tungsten	Ratio T/L	Cost Estimate
1/8 oz	\$ 0.87	\$ 1.25	1.43	
¼ oz	\$ 0.87	\$ 1.83	2.10	
½ oz	\$ 0.16	\$ 3.50	3.00	
Average			2.18	\$ 3,832,087
Ultra Steel Egg Sinkers Per Unit Cost by Size				
	Lead	Steel	Ratio S/L	Cost Estimate
Steel. ¼ oz	\$ 0.13	\$ 0.17	1.28	
Steel. ½ oz	\$ 0.21	\$ 0.21	0.99	
Steel. ¾ oz	\$ 0.34	\$ 0.37	1.10	
Steel. 1 oz	\$ 0.42	\$ 0.46	1.09	
Average			1.12	\$ 1,963,806
Bullet Weights				
	Lead	Brass	Ratio B/L	Cost Estimate
Assorted	\$ 0.28	\$ 0.295	1.04	\$ 1,835,088
Skinny Drop Shot Weights Per Unit Cost by Size				
	Lead	Tungsten	Ratio T/L	Cost Estimate
1/8 oz. Tungsten.	\$ 0.33	\$ 0.80	2.40	
3/16 oz. Tungsten.	\$ 0.39	\$ 0.80	2.05	
¼ oz. Tungsten.	\$ 0.39	\$ 1.00	2.57	
3/8 oz. Tungsten.	\$ 0.47	\$ 1.66	3.57	
½ oz. Tungsten.	\$ 0.58	\$ 1.80	3.08	
Average			2.73	\$ 4,813,867
Current Estimated Costs		\$ 8,758,750		
Number of People Fishing*		673,750		
Average Annual Expenditures**		\$ 13		
Average Ratio		2.32		\$ 11,532,034
* SCORP, 2002, Interagency Committee for Outdoor Recreation, An Assessment of Outdoor Recreation in Washington State.				
** 2006 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, USFWS				

1996 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation

Washington



Wildlife-Associated Recreation

Participation in Washington

The 2006 Survey found that 2.7 million Washington residents and nonresidents 16 years old and older fished, hunted, or wildlife watched in Washington. Of the total number of participants, 736 thousand fished, 182 thousand hunted, and 2.3 million participated in wildlife-watching activities, which include observing, feeding, and photographing wildlife. The sum of anglers, hunters, and wildlife watchers exceeds the total number of participants in wildlife-related recreation because many individuals engaged in more than one wildlife-related activity.

Participation by 6-to-15-Year-Old Washington Residents

The focus of the National Survey is on the activity of participants 16 years old and older. However, the activity of 6- to 15-year-olds can be calculated using the screening data covering the year 2005. It is assumed for estimation purposes that the relative activity levels of 6-to-15-year-old participants

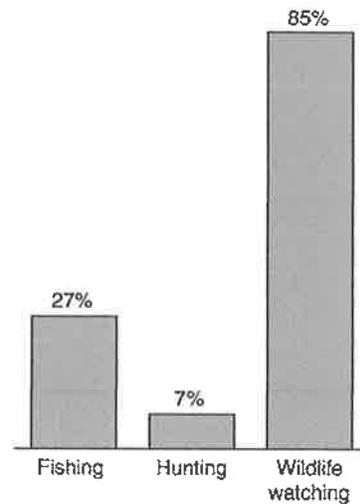
and participants 16 years old and older remained the same in 2005 and 2006. Based on this assumption, in addition to the 690 thousand resident anglers 16 years old and older, there were 172 thousand resident anglers 6 to 15 years old. Also, in addition to the 187 thousand residents 16 years old and older who hunted, there were 25 thousand 6-to-15-year-old residents who hunted. Finally, there were 2 million Washington residents 16 years old and older and 303 thousand 6- to 15-year-olds who wildlife watched. Further information on 6- to 15-year-olds is provided in Appendix B.

Expenditures in Washington

In 2006, state residents and nonresidents spent \$3.1 billion on wildlife recreation in Washington. Of that total, trip-related expenditures were \$871 million and equipment purchases totaled \$1.6 billion. The remaining \$585 million was spent on licenses, contributions, land ownership and leasing, and other items.

Percent of Total Participants by Activity

(Total: 2.7 million participants)



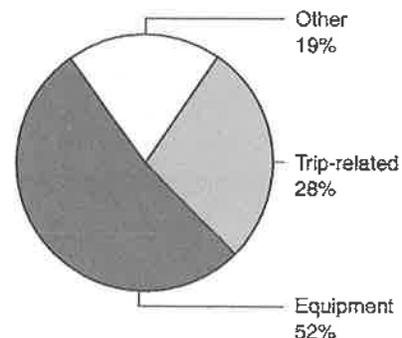
Participants in Wildlife-Associated Recreation in Washington: 2006 (U.S. residents 16 years old and older)

Total	2.7 million
Sportspersons	
Total	818 thousand
Anglers	736 thousand
Hunters	182 thousand
Wildlife Watchers	
Total	2.3 million
Away from home	959 thousand
Around the home	1.9 million

Note: Detail does not add to total because of multiple responses.

Source: Tables 3, 24, and 39.

Wildlife-Associated Recreation Expenditures in Washington (Total: \$3.1 billion)



2006 Washington Summary

Activities in Washington by Residents and Nonresidents

Fishing

Anglers	736,000
Days of fishing	8,882,000
Average days per angler	12
Total expenditures	\$904,796,000
Trip-related	\$354,880,000
Equipment and other	\$549,916,000
Average per angler	\$1,210
Average trip expenditure per day	\$40

Hunting

Hunters	182,000
Days of hunting	2,126,000
Average days per hunter	12
Total expenditures	\$313,134,000
Trip-related	\$74,233,000
Equipment and other	\$238,901,000
Average per hunter	\$1,688
Average trip expenditure per day	\$35

Wildlife Watching

Total wildlife-watching participants	2,331,000
Away-from-home participants	959,000
Around-the-home participants	1,927,000
Days of participation away from home	9,104,000
Average days of participation away from home	9
Total expenditures	\$1,502,311,000
Trip-related	\$441,652,000
Equipment and other	\$1,060,659,000
Average per participant	\$563
Average trip expenditure per day	\$49

Activities in Washington by Nonresidents

Fishing

Anglers	95,000
Days of fishing	633,000
Average days per angler	7
Total expenditures	\$65,418,000
Trip-related	\$44,604,000
Equipment and other	\$20,814,000
Average per angler	\$691
Average trip expenditure per day	\$70

Hunting

Hunters .....	...
Days of hunting .....	...
Average days per hunter .....	...
Total expenditures	¹ \$6,181,000
Trip-related .....	...
Equipment and other .....	...
Average per hunter .....	...
Average trip expenditure per day .....	...

Wildlife Watching

Total wildlife-watching participants	331,000
Away-from-home participants	331,000
Around-the-home participants	(X)
Days of participation away from home	1,109,000
Average days of participation away from home	3
Total expenditures	\$278,025,000
Trip-related	\$257,464,000
Equipment and other	\$20,561,000
Average per participant	\$779
Average trip expenditure per day	\$232

... Sample size too small to report data reliably.

(X) Not applicable.

¹ Expenditures are reportable because nonresident anglers bought hunting-related items in Washington but did not hunt there.

Table 31. Expenditures in Washington by State Residents and Nonresidents Combined for Wildlife Watching: 2006

(Population 16 years old and older)

Expenditure item	Expenditures (thousands of dollars)	Average per participant (dollars)	Spenders		
			Number (thousands)	Percent of wildlife-watching participants ¹	Average per spender (dollars)
Total, all items	1,502,311	563	1,942	83	773
TRIP EXPENDITURES					
Total trip-related	441,652	452	851	89	519
Food and lodging	227,721	238	734	77	310
Food	128,375	134	723	75	177
Lodging	99,346	104	290	30	342
Transportation	157,045	155	776	81	202
Other trip costs ²	56,886	59	232	24	245
EQUIPMENT AND OTHER EXPENDITURES					
Total	1,060,659	377	1,547	66	685
Wildlife-watching equipment, total	262,335	112	1,408	60	186
Binoculars, spotting scopes	22,281	10	185	8	120
Film and developing	29,161	12	239	10	122
Cameras, special lenses, video cameras, and other photographic equipment	75,650	32	216	9	350
Day packs, carrying cases, and special clothing	*16,123	*7	*118	*5	*136
Bird food	82,357	35	1,116	48	74
Food for other wildlife	8,898	4	257	11	35
Nest boxes, bird houses, bird feeders, and bird baths	19,882	9	449	19	44
Other equipment (including field guides)	7,983	3	257	11	31
Auxiliary equipment ³	29,797	13	188	8	158
Special equipment ⁴	*302,574	*53	*65	*3	*4,648
Magazines and books	11,746	5	335	14	35
Membership dues and contributions	53,675	22	285	12	188
Land leasing and ownership .....	...	...	...	...	...
Plantings	58,366	25	343	15	170

* Estimate based on a sample size of 10-29. ... Sample size too small to report data reliably.

¹ Percent of wildlife-watching participants column for trip-related expenditures is based on away-from-home participants. For equipment and other expenditures, the percent of wildlife-watching participants column is based on total wildlife-watching participants.

² Includes equipment rental and fees for guides, pack trips, public land use and private land use, boat fuel, other boating costs, and heating and cooking fuel.

³ Includes tents, tarps, frame packs and other backpacking equipment, other camping equipment, and other auxiliary equipment.

⁴ Includes travel or tent trailers, off-the-road vehicles, pickups, campers or vans, motor homes, boats, and other special equipment.

Note: Detail does not add to total because of multiple responses and nonresponse.

Table 19. Expenditures in Washington by State Residents and Nonresidents Combined for Fishing: 2006

(Population 16 years old and older)

Expenditure item	Expenditures		Spenders		
	Amount (thousands of dollars)	Average per angler (dollars)	Number (thousands)	Percent of anglers	Average per spender (dollars)
Total, all items.....	904,796	1,210	722	98	1,252
TRIP-RELATED EXPENDITURES					
Total trip-related.....	354,880	482	656	89	541
Food and lodging, total.....	117,878	160	628	85	188
Food.....	92,833	126	565	77	164
Lodging.....	25,045	34	122	17	205
Transportation.....	120,130	163	568	77	211
Other trip costs, total.....	116,873	159	501	68	233
Privilege and other fees ¹	17,399	24	147	20	118
Boating costs ²	73,619	100	175	24	422
Bait.....	17,320	24	347	47	50
Ice.....	5,978	8	265	36	23
Heating and cooking fuel.....	2,557	3	112	15	23
EQUIPMENT AND OTHER EXPENDITURES PRIMARILY FOR FISHING					
Fishing equipment, total.....	139,299	184	422	57	330
Reels, rods, and rod-making components.....	59,948	79	189	26	316
Lines, hooks, sinkers, etc.....	22,090	29	331	45	67
Artificial lures and flies.....	18,199	24	320	44	57
Creels, stringers, fish bags, landing nets, and gaff hooks.....	1,257	2	52	7	24
Minnow seines, traps, and bait containers.....	*1,498	*2	*19	*3	*79
Other fishing equipment ³	36,307	48	153	21	237
Auxiliary equipment ⁴	35,378	47	110	15	322
Special equipment ⁵	311,267	409	52	7	5,971
Other fishing costs ⁶	63,971	87	543	74	118

* Estimate based on a sample size of 10-29.

¹ Includes boat or equipment rental and fees for guides, pack trip (party and charter boats, etc.), public land use, and private land use.

² Boat launching, mooring, storage, maintenance, insurance, pumpout fees, and fuel.

³ Includes electronic fishing devices (depth finders, fish finders, etc.), tackle boxes, ice fishing equipment, and other fishing equipment.

⁴ Includes tents, special fishing clothing, etc.

⁵ Includes boats, campers, 4x4 vehicles, cabins, etc.

⁶ Includes magazines and books, membership dues and contributions, land leasing and ownership, and licenses, stamps, tags, and permits.

Note: Detail does not add to total because of multiple responses and nonresponse. Percent of anglers may be greater than 100 because spenders who did not fish in this state are included.

Lead Objects Ingested by Common Loons in New England

Mark Pokras¹, Michelle Kneeland¹, Anna Ludi¹, Ethan Golden¹,
Andrew Major², Rose Miconi¹, and Robert H. Poppenga³

Abstract - Necropsies of *Gavia immer* (Common Loon) recovered lead and non-lead foreign objects from gastrointestinal tracts. Carcasses collected between 1987 and 2000 reveal that a great deal of loon mortality on lakes in New England is attributable to ingestion of lead objects. In this study, 522 carcasses were examined to inspect the types, sizes, and masses of 222 objects responsible for lead toxicosis. Most ingested lead objects were less than 2.5 cm long and weighed less than 25 g. Information on objects ingested by loons may help in development of non-toxic alternatives.

Introduction

Lead ingestion by birds has been documented in a wide range of avian species from loons to geese to woodpeckers (Bloom et al. 1989, Locke et al. 1982, Mörner and Petersson 1999, Pain 1990, Wobeser 1997) beginning with Grinnell's seminal 1894 publication. Ingested lead is most commonly reported to be shotgun pellets obtained by birds while foraging in wetlands. Lead poisoning from ingested fishing gear has regularly been reported in four avian species: *Gavia immer* (Brunnich) (Common Loon; Locke et al. 1982), *Cygnus olor* (Gmelin) (Mute Swan; Sears et al. 1989) *Cygnus buccinator* Richardson (Trumpeter Swan; Blus et al. 1989), and *Grus canadensis* (L.) (Sandhill Crane; Windingstad et al. 1984). Previous studies of loon mortality have documented significant lead ingestion and elevated lead levels in tissues (Daoust et al. 1998, Pokras and Chafel 1992, Pokras et al. 1992, Poppenga et al. 1992, Stone and Okoniewski 2001). However, sizes and shapes of ingested lead fishing gear have not previously been reported in detail. In the present study, we collected ingested lead objects from the gastrointestinal tracts of loon carcasses to determine the shape, size, mass, and type of objects loons consumed. Information on objects ingested by loons and other wildlife may help to minimize unintended mortalities in the future.

Methods

Dead Common Loons were collected from the 6 New England states by state and federal agencies, private wildlife groups, and interested individuals. Carcasses were shipped on ice to the Tufts Cummings School of Veterinary Medicine (TCSVM) Wildlife Clinic. We conducted necropsies, collected tissues for histopathology and toxicology, and catalogued food items and objects found within the digestive tracts. We visually classified ingested lead objects by type into six categories: sinker, jighead, split shot, firearms, other,

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(mostly hooks, swivels, and monofilament line) present in the GI tracts, with one bird containing 4 swivels in addition to a sinker. Of the 118 loons with ingested lead objects, slightly over half (73) had more than one lead object in their gizzards. Nearly half of the birds with ingested shotgun pellets had either 2 or 3 such projectiles present. Nearly one third of the birds with ingested jigheads had a second piece of lead present; in most cases, this second item was either a sinker or split shot. One third of the birds with ingested sinkers had a second piece of lead present; these second items were roughly equally distributed among sinkers, split shot and jigheads.

Length, width, and mass varied significantly among sinkers, jigs, and split shot (Table 1). As expected, pellets were found to have relatively little variation in length or width due to spherical manufacturing conventions. No jig heads recovered from the GI tracts had hooks remaining attached, although partially digested hook fragments were recovered from 31 of the 118 birds. Thus, length measurements of jigs includes only the lead portion. Over 94% of the 222 lead objects ingested were found to be less than 1.0 in. (2.54 cm) in length, and 44% had a length of less than 1.0 cm (Fig. 2). Of all lead objects ingested, 94% weighed less than 10 g (Fig. 3).

Discussion

In this sample, all adult loons ingesting lead objects also had demonstrable lead poisoning. As piscivores, loons are expected to have a lower stomach pH than that found in herbivorous waterfowl (Schmidt-Nielsen 1997), leading to more rapid absorption of lead from the GI tract. Most lead mortalities occurred on freshwater lakes (Sidor et al. 2003), and the primary lead objects encountered were fishing sinkers and jig heads. Ingestion of small lead objects by adult loons on lakes is the major cause of mortality in our studies (Sidor et al. 2003). The source of the ingested lead is likely fishing gear picked up from lake bottoms, and also ingestion of fish with attached fishing gear. The ingested lead fishing gear primarily represents the smaller sizes and weights available on the market.

Burgess et al. (2005) gave mean body weights of healthy loons captured in a mercury study in Nova Scotia as 4.50 kg for females and 5.54 kg for males. This is greater than mean weights for female and male loons with ingested lead in the current study (respectively, 3.69 and 4.59 kg). However, as Sidor et al. (2003) discussed, loons dying from lead poisoning were generally in better body condition and of heavier weight than loons dying of other causes. We have interpreted this to indicate that, although

Table 1. Dimensions of sinkers, jigheads, and split shot ingested by Common Loons.

Lead object	Length (mm)			Width (mm)			Mass (g)		
	Mean	Median	Range	Mean	Median	Range	Mean	Median	Range
Sinkers	14.03 (± 6.47)	12.7	4.0–40.2	5.89 (± 2.55)	5.5	0.3–15.2	4.04 (± 4.63)	2.4	0.3–25.0
Jigheads	16.53 (± 6.58)	15.3	5.2–33.6	6.55 (± 2.33)	6.0	3.0–13.9	3.89 (± 3.64)	3.2	0.3–18.1
Split shot	5.79 (± 2.33)	6.1	1.2–9.9	4.85 (± 1.68)	4.5	1.5–8.13	1.60 (± 1.04)	1.4	0.3–5.7

the loons have lost some body condition prior to death, they most likely die fairly rapidly after ingesting lead.

Loons ingest stones selected individually from lake bottoms (J. Barr, University of Guelph, Guelph, ON, Canada, pers. comm), presumably to aid in digestion. Loons may ingest lead objects accidentally while collecting gizzard stones. Alternatively, loons may deliberately select lead objects because such objects fit whatever subjective criteria the birds have evolved to choose stones. Such criteria might logically include such factors as size, mass, shape, texture, or taste. In England, Mute Swans treated for lead toxicosis and released have a high rate of recurrence of lead toxicosis implying that the swans may have developed a taste for lead objects (Sears et al. 1989). Reports indicate that both children and cattle develop a taste for lead paint (Sears et al. 1989).

Ingestion of baitfish on fishing lines, or of escaped fish with attached fishing gear are other possibilities for accidental lead ingestion. We were called regarding one instance of an angler fishing a small lake with a single loon pair, who hooked a loon when using a live baitfish. He cut the line to free the

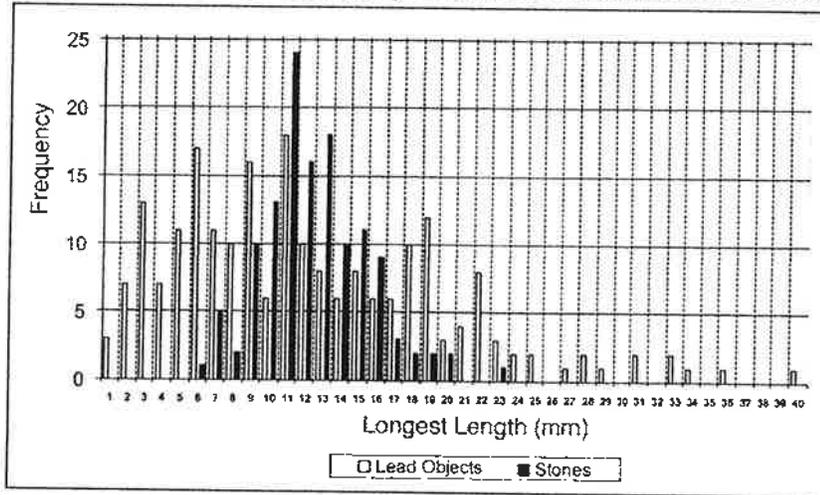


Figure 2. Distribution by maximum length of lead objects and stones found in the ventriculus of loons.

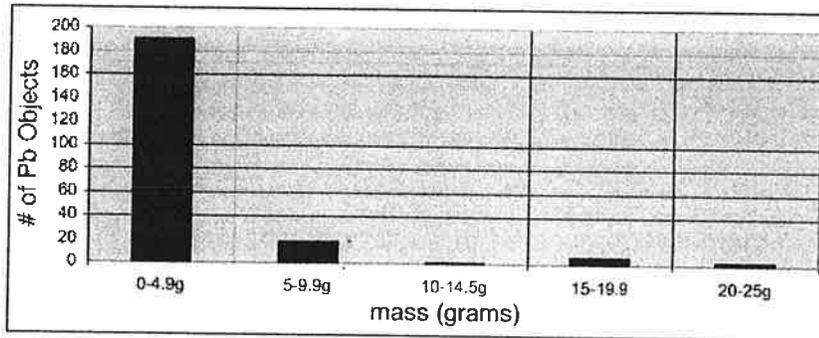


Figure 3. Distribution by mass of lead objects found in loons.

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Lead Poisoning

This website is intended to address the prevalence of lead poisoning and the interconnection of this issue between species and taxonomic groups.

- **Mechanism of Lead Poisoning**
- **Aquatic Birds**
- **Predatory Birds**
- **Other Birds and Wildlife**
- **Humans**
- **Domestic Animals**
- **Environment**
- **More Lead Info**
- **Lead Alternatives**

Mechanism of Lead Poisoning:

Lead exerts its toxic effects by mimicking and substituting for calcium in many fundamental cellular processes. By utilizing anion exchangers and calcium dependent channels and pumps, lead is able to cross cell membranes and bind to proteins within cells. These various proteins and calcium binding sites are not able to function properly when lead is attached. For example, within red blood cells, lead binds to hemoglobin and prevents those cells from carrying oxygen efficiently. Often, lead has up to 1000 times higher affinity for these binding sites than calcium itself, and will prevent calcium from binding. Specifically, lead has been found to bind calmodulin and increase release of neurotransmitters, as well as binding the enzyme protein kinase C to stimulate gene expression and influence many physiological processes throughout the body. When oxidized, lead can also pass quickly through the blood-brain barrier and act as a neurotoxin, accumulating in astrocytes and interfering with the dopaminergic, cholinergic, and glutamatergic neurotransmitter systems. More information on the mechanisms of lead poisoning:

- **"Toxicity of Lead"** Phytoextraction of Lead from Soil
- **"Distribution and Effects of Lead"** LEAD Group, Australia
- **"Lead Toxicity - its effects on Fetal and Infant Development"**
Mark J Schuld
- **"How Does Lead Affect the Nervous System"** Anjali Patel

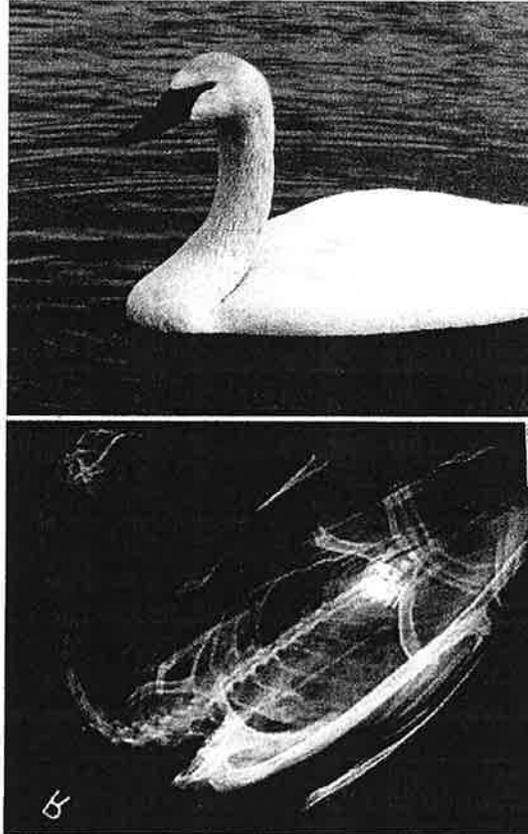
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Aquatic Birds:



Lead poisoning in aquatic birds may occur when spent lead shot is mistaken for gravel (which is normally consumed to aid in digestion) and ingested. Birds may also be exposed to lead when feeding on fish attached to lead fishing gear such as sinkers or jig heads. The Tufts Wildlife Clinic is conducting an ongoing study of the prevalence of lead poisoning in aquatic birds, particularly the Common Loon. In addition to loons, frequent victims of lead poisoning include swans, pelicans, geese, ducks, cormorants, cranes, and herons. Links to more information on lead poisoning in loons and other aquatic birds:

- **"Effects of Lead Tackle on Loons"** Adirondack Cooperative Loon Program
- **"Getting the Lead Out"** National Wildlife Foundation
- **"Lead Poisoning"** Michigan Department of Natural Resources
- **"Lead Fishing - Sinkers and Animals"** EPA
- **"The Effect of Lead Sinkers on Waterfowl"** The University of Vermont

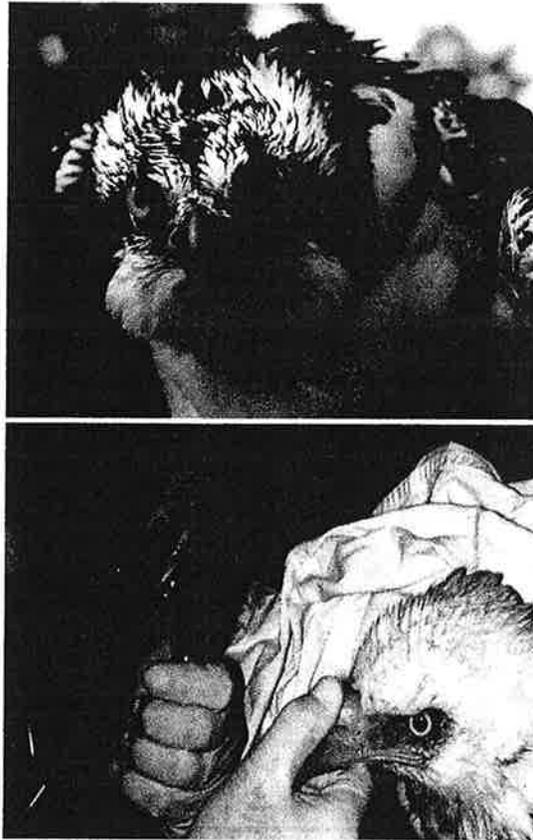
- **"Spreading the Word About Lead"** New England Sportsman Network
- **"Keep Getting the Lead Out"** The State of New Hampshire
- **"Get the Lead Out!"** Northland College
- **"Lead Poisoning in Loons Target of Vermont Project"** International Wildlife
- **"Lead Poisoning in Wisconsin birds"** Wisconsin Bird Conservation
- **"Swans Dying of Lead Poisoning"** Swan Society
- **"A Review of the Problem of Lead Poisoning in Waterfowl"** USGS

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Predatory Birds:



Predatory birds are at risk of developing lead poisoning by feeding on lead-contaminated wildlife. This includes the consumption of fish containing lead fishing gear and scavenging the remains of animals left by hunters (such as deer gut piles and carcasses), which may contain lead bullet fragments. Predatory birds affected in this way include Bald and Golden Eagles, kestrels, and the endangered California Condor. Links to more information on lead poisoning in eagles and other predatory birds:

- **"Raptor Lead Poisoning"** University of Minnesota Raptor Center
- **"Bullet Fragments in Deer Remains: Implications for Lead Exposure in Avian Scavengers"** The Peregrine Fund
- **"Unleaded Wildlife"** Project Gutpile
- **"Lead Poisoning"** University of Northern British Columbia

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Other Birds and Wildlife:

Upland game birds, songbirds, and small mammals often consume lead shot and fishing sinkers when they browse for small pebbles, seeds, or other food items. Predatory species may be secondarily affected by lead when they eat animals that have been shot or have ingested lead from shot, sinkers, or the environment. Species affected by these routes include turkeys, woodcock, songbirds, fish, and reptiles. Links to more information on lead poisoning in wildlife species:

- **"Field Manual of Diseases in Birds"** USGS
- **"Wildlife Without Lead"** Hawkwatch International
- **"Lead Poisoning of North American Wildlife from Lead Shot and Fishing Tackle"** Hawkwatch International
- **"A Review of the Environmental Impacts of Lead Shotshell Ammunition and Lead Fishing Weights in Canada"** Canadian Wildlife Service

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Humans:



People, especially children, are susceptible to lead poisoning via a variety of sources including lead sinkers, paint, soil, and even water and air in particular areas of the world. Information on the hazards of lead to adults and children:

- **"Humans and Lead Fishing Sinkers"** EPA
- **"How Lead Affects the Way We Live & Breath"** EPA
- **"Lead in Paint, Dust, and Soil"** EPA
- **"Lead Poisoning"** National Safety Council
- **"The Coalition to End Childhood Lead Poisoning"**
- **"Lead Safe Houses National Site"** US Dept of Housing and Urban Development
- **"Lead Poisoning Fact Sheet Index"** Lead Group Incorporated
- **"Leadpoison.net"** National Referral Center for Lead Poisoning in India
- **"Lead in the Environment"** Purdue University

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- Johansen, P., et al., Lead shot from hunting as a source of lead in human blood. *Environmental Pollution*, 2006. 142: p. 93-97.
- Hu, H., et al., Fetal Lead exposure at each stage of pregnancy as a predictor of infant mental development. *Environmental Health Perspectives*, 2006. 114(11): p. 1730-1735.

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Domestic Animals:





Lead poisoning is a common occurrence for many domestic species in the United States and internationally. In cattle, lead poisoning commonly occurs by consumption of discarded lead-containing farm supplies, batteries, paints, and machinery. Lead poisoning of household pets such as dogs, cats, guinea pigs, iguanas, and birds also occurs, due most often to the ingestion of lead-based paint, but also to an assortment of additional sources including linoleum, fishing sinkers, toys for pets and children, curtain weights, and solder. Links to more information on lead poisoning in domestic species:

- **"Lead Poisoned Pets and Your Family"** The Lead Group Inc
- **"Lead Toxicity in Birds"** Long beach Animal Hospital
- **"Lead Poisoning in Birds"** Island Exotic Veterinary Care
- **"Lead Toxicity in an Amazon Parrot"** Tufts University School Clinical Case Study of the Month
- **"Lead Poisoning in Cattle"** AGRI-FACTS Alberta
- **"Lead Poisoning"** University of California Davis
- **"Lead poisoning in livestock"** Queensland Government

Recent scientific studies on lead poisoning in domestic animals:

- Swarup, D., et al., Changes in plasma hormones profile and liver function in cows naturally exposed to lead and cadmium around different industrial areas. *Research in Veterinary Science*, 2007. 82(1): p. 16-21.
- Patra, R., et al., Tail hair as an indicator of environmental exposure of cows to lead and cadmium in different industrial areas. *Ecotoxicology and Environmental Safety*, 2007. 66(1): p. 127-131.
- Krametter-Froetscher, R., et al., Toxic effects seen in a herd of beef cattle following exposure to ash residues contaminated by lead and mercury. *The Veterinary Journal*, 2007. 174(1): p. 99-105.
- Sharpe, R. and C. Livesey, Lead Poisoning in Cattle and its implications for food safety. *Veterinary Record*, 2006. 159: p. 71-74.
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- Doumouchtsis, S.K., N.S. Martin, and J.B. Robins, "Veterinary" diagnosis of lead poisoning in pregnancy. *British Medical Journal*, 2006. 333(7582): p. 1302-1303.
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- Marcal, W.S., et al., Levels of lead in mineral salt commercial mixtures for beef cattle. *Journal of Veterinary Science*, 2003. 4(3): p. 235-238.
- Liu, Z., Lead Poisoning combined with cadmium in sheep and horses in the vicinity of non-ferrous metal smelters. *Science of the Total Environment*, 2003. 309(1-3): p. 117-126.
- Palacios, H., et al., Lead Poisoning of Horses in the vicinity of a battery recycling plant. *Science of the Total Environment*, 2002. 290(1-3): p. 81-89.
- Dwivedi, S., et al., Lead Poisoning in cattle and buffalo near primary lead-zinc smelter in India. *Veterinary and Human Toxicology*, 2001. 43(2): p. 93-94.
- Casteel, S.W., et al., Estimation of relative bioavailability of lead in soil and soil-like materials using young swine. *Environmental Health Perspectives*, 2006. 114(8): p. 1162-1171.

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Environment:



Due to years of use in gasoline, paints, and other products, lead is present in the air, water, and soils of many ecosystems and exerts effects at all ecological levels. Human activities, such as fuel combustion, industrial processes, corrosion of leaded pipelines, and solid waste combustion, continue to contribute to lead levels in soil and water. Once in the environment, lead cannot be broken down; it can only be converted to other forms. Thus, lead accumulates in the bodies of soil and water organisms including phytoplankton, shellfish, plants, and microbes. Health effects may occur in these animals and plants, or in the organisms that consume them. [Links to information about effects of lead in soil, water, plants, and the environment:](#)

- **"Lead in the Environment, And Health" Raymond Agius. Health, Environment, and Work."**
- **"How does Lead Affect our Environment?"** Michigan Dept of Environmental Quality
- **"Lead in the Environment"** University of Wisconsin Stevens Point
- **"Sources of Lead in the Environment"** Australian Department of Environment and Climate Change New South Wales
- **"Lead and Our Environment"** Food Safety Series Michigan State University Extension
- **"Toxic Chemicals in Atlantic Canada - Lead"** Environment Canada
- **"Lead in Freshwater Organisms"** Lenntech

Recent scientific studies on lead poisoning in the environment:

- Suicmez, M., et al., Toxic Effects of Lead on the liver and gills of oncorhynchus mykiss WALBAUM 1792. Bulletin of Environmental Contamination and Toxicology, 2007. 77(4): p. 551-558.
- Spokas, E.G., et al., Tissue lead concentration during chronic exposure of Pimephales promelas (Fathead minnow) to lead nitrate in aquarium water. Environmental Science and Technology, 2006. 40(21): p. 6852-6858.
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- Sorvari, J., et al., Heavy metal pollution disturbs immune response in wild ant populations. Environmental Pollution, 2007. 145(1): p. 324-328
- Rotkittikhun, P., et al., Growth and lead accumulation by the grasses Vetiveria zizanioides and Thysanolaena maxima in lead contaminated soil amended with pig manure and fertilizer: a glasshouse study. Chemosphere, 2007. 66(1): p. 45-53.
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- Patel, M., et al., Renal responses to acute lead waterborne exposure in the freshwater rainbow trout (Oncorhynchus mykiss). Aquatic Toxicology, 2006. 80(4): p. 362-371.
- MacFarlane, G., et al., The Akoya pearl oyster shell as an archival monitor of lead exposure. Environmental Pollution, 2006. 143(1): p. 166-173.
- Wilde, E., et al., Phytoextraction of lead from firing range soil by Vetiver grass. Chemosphere, 2005. 61(10): p. 1451-1457.
- Kaznina, N., et al., Effect of lead on the photosynthetic apparatus of annual grasses. Biology Bulletin, 2005. 32(2): p. 147-150.
- Labare, M.P., et al., Evaluation of lead movement from the abiotic to biotic at a small arms firing range. Environmental Geology, 2004. 46 (6-7): p. 750-754.
- Scheuhammer, A., et al., Lead and stable lead isotope ratios in soil, earthworms, and bones of American woodcock (Scolopax minor) from eastern Canada. Environmental Toxicology and Chemistry, 2003. 22: p. 2585-2591.
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- Kennette, D., et al., Uptake of trace metals by the earthworm Lumbricus terrestris l. in urban contaminated soils. Applied Soil

Ecology, 2002. 19(2): p. 191-198.

- Hui, C.A., Lead distribution throughout soil, flora, and an invertebrate at a wetland skeet range. Journal of Toxicology and Environmental Health, Part A, 2002. 65(15): p. 1098-1107.

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More Lead Info:

To learn more about lead, go to these sites:

- **Centers for Disease Control and Prevention**
- **Environmental Protection Agency**
- **Healthy.net**
- **Lead Action Collaborative**

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Lead Alternatives:

To learn more about lead alternatives, go to our lead alternatives page:

- **Lead Alternatives**

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MARK BYRNE ^{Ho}

Item #2
OPI

BASS of Washington
6013 57th Ave SE
Olympia, WA. 98513
<http://bassfedwa.homestead.com>

December 4, 2009

Washington State Fish and Wildlife Commission,

My name is Mark Byrne and as Conservation Director of BASS of Washington I represent over 5000 BASS members in Washington State, we are against a ban on lead fishing tackle based on the "Junk Science" presented to this Commission.

I have sent a letter discussing our financial concerns over a passage of a no lead/buy back state program.

There are almost no low cost alternatives to lead tackle fishing products on the market today.

Our concern today is the reduction of the family fishing outings and getting youth started fishing, making this family activity more expensive with a lead ban in these uncertain times does not seem like a wise decision.

As an organization we work to expose kids to fishing, we have used CastingKids and events mentoring kids on and about fishing. We also have programs for kids to take it to the next level and to compete against and with their peers. (This is called the Jr. Bassmasters) While many of these kids fish because their parents do many also come from non fishing families. Fishing can be an expensive sport to get started in and adding an additional expense could put it out of reach for a new angler.

Washington is the only state in the country that has brought home three Jr. Bassmaster World Championships, we fear that a ban on lead fishing products will make fishing too expensive and will have a ripple effect that will be felt in every county in Washington. This also will have a negative effect on the budgets of every outdoor state, county and local agency.

We understand that the Washington Department of Fish and Wildlife is working on a program to get sportsmen who have not purchased new fishing licenses back as licensed anglers in Washington. This lead ban can't be anything other than a negative to accomplishing that goal.

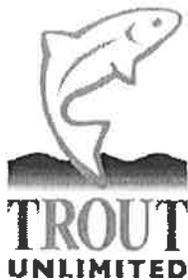
The groups pushing for the enacting of these regulations have made it clear that the passage of this regulation is just the first step to elimination of sport fishing, as we know it now.

You will notice that there is an article on the ESPN/BASS web site addressing this issue and there will be more attention if this "Junk Science" lead ban progresses further. There are plans to address this issue in upcoming issues Bassmasters Magazine and BASS Times.

Thank you for your time,
Mark Byrne, Conservation Director
BASS of Washington

Employees of Yakima Bait Company

Sinda Monow	Renee Resner
Audrey J. Shields	Maribel Martinez
Willie E. Doe III	Eddie Price
Jeffrey J.	Melinda Neal Mac
Wille Humann Jr.	James Carter
J.H. J.	Ronda Bennett
Maria Carter	Sharon Shumer
Susan M. Carter	Lynnda Kelley
Ronda Swagert	Rosa Sanchez
Anna Shepard	Gerry Swabs
Connie Ripley	Karen Bottis
Donna Young	Estela Cervelas
Sandra E. Ruyoff	Therese Kelly
Frank Vanderpool	Rich J. Shultz
Hetti Waymire	Dennis Cerroado
Sandy Stearns	Mary Milton
Claudia R. Stewart	Robert Blah
Blanca E. Lunelberg	Ken Blankenship
Pabla Ballesteros	Barbara A Burns
Victoria Cicada	Paul K. Carter
Doreen L. Vandenberg	Larry Burt
Harley Vandenberg	W. J. ...
Rose Van	W. J. ...
Yong mei Li - wife	
Colleen Larson	
Ann Nelson	
Elsie Ruyoff	
Chris Wintz	
Roy Monow	
Teresa Blanco	



Icicle Valley Chapter No. 391
Trout Unlimited
P.O. Box 271
Leavenworth, Washington 98826



November 16, 2009

Comments on Proposal 39 Icicle River (Chelan County)

Proposal: This proposal would close the recreational season on the Icicle River above the Leavenworth National Fish Hatchery rack on September 15 rather than October 31.

To Whom It May Concern:

The Icicle Valley Chapter of Trout Unlimited stand opposed to closing the recreational fishery on September 15 rather than October 31 due to the following reasons:

1. The most recent data collected for recreational fishing in the Icicle River is from Art Viola's, (WDFW regional fishery biologist) "2008 Icicle River Resident Fish Creel Survey", dated March 2009. It states from 5,638 angler trips which translate into 3,894 hours of fishing, 6,471 fish were caught (rainbows, brook trout and cutthroat), only two fish were kept. "None of the anglers interviewed reported having caught and released a bull trout". Random weekdays were chosen but 75% of the weekends were surveyed. "Incidental hooking mortality of bull trout is not a significant problem during the Icicle River trout season".

2. In addition, professional staff members from a US Fish and Wildlife, Mid-Columbia Fisheries Resource Office, spent many hours angling, targeting bull trout in the upper Icicle River this year with very little success. This leads us to believe that recreational anglers under the selective gear regulations are far less apt to encounter and harm a bull trout using a barbless fly than professional folks targeting the species.

3. Angling in the Icicle River is a concern with endangered bull trout, but it is no different than other rivers which contain bull trout such as the Entiat and Methow Rivers. Will you be closing those waters as well? We believe this regulation is premature and without foundation.

In conclusion, to our knowledge there is no supportive data to demonstrate that a recreational fishery from September 15 to October 31 on the upper Icicle harms bull trout.

Unless there is scientifically, documented supportive evidence to demonstrate this recreational fishery harms bull trout, we stand opposed to the proposal.

Dennis McMahon
President Icicle Valley Chapter
Trout Unlimited

Dennis McMahon **Don Thomas** **Carolyn Lang** **Jack Squires**
President Vice-president Treasurer Secretary



United States Department of the Interior
Fish and Wildlife Service
Mid-Columbia River Fishery Resource Office
7501 Icicle Road
Leavenworth, WA 98826
Phone: (509) 548-7573
Fax: (509) 548-5743



MEMORANDUM

November 25, 2009

To: Files

From: Mark C. Nelson

RE: **Bull trout CPUE during angling for 2009 Icicle Creek radio telemetry study.**

Hook and line angling is the primary method used to capture and radio tag adult bull trout in Icicle Creek for the ongoing MCRFRO telemetry study. Bull trout are targeted by the use of large lures including 3 or 4 inch rubber minnows, size 3 or 4 spinners, and medium or large spoons. Biologists also use their experience and knowledge of bull trout habits and habitats to select fishing locations. One of the objectives of the study is to determine the upstream passage windows for bull trout at natural and artificial obstacles so the majority of the angling and tagging effort is directed at the lower river. This memorandum reports the angling effort and number of bull trout caught during 2009. A detailed analysis will be presented in the 2009 annual report on the study.

The following table summarizes the 2009 angling effort and bull trout catch per unit effort by area (below or above the boulder falls at rm ~ 5.9) and season.

Area	Season	Dates	n bull trout	Angler hours	CPUE (n/hr)
Below	Spring	4/3 to 5/29	0	29.9	0
Boulder Falls	Summer	7/9 to 8/14	34	102.7	0.33
	Fall	9/25 to 9/28	<u>10</u>	<u>14.5</u>	<u>0.69</u>
<i>Subtotal</i>			<i>44</i>	<i>147.1</i>	<i>0.3</i>
Above	Spring	4/27 to 5/13	0	7.6	0
Boulder Falls	Summer	7/21 to 8/14	3	53.8	0.06
	Fall	No angling	=	<u>0</u>	=
<i>Subtotal</i>			<i>3</i>	<i>61.4</i>	<i>0.05</i>
Overall Totals		4/3 to 9/28	47	208.5	0.22

Wild Fish Conservancy Icicle Creek Project 2007

Memo to: Mark Nelson, USFWS
November 6, 2007

Hi Mark,

I understand you are interested in a) the incidental catch of bull trout and other salmonid species during the Wild Fish Conservancy's PIT tagging efforts on Icicle Creek and its tributaries in the 2007 season, and b) a summary of bull trout sightings by WFC biologists in the same areas.

A) Incidental non-RBT capture during WFC angling efforts.

Primarily dry fly and occasionally nymph fly-fishing was used to capture rainbow trout (RBT) in Icicle, Jack Creek, and Chiwaukum Creek. Though the approximate percentage of fish hooked and not landed was obviously variable, I estimate that 75 percent of fish hooked were landed, tagged successfully and released. A total of more than 800 fish were brought to hand from June-September- there was one hook-induced mortality, a female RBT with stage II-III gonads.

Catch per unit effort was variable. On the most successful days (with three anglers and one or two handlers) close to 100 fish were handled, never more than 60 per site were tagged. Total time fishing at each site rarely exceeded 2 hours. On the best days two anglers could land 15 to 20 fish per hour. On average days, again with two or three anglers, 10-15 fish handled an hour was fairly standard. Again variability was high, especially dependent on site. We have crew members highly experienced in dry fly angling, and crew very efficient at PIT tagging.

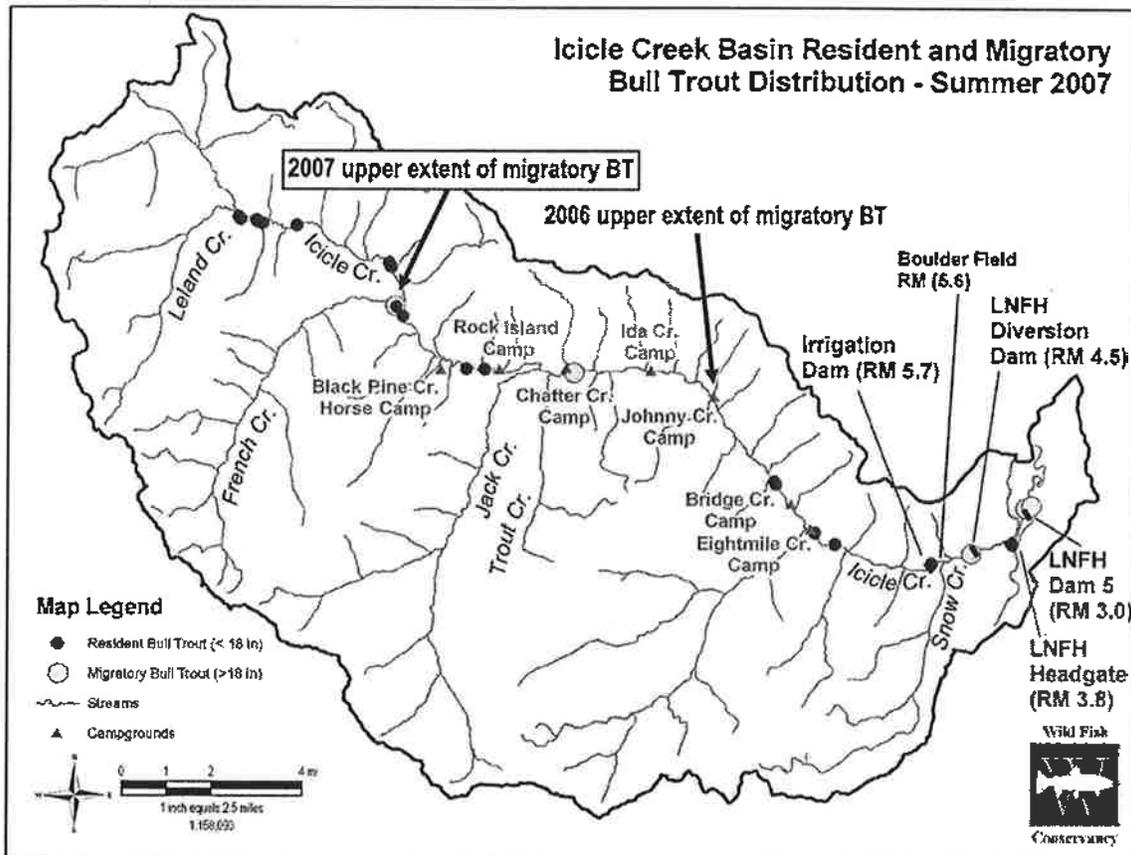
On Icicle Creek, during the whole season about 10 cutthroat trout were brought to hand. The morphology of these fish suggested they were pure cutthroat. On Chiwaukum Creek about 10 cutthroat were caught as well. While a few of these fish appear pure, more than half appeared to have RBT traits such as dark parr marks, dark freckling on the head, red-banded lateral lines, etc. We are in the process of analyzing the genetics of these fish.

On Icicle Creek, during the whole season, 2 bull trout were captured. One in July in the Historical Channel near the headgate (about 8 inches) and one in Jack Creek about 500m from the confluence with Icicle (also ~8inches). Both were released immediately. One bull trout was captured by hand with dip net during night snorkeling on Icicle in late September near the confluence of Jack Creek.

No suckers or whitefish were captured during angling efforts. One brook trout was caught in the Historical Channel near the headgate.

B) Bull trout sightings on Icicle Creek

Bull trout were observed by WFC during a snorkel survey conducted August 15 – 17 which covered from the Historical Channel spillway pool near the NLFH to the Icicle Upper Basin, near the confluence of Leland Creek with Icicle. What we refer to as "resident" bull trout ranged 5-10 inches with the majority between 6-8 inches. What we refer to as "adfluvial" (though we recognize that the life history of these individuals has yet to be determined) were greater than 18inches. The graph below shows the observed distribution of bull trout this year.



	<12 inch	>12 inch
Reach U3	9	0
Reach U2	0	0
Reach U1	1	0
Reach A	5	0
Reach B	0	0
Reach C	0	2
Reach D	3	0
Reach E	0	0
Reach F	0	2
Reach G	0	1
Reach H	1	0
Reach I	0	1
Reach J	1	29
TOTAL:	20	35

I hope this summary is informative and useful. Please let us know if you require any further information, or if the USFWS has data on bull trout in the upper parts of Icicle Creek and its tributaries which might help us focus bull trout observations and sampling in the field season to come.

Sincerely,

Audrey Thompson
Biologist
Wild Fish Conservancy
Audrey@wilfishconservancy.org

Nick Gayeski
Aquatic Ecologist
Wild Fish Conservancy
nickl@wildfishconservancy.org



State of Washington
Department of Fish and Wildlife

Mailing Address: Region 2, District 7
3890 Chelan Highway, Wenatchee WA 98801

**2008 Icicle River Resident Fish
Creel Survey**

Art Viola

March 2009

Abstract

Heightened interest in possible negative angling effects on resident and/or fluvial bull trout and other resident trout species made apparent the need for a first-ever quantitative creel survey of all fish species caught, retained and/or released in the Icicle River (Creek) up river of the Leavenworth National Fish Hatchery (LNFH). A creel survey based on a stratified schedule was set up to sample weekdays and weekend days. Weekdays were chosen at random while at least 75% of the weekend days were surveyed. Surveys were scheduled to begin June 1 and to continue until the normal closure on October 31, or until angling effort dropped to near zero. We estimate that during the entire 2008 season 5,638 angler trips were taken for a combined total of 3,894.5 hours of fishing. Angler trips were short ranging from only from 0.67 – 1.31 hours each. We estimate that 6,473 trout were caught, 6,471 of these fish were released, and only 2 were kept. None of the anglers interviewed reported having caught and released a bull trout. Either no bull trout were caught during the season or these fish were caught so infrequently that we were unable to detect it during the survey. Incidental hooking mortality of bull trout is not a significant problem during the Icicle River trout season. Never the less hooking mortality of all trout including bull trout could be reduced if angler compliance with selective gear rules was improved. Additional enforcement presence is needed. More signs and information on regulations and fish identification is needed. WDFW appreciates and encourages continued assistance by the USFWS with these needs. We see no reason to change regulations to catch and release because essentially all fish caught are released. Changing the regulation from two trout over eight inches to two trout less than 8 inches may result in some benefits.

Purpose and Objectives

Heightened interest in possible negative angling effects on resident and/or fluvial bull trout and other resident trout species made apparent the need for a first-ever quantitative creel survey of all fish species caught, retained and/or released in Icicle River (Creek) up river of the Leavenworth National Fish Hatchery (LNFH). Interest in the status of bull trout by some parties has shown the need to determine with some accuracy the frequency of occurrence of

bull trout encounters in the summertime recreational fishery. Valuable information on the spatial distribution of angling effort, and the quantity of fish caught would also be obtained.

Objective 1: Estimate total angler-hours by stream section between July 1 and October 31.

Objective 2: Estimate total catch and numbers of fish released for all species caught.

Methods

A stratified schedule was set up to sample weekdays and weekend days. Weekdays were chosen at random while at least 75% of the weekend days were surveyed. Surveys were scheduled to continue until the normal closure on October 31, or until angling effort dropped to near zero.

Each sampling day was divided into two sampling periods "AM" (0600-1400 hours), and "PM" (1400 - 2000 hours, or dark), roughly 10 miles of stream above the Leavenworth National Fish Hatchery was fully surveyed on each survey date.

Morning sampling periods were initially scheduled as the start time twice as often as evening periods because in previous years most fish were caught in the mornings. Monitoring potential take of ESA-listed bull trout was considered the most important feature of the survey; accordingly the sampling schedule was set to encounter the most fish possible.

Weekday and weekend-day effort curves were developed by averaging the total number of anglers per hour observed along the creek. Angler interviews occurred within, and outside of count intervals. Information was collected on angler effort, number of and species of fish caught, number of fish released, and length, weight, of any trout or char kept. Anglers were asked if they or anyone else caught and released any bull trout while fishing.

Daily environmental conditions were recorded, including, but not limited to AM and PM air temperature and weather conditions; AM and PM stream water temperature, and general flow and water clarity conditions. Any unusual and pertinent observations were also recorded.

Results

We estimate that during the entire 2008 season 5,638 angler trips were taken for a combined total of 3,894.5 hours of fishing. A total of 6,473 trout were caught, 6,471 of these fish were released, and only 2 were kept. None of the anglers interviewed reported having caught and released a bull trout; angler trips lasted only from 0.67 - 1.31 hours Table 1. A bimodal distribution of effort peaking in the AM and then again in the PM occurred on the Icicle River in 2008 Appendix figures 1-7 and Appendix Table 1.

Table 1. 2008 season creel survey results for the Icicle River up river from the Leavenworth National Fish Hatchery to Leland Creek.

SUMMARY STATISTICS:					GRAND
	July	August	September	October	TOTAL
Estimated Total Effort (hrs):	1199.6	1905.6	581.3	208.0	3,894.5
Estimated Total Angler Trips:	1906	2848	442	442	5,638.3 ←
Estimated Total Trout ^A Harvest:	0	2	0	0	2.0
Estimated Total Trout ^A Released:	2075	4157	209	31	6,471.4
Estimated Total Trout Catch:	2075	4159	209	31	6,473.4 ←
Estimated Total bull trout catch and release:	0	0	0	0	0.0
Mean Hours per Trip ^B :	1.06	0.67	1.31	0.96	

A: Trout = Rainbow, Cutthroat and brook trout (excluding bull trout)
 B: Calculated from completed angler information only

Discussion

The Icicle River from the LNFH rack upriver to Leland Creek is managed under statewide season rules and is open to trout fishing from June 1- October 31. However, high flows and cold-water conditions precluded fishing until mid July. Despite attempts to locate anglers in June and early July none were found. Also, no anglers were found in October during morning surveys on weekdays or weekends, most likely because of cold weather. Very smoky conditions in August and September from a forest fire in the Jack Creek drainage also affected the fishery. Unfortunately, in the spring of 2008 a landslide down Doctor Creek flooded and damaged about a mile of the Icicle River Road. The road remained blocked at the Ida Creek Campground (approximately 10 miles up river from the LNFH for the entire fishing season. This complicated sampling the normal angler effort distribution. However, angler effort upstream of Ida Creek turned out to be low, only few walkers accessed the creek upstream of Ida Creek.

Some of the results from the survey were surprising; particularly how few fish were kept. Consequently, actual observations of fish by WDFW were infrequent. Based on these limited observations and on interviews with anglers judged to be competent enough to identify fish to species we estimated that at least 95% of the fish caught were rainbow trout the rest brook trout. None of all the anglers interviewed reported having caught and released a bull trout. Either no bull trout were caught during the season or these fish were caught so infrequently that we were unable to detect it during the survey.

Another surprising result, angler trips lasted only from 0.67 – 1.31 hours. The majority of anglers can be characterized as campers, mostly families and rock climbers and/or other groups whose main reason to be in the area was not fishing. The gear used among these anglers was often not in compliance with regulations i.e. selective gear rules. For these groups fishing was a secondary activity that was ended after only a brief effort. Reasons for these short fishing trips are probably the rugged nature of the landscape and unwillingness to put forth the considerable exertion needed to catch two fish over 8 inches. Due to the overall cold temperature regime of the river most fish are less than 8 inches long. Statewide rules are in effect for the Icicle River. Trout must be 8 inches or greater to keep them.

Conversely a small fraction of anglers were on the river for the sole purpose of fishing. Typically these anglers used selective gear, they fished more remote areas of the river, their trip lengths were longer, and they caught and released many fish ranging from 20 – 60 fish per day.

Conclusions and Recommendations

- > Incidental hooking mortality of bull trout is not a significant problem during the Icicle River trout season. Never the less hooking mortality of all trout including bull trout could be reduced if angler compliance with selective gear rules was improved. Additional enforcement presence is needed. More signs and information on regulations and fish identification is needed. WDFW appreciates and encourages continued assistance by the USFWS with these needs. We
- > see no reason to change regulations to catch and release because essentially all fish caught are released. Changing the regulations from allowing retention of only two trout over eight inches to two trout less than 8 inches may result in some benefits. Fish over eight inches represent potential spawners and are more desirable to anglers who primary catch and release trout. The current statewide rule targets these potential spawners. The proposed change would eliminate this problem. Smaller fish are both more abundant and have a higher natural mortality rate than larger fish; consequently, the harvestable surplus (i.e. the number of fish above those needed for reproductive purposes) is greater among fish less than 8 inches than for fish over 8 inches. If only trout less than 8 inches could be kept it would be much easier, particularly for campers, to catch and keep fish for camp food. More study is needed to be certain that changing regulations would be warranted. Of particular need is a adequate sample of the trout population to correlate fish length frequencies to fish age.

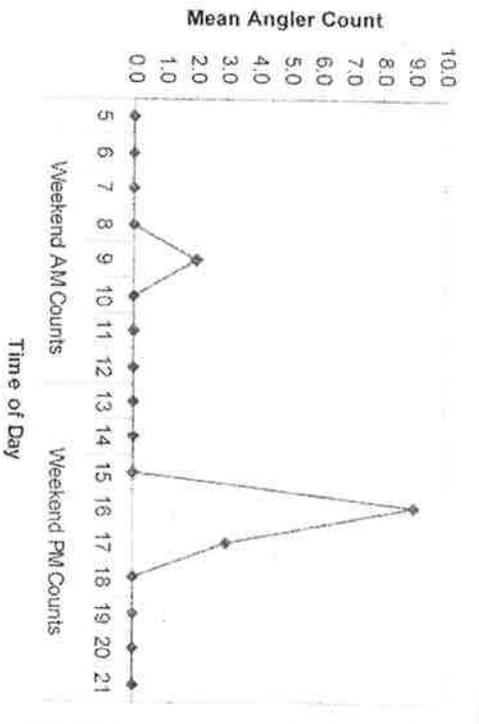
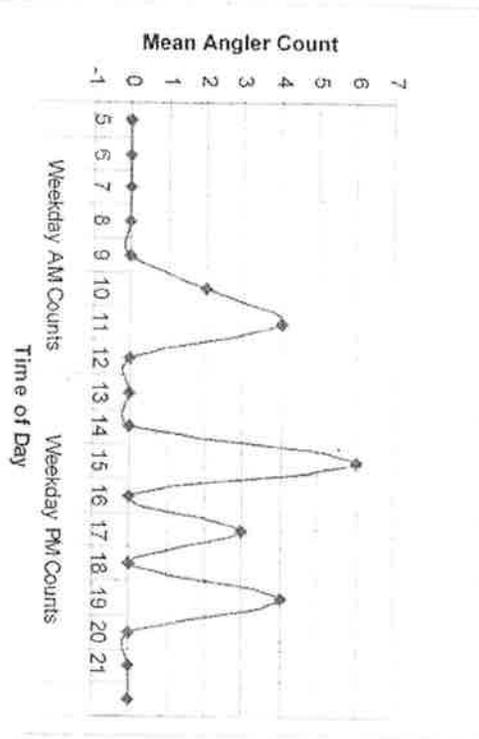


Figure 1. July 2006 weekday mean angler count by time of day. Figure 2. July 2008 weekend mean angler count by time of day.

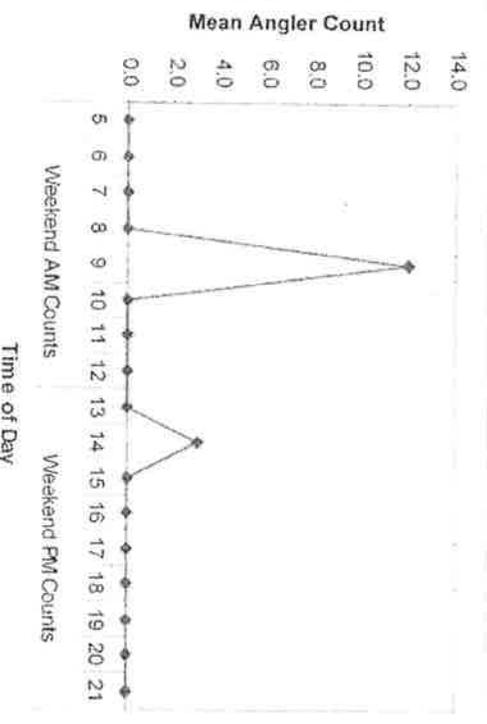
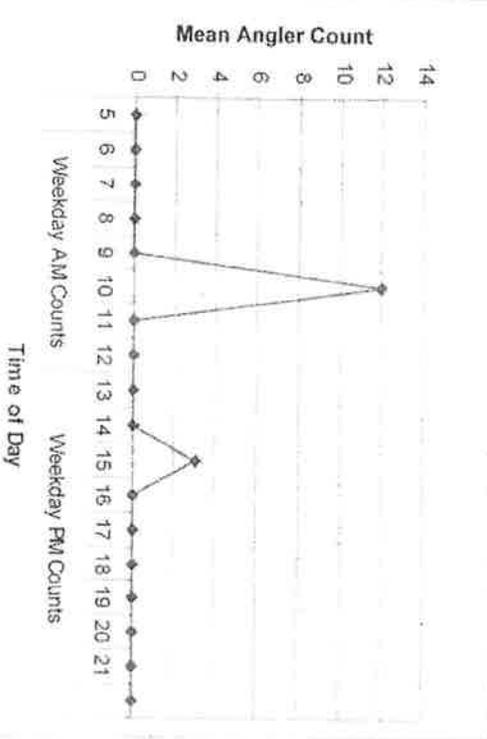


Figure 3. August 2008 weekday mean angler count by time of day. Figure 4. August 2008 weekday mean angler count by time of day.

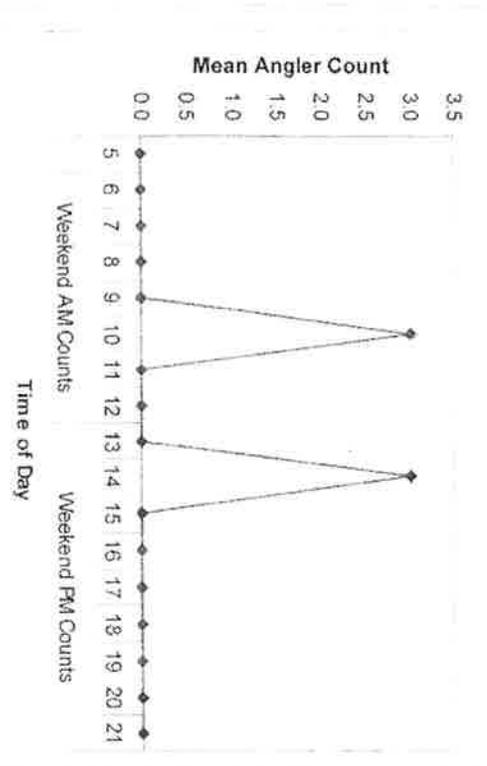
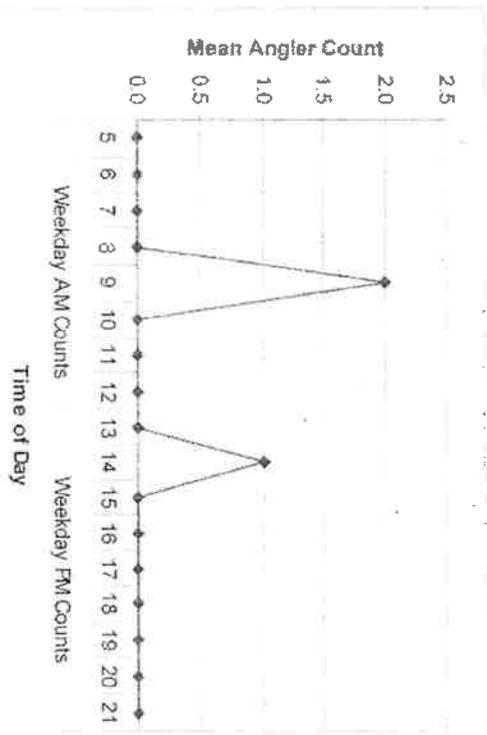


Figure 5. September 2008 weekday mean angler count by time of day. Figure 6. September 2008 weekday mean angler count by time of day

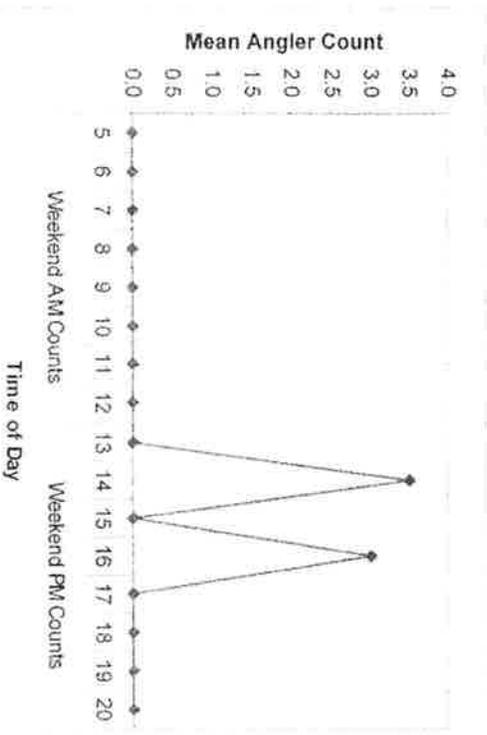


Figure 7. October 2008 weekend mean angler count by time of day.

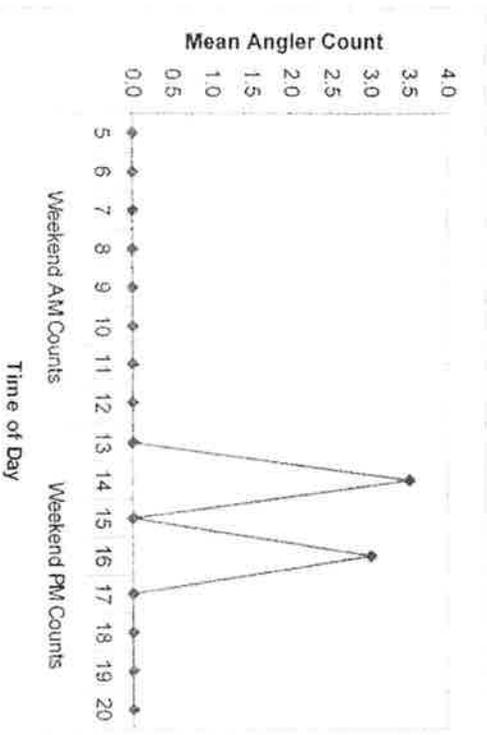


Table 1. River water temperature, and general flow and water clarity conditions, unusual and pertinent observations.

WD= Weekday
WE= Weekend

Date	Day Type	Military Time	Location	Water Temp. F
14-Jul	WD	14:05	Bridge Crk	55
15-Jul	WD	8:40	Bridge Crk	50
15-Jul	WD	10:45	Ida Crk	50
18-Jul	WD	16:15	Ida Crk	54
18-Jul	WD	17:05	Bridge Crk	56
18-Jul	WD	18:00	RV Park	58
19-Jul	WE	6:34	Ida Crk	49
19-Jul	WE	7:00	Bridge Crk	50
19-Jul	WE	11:00	Ida Crk	50
19-Jul	WE	10:15	Bridge Crk	50
20-Jul	WE	14:15	Ida Crk	55
20-Jul	WE	15:15	Bridge Crk	58
20-Jul	WE	18:00	Ida Crk	57
20-Jul	WE	19:10	Bridge Crk	58
24-Jul	WD	16:30	Bridge Crk	57
24-Jul	WD	18:00	Ida Crk	55
24-Jul	WD	18:30	Bridge Crk	56
25-Jul	WD	7:30	Ida Crk	50
25-Jul	WD	8:15	Bridge Crk	51
25-Jul	WD	11:30	Bridge Crk	54
25-Jul	WD	11:55	Ida Crk	53
26-Jul	WE	14:30	Ida Crk	55
26-Jul	WE	15:30	Bridge Crk	58
26-Jul	WE	18:00	Ida Crk	55
26-Jul	WE	18:33	Bridge Crk	58
27-Jul	WE	7:00	Ida Crk	52
27-Jul	WE	8:50	Bridge Crk	57
27-Jul	WE	11:20	Ida Crk	54

27-Jul	WE	10:50	Bridge Crk	54	
30-Jul	WD	13:50	Ida Crk	55	Water has drop six feet since July 14, 06
30-Jul	WD	16:00	Bridge Crk	56	
31-Jul	WF	9:50	Ida Crk	48	Water is still dropping but weather is windy
31-Jul	WD	8:20	Bridge Crk	49	
31-Jul	WD	9:30	Bridge Crk	49	
31-Jul	WD	11:20	Bridge Crk	51	
1-Aug	WD	14:20	Bridge Crk	57	
1-Aug	WD	14:35	Ida Crk	55	
1-Aug	WD	18:20	Bridge Crk	56	
1-Aug	WD	17:45	Ida Crk	53	
2-Aug	WD	6:15	Bridge Crk	51	
2-Aug	WE	6:50	Ida Crk	49	
2-Aug	WE	10:45	Bridge Crk	51	
2-Aug	WE	10:00	Ida Crk	52	
3-Aug	WE	15:30	Ida Crk	58	
3-Aug	WE	16:45	Bridge Crk	58	
3-Aug	WE	19:45	Ida Crk	51	
15-Aug	WD	6:45	Ida Crk	55	Water is still dropping and weather temp today in the 100
15-Aug	WD	7:30	Bridge Crk	56	
15-Aug	WD	9:30	Ida Crk	56	
15-Aug	WD	10:00	Bridge Crk	57	
15-Aug	WE	16:00	Ida Crk	03	The weather was 108 degrees
16-Aug	WE	15:00	Bridge Crk	65	Jack Creek fire still going
17-Aug	WE	7:00	Ida Crk	57	
17-Aug	WE	8:15	Bridge Crk	59	
17-Aug	WE	10:00	Ida Crk	57	Weather is up to 90's before noon
17-Aug	WE	10:30	Bridge Crk	60	
22-Aug	WD	6:25	Bridge Crk	50	Rained Early morning very damp/wet and very cold
22-Aug	WD	6:50	Ida Crk	49	
23-Aug	WE	6:27	Bridge Crk	51	Nice Weather - lots of people on the
23-Aug	WE	6:50	Ida Crk	49	River not able to talk to all
23-Aug	WE	10:50	Ida Crk	53	

23-Aug	WE	12:15	Bridge Crk	53	
26-Aug	WD	13:50	Bridge Crk	57	
26-Aug	WD	14:00	Ida Crk	56	
26-Aug	WD	15:30	Bridge Crk	57	
27-Aug	WD	6:20	Bridge Crk	52	Raining in the morning
27-Aug	WD	7:00	Ida Crk	50	
27-Aug	WD	9:00	Ida Crk	51	
30-Aug	WE	7:00	Bridge Crk	52	
30-Aug	WE	7:22	Ida Crk	50	
30-Aug	WE	8:50	Bridge Crk	51	
30-Aug	WE	10:00	Ida Crk	51.99	
[REDACTED]					
4-Sep	WD	14:00	Bridge Crk	55	
4-Sep	WD	14:30	Ida Crk	54	
4-Sep	WD	16:00	Bridge Crk	55	
4-Sep	WD	17:45	Ida Crk	53	Windy
5-Sep	WD	7:50	Bridge Crk	50	6.5 upper Johnny creel very cloudy
5-Sep	WD	8:20	Ida Crk	49	9.5 Breezy and very few campers
5-Sep	WD	9:08	Bridge Crk	50	
7-Sep	WE	6:20	Bridge Crk	52	lot of rock climbers that are camper
7-Sep	WE	7:05	Ida Crk	50	
7-Sep	WE	8:00	Bridge Crk	52	
7-Sep	WE	11:20	Ida Crk	52	Weather warming up
12-Sep	WD	7:30	Ida Crk	48	The water level has dropped again
12-Sep	WD	8:30	Bridge Crk	50	
12-Sep	WD	9:30	Bridge Crk	50	
12-Sep	WD	10:10	Ida Crk	51	
18-Sep	WD	6:30	Bridge Crk	50	Very Smokey Jack Creek Fire Flared up
18-Sep	WD	7:00	Ida Crk	48	
18-Sep	WD	9:45	Bridge Crk	50	
18-Sep	WD	10:00	Ida Crk	49	
19-Sep	WD	6:30	Bridge Crk	51	Very Smokey Jack Creek Fire Flared up
19-Sep	WD	7:00	Ida Crk	49	
19-Sep	WD	8:30	Ida Crk	49	

19-Sep	WD	11:00	Bridge Ck	51	
20-Sep	WE	15:30	Ida Ck	51	Salmon Festival/ Windy/ Raining really good at 18:00
20-Sep	WE	16:00	Bridge Ck	53	
20-Sep	WE	17:30	Ida Ck	51	
20-Sep	WE	18:00	Bridge Ck	53	
21-Sep	WE	13:50	Ida Ck	50	Salmon Festival/lost all Campers Gone
21-Sep	WE	16:00	Bridge Ck	53	Storm Clouds above no Rain
21-Sep	WE	16:30	Ida Ck	50	
21-Sep	WE	17:30	Bridge Ck	53	
27-Sep	WE	10:00	Ida Ck	45	wiked 1/2 Day/ Lots of Climbers
27-Sep	WE	10:55	Bridge Ck	47	
2-Oct	WD	7:15	Bridge Ck	48	Rained 7:00/few people in camp/forecast 48% chance of rain
2-Oct	WD	7:50	Ida Ck	46	
2-Oct	WD	9:00	Bridge Ck	48	
2-Oct	WD	10:45	Ida Ck	46	
3-Oct	WD	7:00	Bridge Ck	48	October Festival Started/train showers
3-Oct	WD	7:45	Ida Ck	47	
3-Oct	WD	10:00	Bridge Ck	49	
3-Oct	WD	10:20	Ida Ck	47	
4-Oct	WE	14:00	Bridge Ck	50	October Festival raining off and on
4-Oct	WE	15:00	Ida Ck	49	lots of campers
4-Oct	WE	15:50	Ida Ck	50	
4-Oct	WE	16:20	Bridge Ck	51	
5-Oct	WE	13:50	Ida Ck	46	Showned Last Night and October fest going on
5-Oct	WE	14:50	Bridge Ck	47	
5-Oct	WE	16:00	Ida Ck	46	
5-Oct	WE	16:30	Bridge Ck	48	
8-Oct	WD	7:50	Bridge Ck	43	Showned at higher elevations/Upper Johnny crk camp closed
8-Oct	WD	8:30	Ida Ck	42	Water Level Rose 4 feet
8-Oct	WD	9:30	Bridge Ck	43	
8-Oct	WD	9:50	Ida Ck	42	
10-Oct	WD	7:38	Bridge Ck	38	Campers start to come in/Day before general deer season
10-Oct	WD	8:10	Ida Ck	37	

10-Oct	WD	9:30	Bridge Ck	38	
10-Oct	WD	10:30	Ida Ck	38	
11-Oct	WE	14:00	Bridge Ck	40	Climber rope up conference lots of them in on the road
11-Oct	WE	15:00	Ida Ck	38	Lots of hikers and traffic due to October fest still going on
11-Oct	WE	15:45	Bridge Ck	40	water level down 2 feet
11-Oct	WE	17:00	Ida Ck	38.5	
14-Oct	WD	7:15	Bridge Ck	43	Water level was still down at 7:15 then at 11:15 the water rose 2 feet
14-Oct	WD	8:00	Ida Ck	42	I feel this is due to the snow melt off in the mountains
14-Oct	WD	10:15	Ida Ck	42	
14-Oct	WD	11:15	Bridge Ck	43	
15-Oct	WD	7:30	Bridge Ck	39	Frost on the ground
15-Oct	WD	8:00	Ida Ck	38	3 camper total and the camp grounds close 19th at 2:00pm
15-Oct	WD	9:30	Bridge Ck	39	
15-Oct	WD	10:45	Ida Ck	38	
16-Oct	WD	13:00	Bridge Ck	42	
16-Oct	WD	13:50	Ida Ck	41	
16-Oct	WD	15:00	Bridge Ck	42	
16-Oct	WD	15:30	Ida Ck	42	

3. Why this change is needed:

Fish over eight inches represent potential spawners and are more desirable to anglers who primary catch and release trout. The current statewide rule targets trout over eight inches. The proposed change would eliminate this problem. Trout less than eight inches in the Icicle River are both more abundant and have a higher natural mortality rate than larger fish; consequently, the harvestable surplus (i.e. the number of fish above those needed for reproductive purposes) is greater among fish less than 8 inches than for fish over 8 inches. If only trout less than 8 inches could be kept the number of larger trout may increase and it would be much easier, particularly for campers who make up the majority of anglers on this river, to catch and keep fish for camp food. Please see the included Icicle River 2008 Creel Survey report if more information or clarity is needed.

4. Public or Agency Involvement:

a. Names of individuals or groups with whom you have discussed this change:

Jeff Korth, local anglers, and Kelly Barbara Ringgold a USFWS Biologist At Leavenworth.

b. Describe their support or concerns.

Supportive

5. Rule Consistency:

When were the rules for this body of water last modified through either a permanent or emergency rule, and what was the reason for the adjustment?

At least not since year 2000.

Please mail, fax, or e-mail completed form(s) to: Pat Michael, NRB, Olympia, michapjm@dhs.wa.gov, Fax - (360) 902-2944. Phone# 360-902-2628.

Steelhead Trout Club of Washington

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WDFW Rules Committee

Proposed Sportfishing Rule Change #40 Methow River

We are opposed to the proposed WDFW rule change #40 to restrict the maximum hook size to a size #10 during the 4 month long trout season on the Methow River.

The Methow River is currently a quality fishery with "Selective Gear Rules" in place i.e.; only unscented artificial flies or lures with one single point barbless hook may be used. This is Catch & Release fishery during the trout season. Additional season long hook size limitations are not needed.

The proposed rule change to the small size #10 hook is intended to reduce the by catch of Steelhead that may be in the river prior to the end of the trout season in September. The size #10 hook restrictions will still allow the use of Glo Bugs (egg pattern flies tied on small hooks), plastic beads fished with a dropper hook and colored weighted beads. These are well known & productive Steelhead techniques that are fished on small size hooks that could still be used to target Steelhead under this proposed rule change. (see examples)

The restrictive #10 hook size proposal would eliminate the use of traditional size streamer flies, normal trout size lures and larger than size #10 dry flies (hoppers, humpys, stimulators etc) that are often used to float smaller size weighted nymph patterns in 2 fly presentations. (see examples)

Limiting the hook size to a small 10 hook for the entire season may well have a direct impact on the Salmon & Steelhead smolt in the river system during the early & mid portions of the 4 month long trout season. Larger barbless hooks in the size 6 or 8 size range that are used on lures, streamers & larger than size 10 top water flies will, in fact, decrease the chance of hooking these smaller fish & allows simple release of any of the few that may be hooked (most come loose in the net or are easily released untouched in the water!).

This rule change will create a season long small hook size dry fly and nymph fishery on the Methow River.

Adding a season long small size hook restriction to the Selective Gear Rules and Catch & Release regulations already in place will not solve the targeting of Steelhead by some anglers in late September as the trout season comes to an end.

The Steelhead returns in 2008 were large enough to support a Steelhead season in 2008 and are at near record levels in 2009. The '09 season was opened early on September 28 (with 3 days of fishing in September!) with a 4 fish daily bonus fish retention limit. It would appear that the minimal by catch of Steelhead in prior years has had little impact on the current returning Steelhead runs.

This is basically an enforcement issue regarding the targeting of Steelhead and the closing of the river during the last few days of the trout season in September. The Methow River under the Selective Gear Rules and catch & release regulations has served the river well through the years and it is now considered one of the premier trout streams in the State. Restrictive hook size limitations should not be added to the current rules that are in place and certainly not to the entire 4 month trout fishing season.

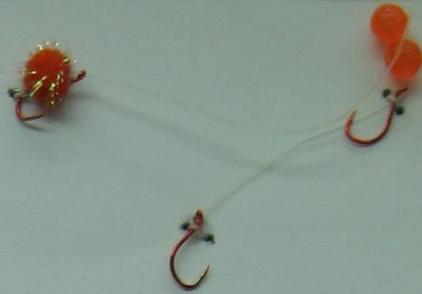
Hook restrictions or other solutions could be considered for the latter part of September when the targeting of Steelhead seems to be occurring. Size 10 hook restrictions should not be applied to the entire 4 month trout season on the Methow River that already operates under catch & release & Selective Gear Rules.

Al Senyohl, President, Steelhead Trout Club of Washington
Member, WDFW Steelhead / Cutthroat Policy Advisory Group
Home Owner, Winthrop, WA 509 996-2032 – cell 425 941-1148
Email – alsenyohl@aol.com

Against the proposed hook size 10 restriction on the Methow River



Popular Steelhead Glo Bugs & Bead Rigs on size 10 hooks can still be used to target Steelhead



Traditional size trout Spinners, Streamers, Stonefly & popular Dry Flies large enough to support 2 fly presentations (hook size 6 & 8)




SEATTLE CHAPTER, INC.
Steelhead Trout Club of Washington
Encouraging, advocating, and assisting the conservation of all sports fish, especially Steelhead
Al Senyohl, President contact@steelheadclub.com
425-941-1148 alsenyohl@aol.com
Washington's oldest sports club • Since 1928

Sue Morrison

Hi, my name is Sue Morrison from Monitor near Wenatchee. I am a member of the Inland Fisheries Policy Advisory Group, a director of the WA FFF as well as an avid angler. I would like to comment on #40. As you may be aware, there is a summer C&R trout fishery on the Methow that has been authorized by a Section 10 4b permit, #1554. This proposal seeks to reduce the take of steelhead during the trout season by restricting the hook size that people can use. I support any effort to minimize the impact of people targeting steelhead during the Methow trout season. However, it would be better to simply clarify the rules pamphlet to state that the river is open for "All trout except steelhead" as Permit #1554 only allows for the incidental take of steelhead during the trout fishery. By saying that the river is open for all trout (which includes steelhead), the rules pamphlet has authorized a direct take fishery for steelhead when the state has no authority to do so. Anglers are unknowingly violating Federal ESA regulations (as well as state law) when purposely targeting steelhead during the trout fishery. The permitted incidental take limit is so low, that only 20 steelhead may be caught and released and this limit can be quickly reached. The taking of steelhead during the trout fishery is becoming so widespread that the hard-won trout season has been closed early for the last 2 years, negatively impacting the local economy. This situation is likely to get worse as the word spreads that it's ok to fish for steelhead during the trout fishery and especially as several guides have started advertising steelhead fishing trips during the trout season. The local WDFW staff has tried in vain to stop or discourage this unlawful direct take, but anglers rightly point out that the pamphlet says that it's ok, as if the pamphlet trumps ESA. Olympia staff is well aware of this situation but maintains that the lawyers and enforcement say it's too hard to prosecute so they won't change it. Since when do we let lawyers and police or enforcement officers decide what should and should not be legal based upon the difficulty of them doing their jobs? Plus, there are other examples in the pamphlet of a river having an open C&R fishery for one type of fish (like trout) while there is a closure for all other types of fish (like salmon). Please clarify the pamphlet to state that fishing for steelhead during the trout season is not permitted so that responsible anglers will stop targeting steelhead, thereby reducing the incidental take keeping our trout season open longer and bringing us into compliance with the terms of Permit #1554. And I know 1554 may be rewritten because of recent court decisions, but there is no reason that we can not take a more sensible approach to protecting our state fish, the wild steelhead. Thank you.

WDFW

Regional Public Hearing / Proposed Fishing Rules 2010-1012

Region 5, Vancouver, WA Office

October 8th 2009

Rule #75. Spirit Lake (Cowlitz Co.)

Proposed: Open by limited-entry drawing, Saturdays only June 15 – October 31. Catch-and-release and selective gear rules. Fishing from a floating device or from a designated bank area only.

Explanation: This fishery is contingent on the U.S. Forest Service allowing public access. The Department has requested that the U.S. Forest Service allow access for this limited fishery that would provide anglers with a special fishing opportunity on a population of large trout, and is hopeful that an agreement can be reached.

Clark-Skamania Flyfishers, along with many other organizations and individuals, are very disappointed with the WDFW's current approach to the rule change promoted for Spirit Lake in this year's rule changes.

As many of you know, CSF and others have been involved in an attempt to negotiate an opening of this lake with the Forest Service and the Mt. St. Helens Monument personnel for over seven years. These efforts to resolve this issue have, to this date, been unsuccessful.

Our patience and energy for this struggle is close to exhaustion. In order for us to determine if we want to continue this effort, we need a more comprehensive understanding of the WDFW commitment to this issue.

In order for CSF and others to analyze the value of further commitment to this cause, we are asking for the following questions and inquiries to be answered by the WDFW.

1. We are requesting the names and titles of all WDFW personnel who were involved with the decision on this rule change. Also, we request that each of these people respond, in written form, with an explanation of how and why they reached this decision.

2. We are requesting a detailed plan as to how the WDFW proposes to proceed with any negotiation with the Forest Service regarding this issue. The plan should include strategies, tactics, time lines and an explanation as to why the WDFW feels that these negotiations will produce a resolution on this subject.
3. We are requesting all records of any grants or funding provided by WDFW to any organization regarding research at Spirit Lake. These records should include dates, amounts and explanation of the results of these expenditures.
4. We are requesting records of all WDFW permits that have been issued to any organization for research at Spirit Lake. Along with the records, we are asking for a listing of all data shared or recovered from these permits.
5. We are requesting that the WDFW issue a statement as to why an agreement is necessary with the Forest Service, given the fact that access to Spirit Lake is now open to the public. Your rule states: "This rule is contingent on the U.S. Forest Service allowing public access." This access is currently acknowledged by the Forest Service on their web site and is in printed material.

The following are the reasons behind our five requests:

1. It appears that this issue may have become more of a political issue than a fishing issue. We need to know if the WDFW fears unfavorable political fallout if they open Spirit Lake as requested? Would the opening of the lake cause the WDFW to suffer in other political areas from Senator Jacobson or others? In order for us to enter the political area on this issue, we need to understand the hidden agendas present.
2. For seven years we have tried to negotiate with the Forest Service. In the beginning, they would not even give us a hearing or answer inquiries. In the last four years, the WDFW was able to get the Forest Service to at least discuss some of the issues. At the beginning of these meetings, it was clear that the Forest Service was against any proposal to open Spirit Lake. You need only to review the notes of the first meeting on October 10th of 2008 where the Forest Service made the following opening statement: "This is a Class 1 Research Area and we have different perspectives on it. We are going to agree to disagree and table the discussion on whether this is a Class 1 Research Area or part of the forest."

From that point until now, one road block, delay or objection after another have been put forth by the Forest Service. Each obstacle has been addressed and cleared or mitigated by the WDFW. From the most ridiculous road blocks such as dangerous quick sand to the killer logs that hunt down fisherman to the latest requirement of an EIS, the Forest Service has attempted to block any meaningful negotiation on how to open this lake to a recreational pursuit.

You only need to review a letter sent to the WDFW Commission Chair and the Governor's Office to get a sense of how the Forest Service negotiators feel about the WDFW. The letter attached was dated February 21, 2009 and was written by a senior Forest Service negotiator. The following are a few of his comments regarding the WDFW.

“WDFW used an end run around the U.S. Forest Service - The proposal is offensive - WDFW action is among the most unprofessional and counterproductive - WDFW is spending its limited time and resources to subvert existing enforcement protections - Exceedingly unprofessional - Outdated and decidedly special interest orientated department - Misrepresentation of an issue constitutes a violation of professional standards.”

This language does not suggest an open and fair minded approach to the negotiating process. It is our understanding that phone calls to Guy Norman from the senior negotiating member of the Forest Service would make the above comments mild by comparison.

The latest road block is the EIS and is completely without merit. A trail to the lake was evident years ago in a response by the Forest Service in the Department of Game document (Page 425, paragraph 2). This document suggests that Spirit Lake and St. Helens Lake be removed from the Class 1 Research protection. The Forest Service responded to this comment on page 361, as follows, “A hiking trail is proposed from Windy Ridge viewpoint north to the Spirit Lake shoreline to a point that provides a good view of the crater and dome. This trail will be extended along the south shore of Spirit Lake to provide a tie to Harry’s Ridge. This trail will avoid the unique feature and intensive research presently on-going in the basin, and could provide access for fishing sometime in the future.”

It was never intended in the CMP for there to be no access from the Spirit Lake Highway to Spirit Lake. The trail referred to above was to supply a replacement access that was lost when the shuttle bus route to Spirit Lake in preferred alternative “D” was dropped.

Another factor negating a need for an EIS is the precedence of the Elk hunting rule for the same area only a couple of years ago. These two issues are the same, and it seems that the political pressure brought to bear at that time allowed the Forest Service to grant this recreation under a “category exclusion rule” to the EIS.

Even if an EIS is needed, the Forest Service states that they don’t have the funds or personnel to provide the needed information. If the WDFW or an outside entity were to provide the funds, we are still faced with the fact that the same people blocking this proposal, the Forest Service, are the same people who would review and decide on the EIS issue. What do you think the outcome would be? If you play a game where the opponent has the home field advantage, are the referee’s, and make the rules, it does not seem to be a level playing field.

The road blocks and stalling tactics make any meaningful negotiation with the Forest Service on this issue impossible at best.

3. An enormous amount of money has been and will be spent in the name of research at Spirit Lake by a few people. It is important that we follow the money trail. The Pacific Northwest Research Station alone has an annual budget of fifty-two million. Their fiscal year report shows

that the Base research appropriation account was 51% while Direct client support was another 36%. Another 12% was distributed to cooperators (Educational institutions). I have been trying for over a year to get information from this agency as to how much is being spent on Spirit Lake research and how much is planned for the future. These inquires have been met with stalls and unrelated information. The public needs to know how their tax dollars are being spent and what results are being gained from the expenditures.

4. We need to know if permits are being given to organizations to conduct research at Spirit Lake. If these permits are being granted, we need to understand what benefits are being derived from this permitting process. It is our understanding that any data produced by these studies are by permit regulations and are to be shared with the WDFW and the public. If this is the case, we need to see documentation of these rules being adhered to.
5. Access is now available via the Harmony Falls trail #224. This is confirmed by the Forest Service web site and printed material by the Forest Service and the Washington Trails Association. The Forest Service identifies the trail as follows: "It provides the only access to the lake at this time."

This access is currently being used by hikers and also by a growing number of people fishing the lake illegally. I have been asked by several of them as to why we are bringing this issue to public attention and not just enjoying the fishing opportunities presented by this access. The answer is obvious. It is time for the WDFW to open this lake to the public and take charge of its responsibility to protect and manage this fishery

We are requesting the WDFW to immediately respond, in writing, to these questions and inquiries. This information is vital to our ongoing commitment to this long standing effort to allow public access to a world class trout fishery.

Sincerely

M. Dennis Way

President

Clark-Skamania Flyfishers

DENNY WAY

From: "darcy mitchem" <dmitchem@usa-dialup.com>
To: <lburditt@fs.fed.us>
Cc: "Guy Norman" <normagr@dfw.wa.gov>; "Mark Smith" <ecoparkman@mac.com>; <mwecker@wwest.net>;
 "Denny Way" <denjanway@msn.com>; <john.weinheimer@dfw.wa.gov>
Sent: Tuesday, May 19, 2009 9:36 AM
Subject: Spirit Lake discussion

May 18, 2009

Hi,

I recently talked to you about Spirit Lake during the Mt. St. Helens Advisory committee meeting in Longview. I would like to follow-up with some citations. During this debate about fishing, nobody has really gone back to the Comprehensive Management Plan/EIS for guidance and asked the question "What does the Plan say about fishing in Spirit Lake?" The CMP address fishing in Spirit Lake directly. On page 237 the Scientific Advisory Board specifically instructed:

SPIRIT LAKE BASIN

A. Spirit Lake : No motor boats: pollution (except for administration)
Non-motorized boating or electric motors ok
Fishing and hunting ok

The USFS even provided access to allow fishing in Spirit Lake. The Department of Game (pg. 425 paragraph 2) suggests that Spirit and St. Helens Lakes be removed from Class 1 research protection area since no off trail travel is allowed without permits and nobody could fish the lakes because they are restricted to trails. The Forest Service responds to this comment on page 361 "A hiking trail is proposed from Windy Ridge viewpoint north to the Spirit Lake shoreline to a point that provides a good view of the crater and dome. This trail will be extended along the south shore of Spirit Lake to provide a tie to Harry's Ridge. This trail will avoid the unique features and intensive research presently on-going in the basin, and could provide access for fishing sometime in the future."

It was never intended in the CMP for there to be *no access at all* from the Spirit Lake Hwy to Spirit Lake. The trail referred to above was to supply a replacement access that was lost when the shuttle bus route to Spirit Lake in preferred Alternative D was dropped. This shuttle was proposed on an existing road that was bulldozed through the pumice plain and used for the tunnel and pump station until the mid-80's. The access was changed to a trail that spanned from Windy Ridge to Johnston/Coldwater. The trail was to be built after Johnston Ridge was complete. Unfortunately, fish were discovered in Spirit Lake before the trail was built. I was working for the Forest Service as an interpreter at Coldwater when fish were discovered. We were instructed by Monument Manager Lynn Roberts to not mention that fish were in the lake in our presentations to the public. We could answer direct questions about fish, but were not allowed to bring the subject up first. It was a don't ask, don't tell policy on fish. Why? Because people might want to fish the lake (this was in 1992-3). And when the trail (Truman trail 207) was actually built, it was re-located away from the lake. I urge you to compare the trail route on the map of the modified, selected Alternative D with the trail that we currently have. It is my strong belief that this was done specifically to prevent access for fishing, despite promises in in the CMP to the State that a trail here could provide fishing access in the future.

As for the guidance of the joint Wildlife Management plan, I have heard the scientists claim that this plan bans fishing in Spirit Lake. The Wildlife Plan itself does not support this assertion. The bottom of page 2 top of page 3 outlines the responsibilities of agencies: the state manages the wildlife, the USFS manages their habitat. Note, that only fish stocking is discussed (not fishing). Spirit Lake is simply one of many lakes with no fish stocking. On page 3 it seems the plan will address hunting/fishing in Class I areas in Item 1, but it backpedals on page 6, decides only to address fish stocking, and relies on the CMP, the Monument act, and federal and state law for guidance in the other issues. It is important here to compare the map of Class I area (next page figure 2) with the so-called "restricted area" that has the extensive regulations of Class I areas, but, according to the CMP (pg.240-242) these Class II areas do not need this type of regulation.

The Fish and Wildlife Plan talks about Spirit Lake on page 25, when it says no fish are present, but spawning habitat may be available in the distant future. On page 33, Spirit Lake is NOT listed as one of the 13 lakes without [planned] trail access. Research at lakes is discussed, but no where does it state that fishing and research are not compatible. (pg. 36). The main discussion is Appendix A, where which lakes are to stocked is addressed. Again, fishing is not mentioned, and several of the s where stocking was not allowed currently allow fishing.

The three prominent misconceptions perpetrated by the scientific community are simply not backed up by either the CMP or the

5/19/2009

and Wildlife Plan.

These unsupported assertions are:

1) The Restricted Area is the same thing as the Class I Research Area

The CMP does not mention any restricted area, and certainly does not recognize "this" area at all. According to the closure order, the current restricted area contains a combination of Class I (the only place where heavy restrictions are allowed) Class II (where location of travel routes and education of users, not regulation, is suppose to be used to ensure protection of resources), unclassified Weyerhaeuser land purchased in 1992, and land currently owned by the State DOT and DNR.

2) The Spirit Lake area is set aside for the exclusive use of scientists.

This statement is simply not supported by the CMP or the Fish/Wildlife Plan. With the possible exception of the crater, no area of the Monument is set aside for the exclusive use of any group. Certain areas simply require more mitigation and regulation to ensure that recreation and research can coexist. If there is a managing document out there that says otherwise, I would appreciate having a copy.

3) The joint Fish and Wildlife Plan banned fishing in Spirit Lake.

Again, read the plan. The only thing banned in Spirit Lake is fish stocking for ten years. If there is some "secret" plan out there, that changes the intent of the CMP, please provide a copy. And, any such behind the scenes agreement would go against the Fish and Wildlife plan, which contains a chapter on public involvement, cooperation, and full disclosure.

Aside from fishing, the loss of any access (even a strenuous hiking trail) from the Spirit Lake Hwy to Spirit Lake has prevented the Toutle Community from reconnecting with Spirit Lake. This lake has been culturally and historically important to SW Washington for generations, but we are not allowed to even hike there from our traditional access, the Spirit Lake Hwy. Again, the Truman trail was suppose to provide this cultural link back to Spirit Lake, but the location was moved. The last time I touched the water of Spirit Lake was July 4, 1979. I was 9 years old, and as a 5th generation Toutle Valley resident, I'm still waiting for the chance to walk from the Spirit Lake Hwy. to Spirit Lake again. I want my children to be able to reconnect. I want to touch the water and stand on the shore with the next generation and tell them that when I was their age I came here and tossed pumice in the water. I can't do this because of an interagency squabble over fish.

As a community, we urge the Forest Service to relocate the Truman trail back to its intended route along the shore of Spirit Lake, and allow the state to develop a limited fishery. The trails in this area are very low standard and inexpensive to build. In some cases, they are simply posts that mark the route. I'm sure our community could coordinate volunteers to build the trail, and since this is not a new trail, and is simply re-aligning an existing trail to its planned and approved route in the EIS, construction would be a main cost. It could be a great step forward for the community and the Forest Service (not to mention directly addressing some of the Advisory Committee's recommendations and frustrations), if, for the 30th anniversary of the eruption, people could hike from the Spirit Lake Hwy to Spirit Lake once again.

A response would be greatly appreciated,

Darcy Mitchem
 (360)274-7617
 1405 Sightly Road.
 Toutle, Wa 98649
 Toutle Valley Community Assoc.

----- Original Message -----

From: Peter Frenzen & Denise Fidel
To: mwecker@u.washington.edu
Cc: iff@u.washington.edu ; fswanson@fs.fed.us ; ccrisafulli@fs.fed.us ; delmoral@u.washington.edu ; Patrick Pringle ; cgardner@usgs.gov ; jimajor@usgs.gov ; Peter Frenzen (w) ; Susan Saul
Sent: Saturday, February 21, 2009 10:13 AM
Subject: Proposal for Lottery Fishing in Designated Research Area at Spirit Lake

Miranda,

As Chair of the Washington Fish and Wildlife Commission I would like to initiate a discussion between you and some of my colleagues who are engaged in long-term research at Mount St. Helens. Our concern is for the protection of ongoing and future research, especially in the core Class I Research area that includes the pyroclastic flow deposits in the valley between the mountain and Spirit Lake. We are particularly concerned about recent efforts of the WA Dept of Fisheries and Wildlife to make an end run around the US Forest Service to the WA legislature (HB1838) and their attempt to generate revenue by establishing a raffle and limited recreational fishery to promote public access and fishing in Spirit Lake.

This development is disappointing and frustrating on two fronts: 1) it denies a prior agreement between the scientific community and WDFW that was carefully crafted by the monument's Congressionally designated Scientific Advisory Board to preserve only 3 lakes intact for long-term research (the compromise included WDFW stocking of Coldwater Lake, a scientifically important newly created, fish-less lake) and 2) it is yet one more affirmation of the narrow hunting and fishing "commodity" focus of WDFW as they have abandoned designated procedures and the "agree to agree" habitat and research protection focus of the joint USFS - WDFW Fish and Wildlife Plan for Mount St. Helens. The fact that they intend to raise money for the department by raffling off entry into an internationally recognized and very sensitive research area makes their proposal all the more offensive.

I look forward to the opportunity to speak with you and answer any questions that you may have on this important issue. Since I continue to try to collaborate with WDFW in my role as Monument Scientist at Mount St. Helens, I am writing this as a concerned private citizen. To be quite honest, during my more than 20-years working with collaborating agencies, the recent actions by WDFW are among the most unprofessional and counter-productive that I have ever experienced. It will complicate our efforts to collaborate on important land management issues in the future. I hope that there can be a substantive change with selection of a new WDFW director and that it translates to a corresponding change in professional standards and behavior in our regional office in Vancouver.

Please feel free to contact at your convenience at my home telephone after-hours or on weekends or my personal email frenzenfidel@gmail.com I will be traveling out of the country and out of contact between 3 March and 25 March.

Thanks for listening,

Peter

The following background is from my recent letter to Governor Gregoire that provides more background and additional thoughts on this important issue:

I hope that these concerns can be incorporated into the upcoming selection of a new WDFW Director who will work to reform the department and foster a more ecosystem-focused agency with less of a pervasive single species, hunting and fishing focus. There are many pressing issues facing our state including invasive species, increasing urbanization and declining habitat. It's a shame to see WDFW spending its limited time and resources to subvert existing environmental protections to the benefit of politically-connected special interests.

My letter is prompted by recent actions by the department to influence and subvert the legislative process. My colleagues and I were shocked to learn during a recent WDFW-orchestrated hearing for HB1838 (March 11th) where only WDFW proponents and angler groups were invited to testify and there was NO prior notification of competing interests or opportunity for airing of alternative views.

Contrary to what you may hear from WDFW and angler groups there IS substantial opposition to the Spirit Lake fishing proposal by the Forest Service, scientists and volcano enthusiasts. I urge you and your staff to oppose this inappropriate piece of legislation. Spirit Lake is located within the most sensitive portion of the Mount St. Helens National Volcanic Monument, a 30,000 acre dedicated research area that is designed to protect unique natural features and opportunities for long-term research. Spirit Lake is one of only three lakes that were set aside for research as part of a carefully crafted compromise between the scientific community and WDFW in which all of the other lakes within the monument were made available for recreation and fishing.

At the urging of the department and local interests the Forest Service approved the stocking of Coldwater Lake (a scientifically important lake created by the eruption that did not have fish). The goal was to provide for recreational fishing and a replacement for the loss of recreational opportunities Spirit Lake. You can imagine the dismay of the scientists from Portland State and other universities who were engaged in study the evolution of life in newly created Coldwater Lake. WDFW stocked 30,000 rainbow trout in Coldwater Lake and the Forest Service and Cowlitz County invested hundreds of thousands of dollars to construct road access, parking, trails, restrooms and boat launch. Coldwater Lake, which is now teeming with 16" rainbow trout, is very under-utilized and provides a premier opportunity for fishing at Mount St. Helens. Despite repeated urging by the Forest Service, WDFW has done nothing to promote its expanded use and continues to focus its efforts on getting a few lucky anglers access into the dedicated research area and Spirit Lake.

Now, WDFW is adding insult to injury by ignoring their prior agreement with the Forest Service and joint Fish and Wildlife Management Plan to work together to protect wildlife habitat, the Class I Research Area, and Spirit Lake. WDFW's recent conduct and 'selective' airing of issues in the February 11 HB1838 hearing is exceedingly unprofessional. I hope that you and Lands Commissioner Marks will look into how the department is being managed and that every effort be made to select a new WDFW Director who will work to reform an outdated and decidedly special interest oriented department.

I'd appreciate a reply concerning standards for professional conduct by state employees. Does the misrepresentation of an issue at a legislative hearing and attempt to exclude opposing testimony constitute a violation of these standards?

Thanks for listening.

Sincerely,

Peter Frenzen

Scientist and Concerned Citizen



United States
Department of
Agriculture

Forest
Service

Gifford Pinchot
National Forest

10600 NE 51st Circle
Vancouver, WA 98682
Office: (360) 891-5001
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File Code: 1500/1900/2340

Date: November 30, 2009

Lori Preuss, WDFW Rules Coordinator
Washington Department of Fish and Wildlife
600 Capitol Way N
Olympia, WA 98504

RE: Sportfishing Rule Proposal #75

Dear Ms. Preuss:

This letter is submitted as written material to ensure WDFW Commission members are made aware of prior conversations regarding Sportfishing Rule Proposal #75 (page 28):

Proposal: Open by limited-entry drawing, Saturdays only June 15-October 31. Catch-and-release and selective gear rules. Fishing from a floating device or from a designated bank area only.

Explanation: This fishery is contingent on the US Forest Service allowing public access. The Department has requested that US Forest Service allows access for this limited fishery that would provide anglers with a special fishing opportunity on a population of large trout, and is hopeful that an agreement can be reached.

We have coordinated at length with WDFW regarding this matter. The Forest Service received a formal proposal from the Department in April 2009 (Attachment 1). We reviewed the proposal and identified several critical considerations that needed to be addressed prior to further action (Attachment 2). At this time, the department has not submitted a revised proposal.

In spring 2009 when SHB1838 was under consideration, questions arose regarding access to Spirit Lake for a fishery. I shared an information document with committee members regarding the existing situation and analysis needed (Attachment 3).



I feel Attachments 2 and 3 provide useful insight for your consideration as you assess your perspectives regarding Rule Proposal #75. Please contact me should you have questions.

Sincerely,

/s/ LYNN BURDITT
LYNN BURDITT
Deputy Forest Supervisor

Enclosure(s):

- Attachment 1: WDFW Spirit Lake Fishery Proposal (received April 2009)
- Attachment 2: FS Letter to Guy Norman (May 4, 2009)
- Attachment 3: Information Document provided to legislators (March 2009)

cc: Mary Wagner, Calvin Joyner, Janine Clayton, Lynn Burditt, Peter Frenzen, Tom Mulder,
Chris Strebig, Mailroom R6 Gifford Pinchot



State of Washington
Department of Fish and Wildlife
2108 Grand Blvd Vancouver, WA 98661 (360) 696-6211

March 12, 2009

Lynn Burditt
Deputy Forest Supervisor
Gifford Pinchot National Forest
10600 N.E. 51st Circle
Vancouver, WA 98682

RE: Spirit Lake Trout Fishery Plan

Dear Ms. Burditt:

The Clark Skamania Flyfishers (CSF) have advocated for a public trout fishery in Spirit Lake for several years. The Washington Department of Fish and Wildlife (WDFW) has supported developing a fishery for the unusually large rainbow trout in Spirit Lake and has worked with the United States Forest Service (USFS) to secure public fishing access. In 2007, the CSF submitted a formal proposal to enact state fishing regulations that would open Spirit Lake to public fishing. The WDFW did not recommend the Washington Fish and Wildlife Commission (Commission) adopt the CSF proposal due to unresolved access issues with The USFS. The WDFW Director, Dr. Jeff Koenings, informed the Commission that he and staff would continue to work with constituents and USFS in 2008 to implement a limited entry fishery in Spirit Lake.

Director Koenings followed with a meeting with Linda Goodman, Regional Forester-Region 6. They agreed to employ respective staff to explore the potential for implementing a fishery on Spirit Lake while being sensitive to the on-going Mt. St. Helens Monument research program.

Gifford Pinchot National Forest staff and WDFW regional staff engaged in several meetings in 2008 in an effort to coordinate details of a Spirit Lake Fishery Plan. WDFW staff submitted a draft approach to the fishery and the USFS staff identified issues they wanted to be addressed in a final proposal. The WDFW also coordinated with the fishing public consistent with our policy of involving constituents in planning of potential state fisheries.

The attached fishery plan is aimed at meeting the desire for a unique public fishing opportunity without affecting the integrity of the scientific research being conducted on and near Spirit Lake. In our discussions, you have indicated this fishery proposal would not likely qualify for exemption status and would need to go through an Environmental Assessment or perhaps a full

Lynn Burditt
March 12, 2009
Page 2

NEPA Environmental Impact Statement. You have indicated that the USFS does not likely have the budget to fund the environmental review process.

In submitting this proposal, WDFW is requesting the USFS expedite a fishing access review as soon as possible. Concurrently, there is a legislative bill being considered this session that would give WDFW the authority to receive funds from a raffle for a limited entry Spirit Lake fishery. The funds from a raffle would enable a fishery (if there is access) to be managed consistent with the proposed fishery plan.

Thank you for receiving this plan and for the USFS serious consideration of access to the fishery. I look forward to our continued coordination regarding our shared objectives of natural resource conservation and citizen use of public lands.

Sincerely,



Guy Norman
Regional Director
Washington Department of Fish and Wildlife

Cc: Phil Anderson, Acting Director, WDFW
Mary Wagner, Regional Forester-Region 6
Janine Clayton, Forest Supervisor, Gifford Pinchot National Forest
Cal Joyner, Deputy Regional Forester-Region 6
Liz Agpoa, Deputy Regional Forester-Region 6
Tom Mulder, Mt St Helens Monument Manager
Peter Fransen, Mt St Helens Monument Scientist
Jim Scott, WDFW
Jo Wadsworth, WDFW
Craig Burley, WDFW
Patrick Frazier, WDFW
John Weinheimer, WDFW
Tom Davis, WDFW

Attachment: Spirit Lake Fishery Proposal – electronic and hard copies sent to Phil Anderson, Cal Joyner and Lynn Burditt

Spirit Lake Fishery Proposal

Fishing Information

Fishing Season	Start date: June 15 or coincide with the Forest Service opening of visitor recreation areas. End date: October 31. 21 weekends total 1 weekend day a week
Fishing Participants	10 anglers per day with two or more Fishing Hosts. A fish host must accompany anglers. Participation in the fishery done by a raffle/drawing to be determined by Washington Department of Fish and Wildlife (WDFW).
Angling Methods	Selective gear rules apply Catch and Release Only Boat fishing from float tubes only, no motors Fishing from selected bank fish areas when fishing on the water by float tube not feasible

1. Access to the Lake

The Proposed Elk Management Areas map shows a trail that goes along the Pumice Plain (Attachment 1). Based on the discussion with Charlie Cristafulli he uses a route through the Pumice Plain that he and his assistants are aware of then goes through the wash out to the lakeshore.

It was suggested that Charlie Cristafulli could train the Fish Hosts on the direct routes that could be taken to the lakeshore. Charlie will sit down with Steve VanderPloeg to see about some acceptable/alternate routes to the lake.

Fishing Hosts will lead the angling party to the shoreline and back. Exact coordinates could be entered into GPS units. Fishing Hosts will be trained on how to leave little/no impact while walking to and from the lake and along the selected shoreline areas.

2. Fish Hosts

Volunteers are used by agencies throughout the United States as a way to obtain data that they may not normally be able to get due to lack of staff. For many agencies, if it were not for volunteer assistance, there would not be any information on the resources within their research/resource areas.

The Forest Service has an active volunteer program (Attachment 2) and Yellowstone National Park has an intensive angler volunteer program for the various lakes within

the park (Attachment 3). Anglers at Yellowstone take fish length data, fin clips for genetic work and other related fish bio data (*Personal Communication*. Dr. Todd Kook, Yellowstone National Park. 307-344-2281).

Volunteers are used extensively with WDFW for all activities including boat electroshocking, creel survey, juvenile salmon projects, stream sampling and smolt trap work among others. Volunteers on these projects take fish data including lengths, weights, fish scales, fish tagging/marking, wading fish looking for coded wire tags (CWT's), identify sex of fish and many other tasks.

Criteria for Fish Hosts

Criteria for fish hosts specific to the needs of the Spirit Lake Limited Fishery will be developed. Ideas for specific criteria could include:

- Age limit (21 year old minimum age requirement)
- Fishing experience required
- First Aid/CPR training required (but will train through WDFW if needed)
- Health/fitness requirements (able to hike in and out of the lake 4-5 miles)
- Ability to handle all types of situations (making quick decisions, emergency situations)
- Ability to follow set standard rules of the fishery
- Ability to take and record data on trout (e.g., weights, lengths, marking fish, taking scales)
- Understanding of WDFW fishing regulations for the area
- Ability to speak to the public regarding the project

Protocols for Fish Hosts

Fish Hosts will be trained for needs specific to the Spirit Lake project. Training could include:

- How to handle fish
- First Aid/CPR
- Using communication devices (satellite phone, spot locator messenger, walkie talkie)
- How to take data (e.g., using scales, measuring fish, how to take scale samples, marking fish)
- How to record data on a data sheet
- Walking with little/no impact
- Road safety on Forest Service roads
- Volcanic Eruption (ash) safety
- Understanding the log mat and how to determine when it's a safety issue
- Emergency issues other than illness/injury

Attachment 4 refers to some of the training information.

3. Angler Survey (Measure of Success/Failure)

Surveys are useful ways to determine the success of a project. Surveys have been used for various WDFW projects including the Fishing Kid's Events to measure the success or failure of a given project.

For the fishery project a survey could be sent out the week after an angler has fished. The surveys can either be anonymous or you can ask for contact information. Getting contact information will allow you to address specific issues and questions the angler had during his trip. Some of the questions in the survey could include:

- Name, address, email/phone number
- What day did you fish?
- What was the weather like?
- How would you rate your fishing experience at Spirit Lake (Excellent, Good, Fair, Poor)
- How would you rate your experience with the Fishing Host (Excellent, Good, Fair, Poor)
- What did you like best about your fishing trip to Spirit Lake?
- What did you like least about your fishing trip to Spirit Lake?
- Did you have any concerns while fishing at the lake?
- What recommendations would you make for the future of the fishery?
- How would you rate the fish you caught at Spirit Lake (Excellent, Good, Fair, Poor)
- How accessible was the lake? Comment on the hike in/out.
- Would you like to see this fishery continue?

At the end of the fishery, the surveys can be compiled and put into a report.

4. Introduction of Invasive Species

Currently the Forest Service uses a 10% bleach solution to disinfect all of their gear. Rocky Mountain National Park and Yellowstone National Park have plans in place to help avoid the introduction of invasive species by using intensive disinfection methods. WDFW has developed a protocol similar to the one used at Rocky Mountain National Park (Attachment 5).

From discussions with several fly fishermen, in their travels to lakes across the country they have not been in situations where flies and rods were required to be disinfected. In many cases, trying to disinfect flies by using bleach, vinegar or even hot water (on dry flies) will ruin the gear.

Yellowstone National Park does not require anglers to disinfect flies or rods. They do require gear to be wiped down prior to being used in other bodies of water. Waders should be scrubbed down but the major concern is water/mud being moved between drainages that can transfer invasive species. (*Personal Communication*. Dr. Todd Kook, Yellowstone National Park. 307-344-2281).

5. Fish Handling and Mortality

Two things contribute most to catch and release mortality: hooking area and physiological stress. The hooking area can be separated into two categories: deep hooking and shallow hooking. Deep hooking often occurs with the use of bait and the hook is swallowed. Shallow hooking occurs when the lip or jaw of the fish is hooked. Mortality is highest for deep hooked fish and low for shallow hooked fish.

Physiological stress can happen when the fish is played too much on the line, improperly handling the fish when out of water and improperly releasing the fish back into the water. These situations can cause high mortality to the fish. Use of light line, where the fish cannot be reeled in quickly and use of nets to remove the fish from the water can also lead to high levels of stress.

Mortality can be decreased by setting specific standards for landing, handling and releasing the fish. Examples include:

- Do not play the fish to exhaustion
- Data should be taken quickly and efficiently to minimize out of water time for the fish.

Safe release methods should be observed. Release fish carefully. If fish shows signs of exhaustion/stress, slowly move fish through the water.

6. Search and Rescue

The Skamania County Sheriff's Office was contacted to find out more specific information on issues that could occur at Spirit Lake. If S & R was required, it would be done out of Skamania County. All S & R efforts are paid by the statewide program, which is funded by the taxpayers of the state. The Forest Service would not be responsible for covering for the cost of the rescue.

We will work with the S & R group to develop a protocol to make a rescue easier if a rescue situation becomes necessary, they are also interested in going into the lake to see what they would need to know and doing practice dives in the lake.

Any S & R group will have concerns about rescue efforts whether they are responding to people at a lowland lake, a high lake or on the volcano. Working directly with the S & R group in the initial process of developing a limited fishery on Spirit Lake will create an active partnership and allow S & R to be included on developing protocols that will be safer for everyone involved.

For safety, Fishing Hosts could call in/out through the dispatch in Skamania County.

7. Log Mat

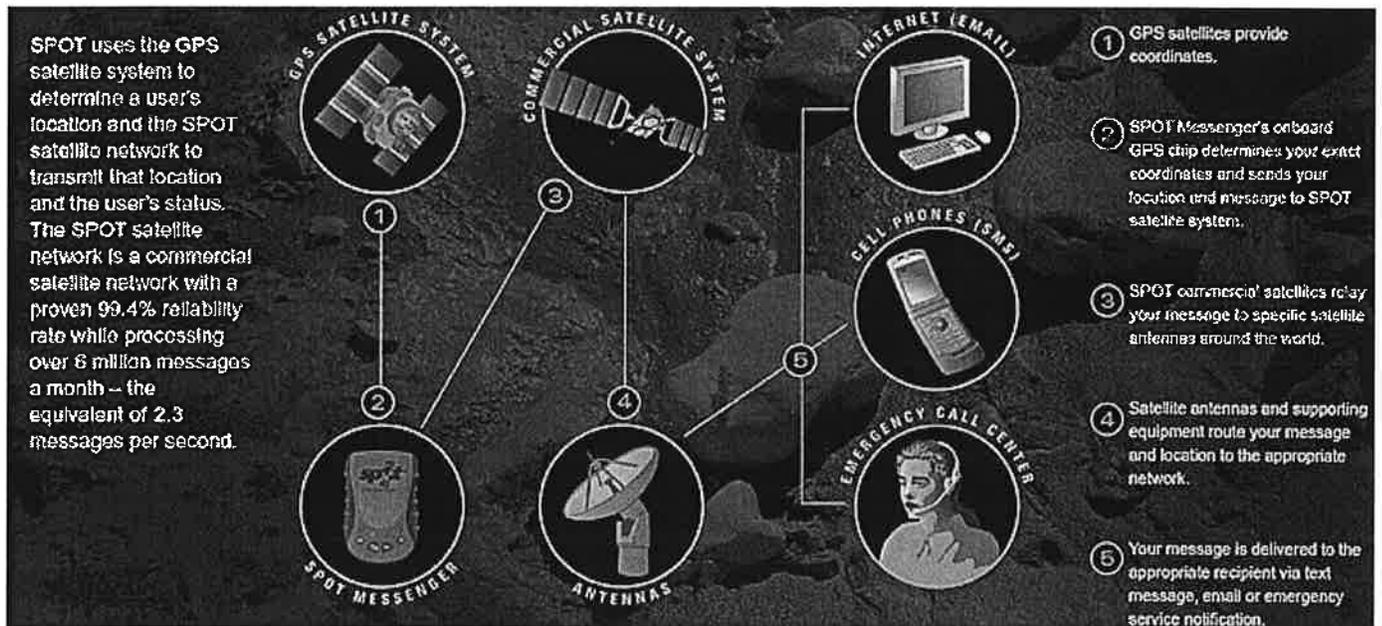
The log mat consists of log debris that floats around freely in the lake. Depending on the wind, the mat can be at one end of the lake in the morning and move to the other end by the afternoon. The Forest Service utilizes a boat with motor to operate in the lake in case the log mat suddenly moves and they need to get out of their work area.

For the fishery, if participants reach the lake and find that the log mat is a hazard to being on the lake, they could fish from the bank instead. Fishing Hosts could be trained by Forest Service personnel to better understand the log mat and how it moves. By doing this, the Hosts would have the final decision on any given day on whether the lake can be fished by tube or needs to be fished on the shoreline.

8. Communication

Different levels of communication could be used at Spirit Lake to make sure that Fishing Hosts can contact Emergency groups or be in contact with staff. The Spot Messenger Locator has been tested at Spirit Lake and works. The Messenger can send a direct call for help to emergency agencies.

From the website: <http://www.findmespot.com/home.aspx>



Public Communication

Kiosks will be provided to assist the public with information regarding this fishery. WDFW and Clark Skamania Flyfishers (CSFF) will work with the Forest Service to develop language for a kiosk and determine how many should be completed and where they should be located. WDFW will work with the Forest Service to determine if additional public outreach efforts are necessary. Other outreach opportunities could include news releases, web site postings, flyers etc.

9. Enforcement

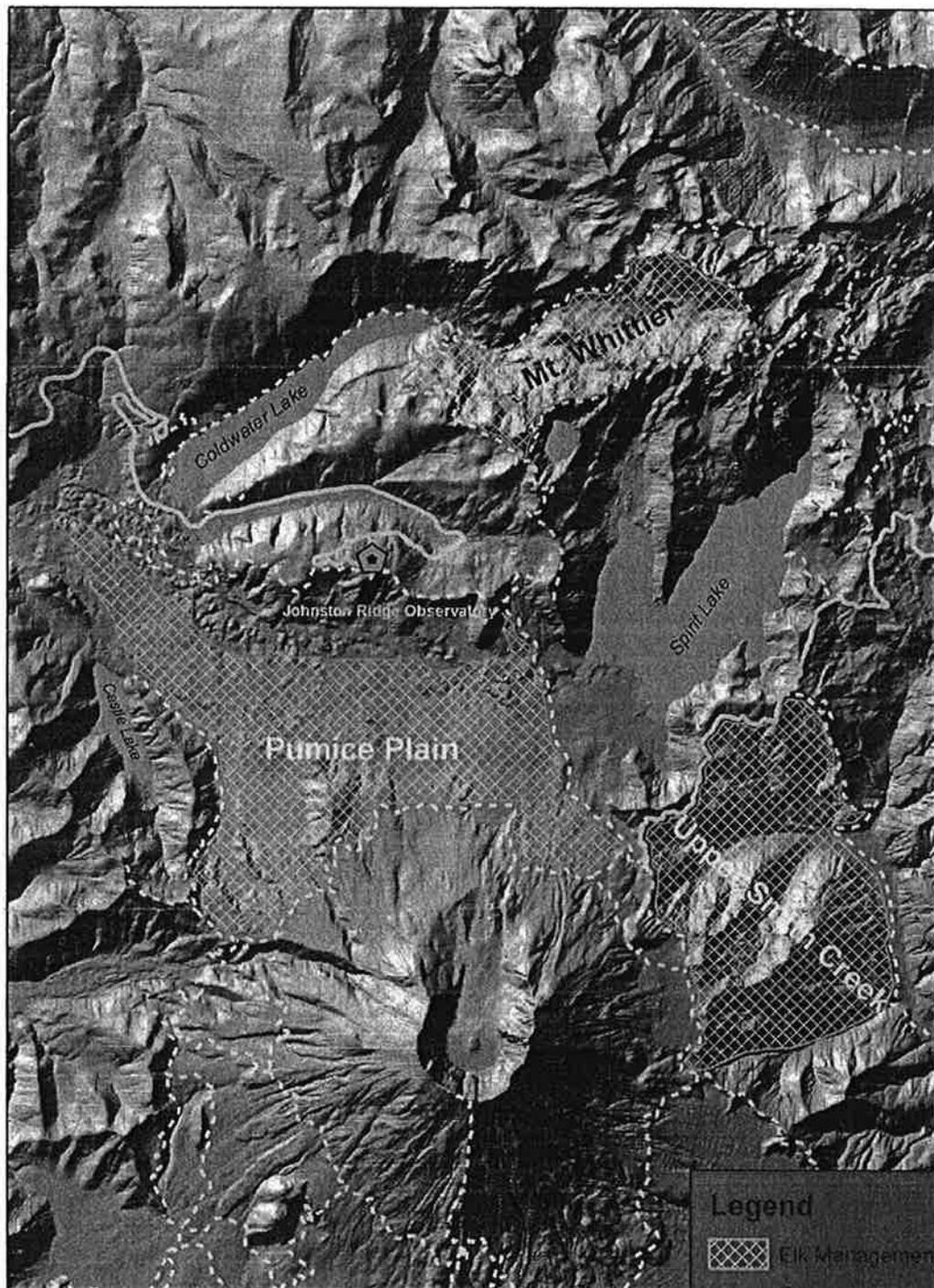
WDFW Region 5 Enforcement Program will provide regulatory enforcement at Spirit Lake consistent with fisheries in other Gifford Pinchot National Forest Lakes. The enforcement level of activity at Spirit Lake will adapt to specific circumstances in balance with other demands for resource protection in the Region.

10. Environmental Assessment (EA) Alternative

As part of the EA process additional fishery options will need to be considered for Spirit Lake. These fishing options could result in liberalization of one or more of the following aspects of this fishery.

- Increased days per week
- Increased numbers of participants per day
- Allow retention of rainbow trout

Proposed Elk Management Areas



Mount St. Helens Conservation Corps Volunteers



Volunteers are needed:

- Projects range from a one-day, a weekend, or a week-long commitment.
- Work includes trail maintenance, recreation site restoration, and resource conservation projects (includes stream restoration, noxious weed removal, and assisting with research projects).
- Maintenance work is physically demanding and often occurs in remote locations. Volunteers need to be prepared for physical exertion in exposed locations around the volcano, often without shade and water. Summertime weather conditions can vary from hot and dry to cold and wet.

Qualifications Required

Conservation Corps volunteers must be capable of hiking long distances while carrying tools, safety gear and their own personal provisions. They should be prepared to perform a variety of physical tasks including using hand tools, bending at the waist and knees, reaching, twisting, kneeling, lifting, and digging. For multi-day projects, volunteers must be prepared to camp out in remote settings and work and live in a small group situation.

Long-term volunteers need to attend Red Cross Standard First Aid / CPR or equivalent prior to the season or arrange to attend the monument sponsored First Aid class this spring (please bring your certification cards with you).

Most important, is a love for the outdoors and a desire to have fun and make new friends! Prior trail maintenance experience is helpful, but is not required.

Responsibilities

As a Conservation Corps Volunteer you will be responsible for:

1. Your own personal safety and for contributing to the overall safety of the crew.
2. For performing trail and facility work to Forest Service standards.
3. For providing your own health insurance. The Mount St. Helens Institute will cover on-the-job injuries only.
4. For providing your own sturdy hiking boots or work boots, work clothes, rain gear, warm jacket, sunscreen, hat and sunglasses. The Mount St. Helens Institute will provide work gloves, hard hats, and other required safety equipment.
5. For letting the crew leader know, in a timely manner, when they will be unable to work so the crew's schedule is not adversely impacted.



Training

The majority of the training will occur on-the-job, as the volunteers draw from the experience of the Mount St. Helens Institute, Forest Service staff and other volunteers.

In addition,

- Volunteers will be provided with written materials on monument policies and the trail maintenance program.
- Long-term volunteers will be invited to attend Monument Orientation and other training session(s) related to safety and trail maintenance.



Support

- Conservation Corps volunteers will be supervised by the Crew Leader, who will provide ongoing feedback on whether the work is being done safely and to standard.
- The Crew Leader will ensure that Tailgate Safety Sessions are conducted on a regular basis, in order to identify and mitigate any

risks and hazards associated with the project.

- The Volunteer Coordinator will be the contact point to receive information on lodging, subsistence, and scheduling.
- The Crew Leader will conduct an Exit Interview at the end of the season to provide additional feedback and volunteer support.

Benefits

Experience & Training: Volunteers gain experience and knowledge of trail standards and maintenance and construction techniques. Access to agency and Institute training sessions and other opportunities.

Conditioning: Volunteers will be in good physical condition as a result of doing trail maintenance work.

Satisfaction: Volunteers will have tangible evidence of work they accomplished, which could be measured in miles of trails maintained, miles of trails and trail structures constructed, and miles of trail condition surveys completed.

Outdoor Work: Volunteers spend most of their time outside on trails.

Lodging & Subsistence: Depending upon the position and length of service volunteers may be provided bunkhouse lodging and/or subsistence (living allowance) as needed. Housing and



subsistence rates will be discussed prior to signing a Volunteer Agreement. Volunteers are considered as federal employees for the purpose of tort claims and compensation for work injuries.

The Fine Print

Volunteers are accepted without regard to race, color, creed, religion, age, gender, sexual orientation, national origin, political beliefs, marital or familial status, or disability. Volunteers under the age of 18 will be considered with a parent's or guardian's participation and signed permission.

Participation in the volunteer program may be terminated at any time for repeated absences, poor performance, safety violations, or violations of policies and regulations. Appropriate opportunities for correction or improvement of performance will be provided. MSHI and its agents may make confidential background checks or inquiries of personal and employment matters of prospective volunteers in order to determine eligibility and acceptance in the volunteer program.

To Apply for a Full or Part-Time Conservation Corps

Volunteer Position

Positions for the 2008 visitor season will be filled with qualified applicants on a first-come, first-served basis prior to each

volunteer project. Persons interested in weekend volunteer projects should complete a Weekend Volunteer Registration Form.

1. Complete an online application form for full or part-time volunteer positions [Conservation Corps Online Application](#)
2. If you'd prefer the application in print form, please contact us.

For More Information

Visit the [Mount St. Helens Institute](#) website.

Email: Info@mshinstitute.org

(360) 449-7887

Mount St. Helens Mountain Stewards



Volunteers are needed to assist with management of the [Mount St. Helens Climbing Program](#) and the [Mount Margaret Backcountry](#). Mountain Steward volunteers will work with Forest Service and Mount St. Helens Institute (MSHI) staff to administer permits and provide visitor information contacts while patrolling the climbing route and backcountry areas around the volcano.

Duties will include providing resource protection, safety, and fee compliance information; rendering first aid; and providing assistance to search and rescue personnel. Volunteers will also assist with trail condition surveys, trail and campsite maintenance, and Mount St. Helens Institute education education programs and special events.

Qualifications Required

Mountain Stewards volunteers must have extensive hiking and backpacking experience and strong map reading, compass and GPS skills. The position requires excellent public service and communication skills and a desire to serve a diverse recreating public.



Mountain Stewards volunteers need to attend Red Cross Standard First Aid / CPR or equivalent prior to the season or arrange to attend the monument sponsored First Aid class this spring (please bring your certification cards with you). Volunteers who need **Standard First Aid Training** can sign up for a **monument sponsored class** in mid-June (please let us know if you'd like to attend our First Aid class so we can discuss details).

Volunteers need to be physically capable of hiking and climbing in steep terrain (average of 10 to 15 miles per day), carrying a 40-pound pack, and camping in remote backcountry settings. They should be capable of performing a variety of physical tasks including using hand tools, bending at the waist and knees, climbing, reaching, twisting, kneeling, lifting, and digging. Volunteers must also be capable of working on exposed slopes in remote, rugged terrain under a variety of conditions ranging from cold and wet to hot and dusty.

Science and Interpretive Training Workshop

Mountain Stewards volunteers may be asked to attend portions of one of our two Interpretive Training / Orientation Workshop. The workshop will include slide presentations and field trips lead by USGS and monument scientists and sessions on message-based interpretation and customer service. Volunteers will learn about eruptive behavior, ecosystem development around the volcano and the ongoing eruption. Two training / orientation work shypopes are being offered:

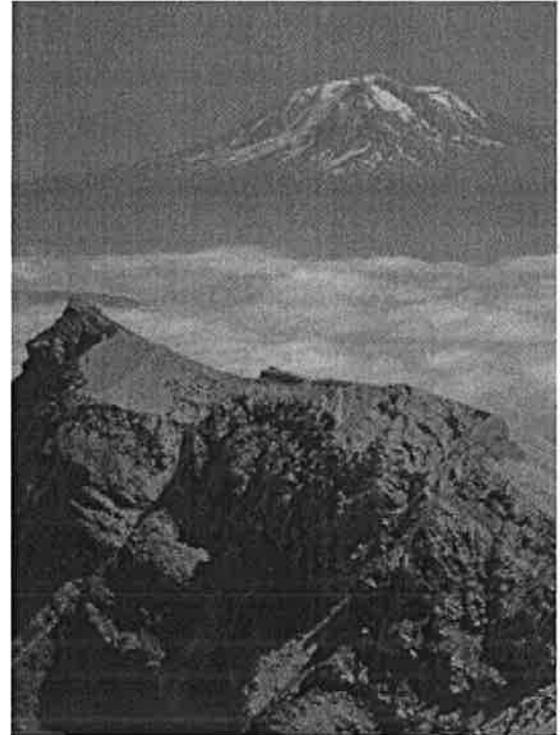
- West side visitor center program: **April 30 through May 3, 2008**

- East and southside program: **June 12 through 16, 2008** with a field training seminar to the 1980 blowdown forest on **July 13**.

Optional Skills and Experience

(Useful for participation in the Mountain Stewards Program)

- Advanced First Aid knowledge or training.
- Knowledge of use of an ice ax and self-arrest techniques.
- A basic understanding of trail maintenance and trail design.



- Techniques in avalanche assessment, rescue, and survival.
- A good understanding of geology and ecology concepts.
- Backpacking, camping and the art of camp cooking

Responsibilities



Volunteers are responsible:

1. For their own personal safety and for contributing to the overall safety of volcano visitors and the other members of the mountain stewards program.
2. For providing your own health insurance. The Mount St. Helens

Institute will cover on-the-job injuries only.

3. For adhering to the requirements for use of personal protective equipment and coming equipped with sturdy hiking boots, multi-layered outdoor clothing, sunglasses, hat, and gloves. MSHI and the monument will provide a uniform, hard hats and other required safety equipment.
4. For letting their supervisor know, in a timely manner, when they will be unable to work so the crew's plans are not adversely impacted.

Training

The majority of the training will occur on-the-job, as the volunteers draw from the experience of Mount St. Helens Institute staff, monument staff, and other volunteers.



In addition,

- Volunteers will attend monument new employee orientation, interpretive training and safety training.
- Volunteers will be provided written materials and videos on backcountry safety and trail maintenance techniques.

Support

Mountain Steward volunteers will be supervised by the monument's Climbing and Backcountry Rangers, who will provide ongoing feedback on whether the work is being done safely and to standard. The supervisor will ensure that Tailgate Safety Sessions are conducted on a regular basis, in order to identify and mitigate any risks and hazards

associated with the project.

The Volunteer Coordinator will be the contact point to receive information on lodging, subsistence, and scheduling. The Climbing and Backcountry Rangers will conduct an Exit Interview at the end of the season to provide additional feedback and volunteer support. A volunteer phone tree will be established in case of emergency. Volunteers will be responsible for coordinating with their co-workers to arrange for a substitute if they are unable to work their assigned shift.

Commitment

Mountain Steward volunteers normally work 4 to 6 days per month, unless other arrangements are made in advance. Volunteers generally commit to assisting the program over a minimum time span of at least 2 months.



Benefits

Experience: Volunteers gain experience in resource stewardship and climbing and backcountry management. Volunteers gain insights into the Forest Service as a public land management agency.



Conditioning: Volunteers will be in good physical condition as a result of the required climbing and backcountry hiking around Mount St. Helens.

Outdoor Work: Volunteers will spend most of their time outside on remote trails and the

slopes of the volcano. Some time will be required in the office, assisting with management of the Mount St. Helens Climbing and Backcountry Permit Systems.

Lodging & Subsistence: Depending upon duty station and length of service volunteers may be provided bunkhouse lodging and subsistence (living allowance) as needed. Housing and subsistence rates will be discussed prior to signing a Volunteer Agreement. In the event of an on-the-job-injury, volunteers will be covered by the Mount St. Helens Institute or the Mount St. Helens National Volcanic Monument. This is not a substitute for personal insurance. Volunteers need to have their own coverage for non-accident medical needs.

The Fine Print

Volunteers are accepted without regard to race, color, creed, religion, age, gender, sexual orientation, national origin, political beliefs, marital or familial status, or disability.

Participation in the volunteer program may be terminated at any time for repeated absences, poor performance, safety violations, or violations of policies and regulations. Appropriate opportunities for correction or improvement of performance will be provided. MSHI and its agents may make confidential background checks or inquiries of personal and employment matters of prospective volunteers in order to determine eligibility and acceptance in the volunteer program.

To Apply for a Mountain Stewards Volunteer Position

Positions for the 2008 visitor season will be filled with qualified applicants on a first-come, first-served basis. Phone interviews and reference checks of

qualified applicants will be conducted by mid-April so please submit your application before then.

1. Please complete and submit the Mount St. Helens Institute's online application form for full-time or part-time volunteer positions with the Mountain Stewards Program.
2. Or, if you prefer to submit your application on paper please download and complete the attached Mountain Stewards Application form.
3. Mail completed application form and a copy of our resume to:

Mount St. Helens Institute Mountain Stewards Volunteers
42218 NE Yale Bridge Road
Amboy, WA 98601

For More Information

Visit the Mount St. Helens Institute website.

Email: Info@mshinstitute.org (360) 449-7887

Volunteer Angler Report Card - Please Complete and Return!

Each year since 1979, Yellowstone has asked anglers to keep records on fishing trips, including the stream or lake visited, time spent fishing, fish species caught, lengths of fish, and so forth. The long-term database this has created, enables park managers to better understand fisheries status and track changes in specific populations from year-to-year.

When purchasing a Yellowstone National Park fishing permit, you will be provided with a *Volunteer Angler Report (VAR) card*, along with a copy of the regulations. The card should be completed for each trip to a single stream or lake, and can be dropped off at a park Ranger Station or Visitor Center, or returned by mail (postage paid).

Keep in mind that the information you provide on each card should be only for one stream or lake—please don't mix information from multiple locations! Hopefully you will need additional VAR cards for trips to several streams or lakes over several days! Thank you for supporting our fisheries management program by returning these cards to park biologists!

From Website:

http://www.nps.gov/yell/planyourvisit/fishing_var.htm

Yellowstone National Park

Volunteer Flyfishing Program-How You Can Actively Participate!



Yellowstone National Park Fly Fishing Volunteer Coordinator Tim Bywater.

Although Yellowstone's fisheries staff have directed much of their efforts emerging crises such as lake trout removal and whirling disease in recent years, there are a multitude of other fisheries issues and questions that need attention. There are an estimated 2,650 miles of streams and 150 lakes with surface waters covering 5% of Yellowstone's 2.2 million total acres. Because NPS staff cannot address all of the park's aquatic issues a program was established wherein flyfishing volunteers use catch-and-release angling as a capture technique for gathering biological information on fish populations throughout the park. Conducted each year since 2000 the Volunteer Flyfishing Program has resulted in an immense amount of information that would otherwise have not been available to park managers.



Photo courtesy of Bill Voigt Fly Fishing Volunteers fishing the upper Gibbon River.

Projects have included determination of the range of hybridized Yellowstone cutthroat trout in the Lamar River, its major tributaries, and several other park waters; and documentation of the status and movement patterns of Arctic grayling in the Gibbon River system. Under this incredibly successful program, volunteer anglers from across the U.S. and elsewhere have traveled to the park to participate as an active component of the Yellowstone's Fisheries program. Volunteers experienced many fisheries issues first-hand, and the biological data collected greatly contribute to understanding of the park's fisheries.



Contact our volunteer coordinators at [e-mail us](#) for additional information

[Back to main Fishing Page](#)

Photo courtesy of
Ken Calkin.
Fly Fishing
Volunteer checks
the weight of a
sampled fish.

From Website:

http://www.nps.gov/yell/naturescience/vol_fishing.htm

Handling Fish

Advice to Anglers

To better ensure survival of hooked fish, follow these guidelines. Please help us maintain quality fisheries within the park for future generations to enjoy!



Rainbow trout from Spirit Lake

- For all fish bring the fish in as quickly as possible. Do not play the fish to exhaustion.
- Unhook the fish in quiet water such as an eddy or slow spot. Do not drag the fish across land. Use a forceps or small needle-nosed pliers to quickly remove the hook.
- If you must handle the fish, always make sure your hands are wet. (Fish have a protective mucous film sensitive to dry human hands.)
- The best way to hold a fish (with wet hands) is one hand around the tail section and the other beneath the belly just behind the pectoral fins. Never, ever grab or hold a fish through the gills unless it is dead.
- If you want a photo of the fish, make sure the photographer is ready before you handle the fish. Make it quick.
- Never just throw a fish back into the water. If a fish becomes passive, it is probably close to exhaustion. Gently remove the hook within calm water, then lightly cradle the fish with your hands to see what it does. If it struggles to keep itself upright, hold the fish around its tail and beneath its belly while pointing it against the current. Move the fish gently back and forth toward and away from the current. You should notice the gills opening and closing due to the rush of water. This is like giving a fish mouth to mouth resuscitation. When the fish has recovered it should swim away on its own.
- Hooks and lures typically have barbs when purchased. With small pliers you must pinch down the barbs. Without barbs more skill is required in landing and bringing in fish but hook removal is easier and less traumatic to the fish and perhaps yourself.
- Spinning lures typically have three hooks called treble hooks. With wire cutters or pliers you can snip or snap off one of the hooks. Two hooks are still very effective and, once again, easier to remove and less traumatic.
- If deeply hooked, cut line—do not pull out hook. Most fish with hooks left in them will survive.
- When filling out the data, you can use your rod to quickly estimate the

length of your fish. Just measure and mark (with tape or nail polish) various lengths on your rod. Remember, the less time the fish is handled out of the water the better chance it has of recovering.

Modified from the Yellowstone National Park Website:
<http://www.nps.gov/yell/planyourvisit/fishingadvice.htm>



The route markers shown below identify the two types of National Forest roads maintained for passenger car use. These

markers are posted at the entrance of primary and secondary routes. Primary routes usually offer the better choice for the traveler. Secondary routes may not be as smooth or maintained as well.

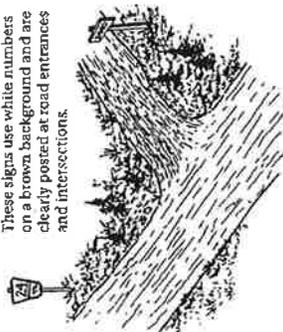


National Forest primary route marker.



National Forest secondary route marker.

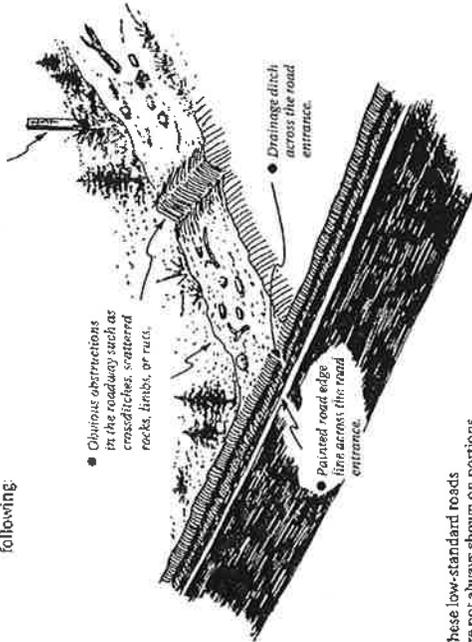
These signs use white numbers on a brown background and are clearly posted at road entrances and intersections.



Roads not suitable for passenger car use can be identified by one or more of the following:

- Route markers numbered vertically or placed away from road entrance.

- Obvious obstructions in the roadway such as crossditches, scattered rocks, limbs, or stumps.



- Drainage ditch across the road entrance.

- Painted road edge line across the road entrance.

These low-standard roads are not always shown on portions of some National Forest maps.

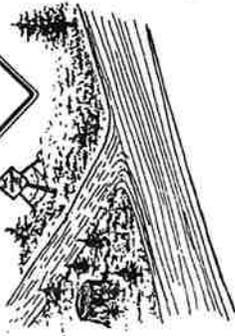
If you choose to drive these roads, plan to encounter rocks and boulders, road washouts, downed trees and brush encroaching on the roadway.

For safety, use a vehicle suitable for rough travel and carry extra equipment such as ax, shovel, gloves, and extra fuel.



Some roads are for commercial use only.

When the following sign is up, you should not use the road even though it may look well maintained.

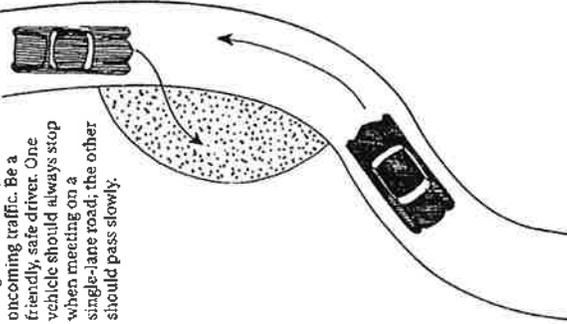


These roads are planned for commercial activities and heavy truck use that is likely to be more hazardous than commercial use on other roads without this sign. Check with the nearest National Forest office to see when these roads will be available for firewood gathering or other uses.



Turnouts

When driving on one-lane National Forest roads, watch for turnouts and be prepared to stop and wait in, or alongside them if you see oncoming traffic. Be a friendly, safe driver. One vehicle should always stop when meeting on a single-lane road; the other should pass slowly.



Safety Tips

Drive at a reasonable speed; most National Forest roads are low-standard roads and are not designed or maintained for high speeds. Your line of sight is often obstructed by trees, brush, hills, or sharp curves, and your vehicle cannot stop as quickly on gravel or dirt surfaces as on paved streets.

Remember, when driving on single-lane roads, vehicles will be approaching you in the same lane. Your available stopping distance is less than half the distance to an oncoming vehicle.

- Drive defensively.
- Keep to the right.
- Expect to meet logging trucks, even if the road is not signed.
- Don't drive in the dust of other vehicles.
- Park well off the road, but don't block turnouts.

The United States Department of Agriculture (USDA) prohibits discrimination in its programs and activities on the basis of race, color, sex, national origin, age, disability, and religion. USDA also prohibits discrimination on the basis of marital status. (Not all prohibited bases apply to all programs.) Persons with disabilities who need alternative formats for materials (braille, large print, audio, etc.) should contact USDA's TARGET Center (800) 725-3000 (voice and TDD). To file a complaint of discrimination, write to: Director, Office of Civil Rights, USDA, 1400 Independence Avenue, SW, Washington, DC 20250-3410 or call (202) 725-3200 (voice or TDD). USDA is an equal opportunity provider and employer.

PL EN16 FIG-21

Volcanic Hazards

Volcanic hazards may include:

- **Ashfall.** Explosions and lava dome rock fall can produce plumes of volcanic ash (gritty dust) that rise above the crater rim and drift downwind. Volcanic ash can cause discomfort to your nose, mouth and lungs and make breathing difficult. Ash can decrease visibility and traction, making travel hazardous.
- **Ballistics (rock hurled onto the flanks of the volcano).** Explosions in the crater may throw rock fragments above the crater rim. In rare instances, rocks may be large enough to cause injury or death.
- **Volcanic gases.** Under normal conditions, climbers may detect the faint odor of sulfur dioxide (lit match) and hydrogen sulfide (rotten eggs). Under rare circumstances, climbers may experience irritation to their nose, mouth and lungs.
- **Debris Flows.** Rain storms and melting snow can trigger small debris flows in gullies and stream channels on the volcano.

What to do if you encounter Volcanic Hazards?

Do not panic.

- If you encounter ashfall or ballistics, seek cover and act quickly to protect your head, airway and eyes.
- Descend rapidly to below the crater rim and seek cover behind boulders or slope breaks. Protect your head with a helmet or hard hat.
- Cover your nose and mouth with a dust mask.
- If you do not have recommended safety equipment, you can gain some protection by covering your head with your backpack and your face with a cloth. Remain in a protected position until the event subsides and hazards from falling rock and ash have subsided or ended (usually less than 30 minutes).

If volcanic activity increases or if hazards on the climbing routes are forecast, climbing access will be suspended and \$15 permit fee will be refunded. The \$7 per permit service charge is non-refundable.

From Forest Service Website:

<http://www.fs.fed.us/gpnf/recreation/mount-st-helens/volcano-hazards.shtml>

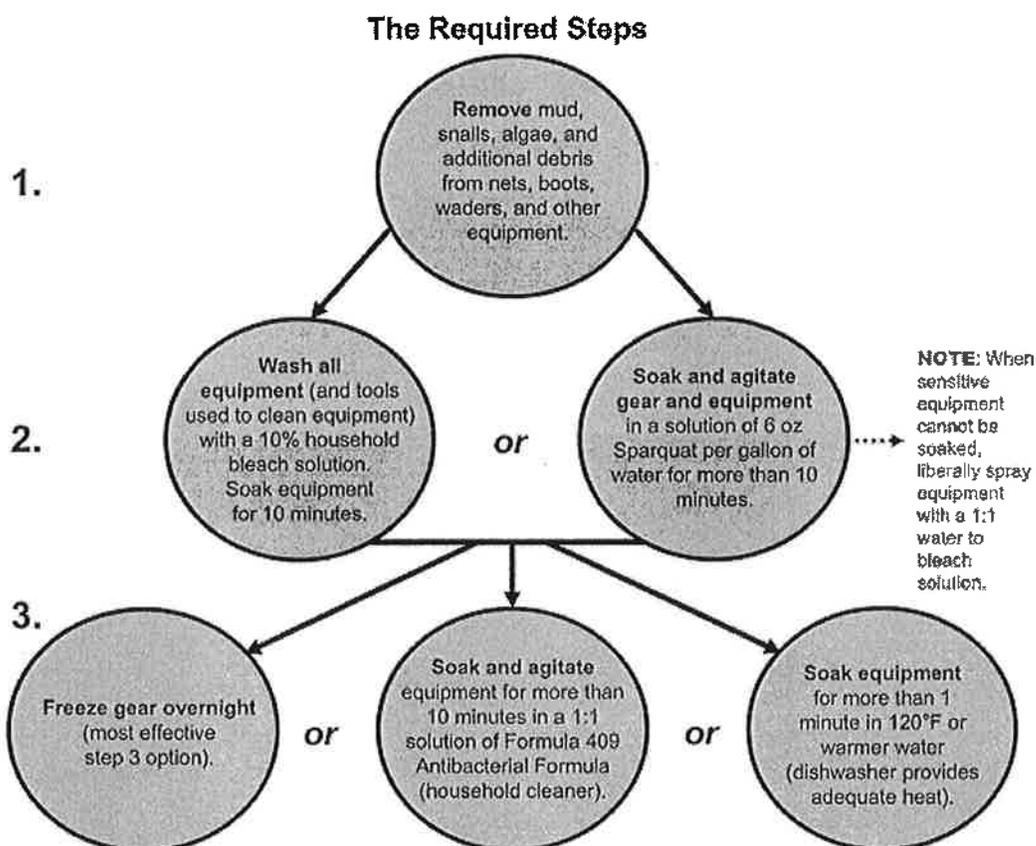
Spirit Lake Fishery Aquatic Disinfection Guidelines

- Have you visited an area where zebra mussels or other species listed on the statewide invasive aquatic list are known or suspected to exist?
- Is this your first time to Spirit Lake?
- Are you using equipment that you have previously used?

If you answered YES to any of these questions, you are **REQUIRED** to disinfect any equipment that has come into contact with water and/or soil.

Do not use felt soles while fishing at Spirit Lake. If felt soles are used, you will need to freeze the waders as outlined in step 3.

Flies and rods should be wiped down carefully.



Based of the matrix used for the Rocky Mountain National Park.



United States
Department of
Agriculture

Forest
Service

Gifford Pinchot
National Forest

10600 NE 51st Circle
Vancouver, WA 98682
Office: (360) 891-5001
FAX: (360) 891-5045
TTY: (360) 891-5003

File Code: 1500/1900/2340

Date: May 4, 2009

Guy Norman, Regional Director
Washington Department of Fish and Wildlife
2108 Grand Blvd
Vancouver, WA 98661

Dear Mr. Norman:

This letter addresses your formal submittal of a Spirit Lake Fishery Proposal and your request for the Forest Service to complete National Environmental Policy Act (NEPA) analysis.

Your letter outlined some of the history of this proposal. I want to thank you and your staff for the effort to meet together in a productive manner. While we have very different views regarding the proposal, I feel we were able to hear the concerns and interests held by each agency. We agreed upon several key elements during our meetings:

- ✓ Any proposal needed to be complete and address concerns identified by the Forest Service,
- ✓ Washington Department of Fish and Wildlife (WDFW) would submit a proposal for NEPA review and consideration,
- ✓ Forest Service would receive and acknowledge a complete proposal and facilitate completion of NEPA, and
- ✓ Proposal would be considered similar to other proponent-submitted projects, WDFW would need to provide funding for NEPA analysis, and preference would be to utilize a contract.

We have talked several times since receipt of the proposal and I have reviewed the amended version submitted on April 7, 2009. As we have previously discussed, we have a number of concerns regarding the proposal that would be considered during the analysis. These include consistency with the Land and Resource Management Plan, safety considerations, access route, invasive species, resource protection considerations, and the effect of the fishery proposal on other visitor experiences.

One concern is particularly substantive and as we discussed on the phone, I am returning the Spirit Lake Fishery Proposal for additional work by WDFW. The proposal does not contain adequate information to fully address concerns related to potential environmental impacts. Any proposal must include a credible enforcement plan that will protect scientific integrity and mitigate potential damage. It must consider not only potential impacts associated with people participating in the proposed activity but also address the potential for unauthorized entry/angling as well as resource impacts associated with these activities. I acknowledge your desired approach to manage your resources and develop responses should the need arise.



However, we feel a preventative approach rather than a reactive approach is necessary. My review of your written proposal and the information included in the budget note submitted in concert with WA HB1838, indicates the proposal is designed to react to developing situations rather than ensure prevention.

Your letter requested that the Forest Service expedite completion of the analysis. As we have discussed, the NEPA for this proposal would be facilitated based on the WDFW request and we would require the proponent to fund the NEPA analysis. During our conversations, we discussed several possible approaches for NEPA completion, including the use of a contractor. Upon Forest Service receipt of an updated complete proposal, I am available to discuss these options with you. It will be necessary for WDFW to provide funding for the analysis.

We both acknowledge there are a range of perspectives about this proposal. NEPA analysis can result in several potential outcomes:

- a) adoption of a proposal,
- b) modification of the proposal to address issues and concerns, or
- c) no change to the current situation.

At a minimum, we anticipate an Environmental Assessment will be needed. Public comment will be solicited as part of the process and may generate issues and concerns that have not been outlined to date. There is no guarantee the findings of the NEPA analysis will support the proposed activity. Please keep in mind NEPA may result in required mitigation measures that modify the proposal or may disallow the proposed activity altogether.

I appreciate the effort you and your staff have made to develop a more complete proposal. I feel we continue to build our relationships and our coordination has enhanced our communication.

Sincerely,

/s/ LYNN BURDITT
LYNN BURDITT
Deputy Forest Supervisor

cc: Mary Wagner, Calvin Joyner, Janine Clayton, Lynn Burditt, Tom Mulder, Peter Frenzen,
Mailroom R6 Gifford Pinchot

electronic and hard copies: Guy.Norman@dfw.wa.gov, Phil.Anderson@dfw.wa.gov

Consideration of SHB1838 by the Legislature has indicated the need for clarification of several questions regarding access to Spirit Lake in the Mount St. Helens National Volcanic Monument.

At this time, there is no permitted access for a Spirit Lake Fishery. This question and answer paper is written to provide some information about the existing situation and analysis needed.

QUESTIONS & ANSWERS

What provides guiding land management direction when considering a proposal for a Spirit Lake fishery?

Mount St. Helens National Volcanic Monument (MSHNVM) was created by Public Law 97-243 (8/26/82). The Comprehensive Management Plan (CMP) developed in response to the legislation divided monument lands into three categories according to their potential sensitivity to disturbance and long-term value to scientific research. Resource Protection Class 1 includes lands most heavily impacted by the 1980 eruption and with the greatest value to long-term research. This includes the Spirit Lake basin north of the crater and the landslide-filled North Fork Toutle River valley.

The Gifford Pinchot Land and Resource Management Plan (LRMP) adopted the MSHNVM Comprehensive Management Plan (CMP). The LRMP identified the legislated Monument as "Management Area Category-A". The goals and desired future condition for Management Area Category A were also identified as consistent with the CMP and legislation. Standards and Guidelines for fishing and hunting include those restrictions found in the Monument Fish and Wildlife Management Plan (a cooperative plan with WDFW).

Spirit Lake is located in the most sensitive part of the Monument (Resource Protection Class 1) and is designated by the Forest Plan to receive our highest level of resource protection. Entry into sensitive areas is allowed on developed trails only and overnight camping is prohibited. Off-trail travel is by permit only.

What current fishing opportunities exist in the Monument and why were they chosen?

The issue of recreational access for fishing and fish stocking within the Monument surfaced during development of the CMP. It was brought by the state of Washington for consideration by the Scientific Advisory Board (SAB), created as per direction included in the legislation. After difficult deliberation, the SAB recommended a compromise between the scientific community and recreational fishing interests where some lakes would be set aside for scientific research while other accessible (trailed and roaded) lakes would be stocked and managed for recreational fishing. This compromise was reluctantly accepted by the research community and incorporated in the GP LRMP.

Spirit Lake is one of only four lakes (from 36 total) in the Monument with a primary designation for scientific research.

Coldwater Lake was identified as a key recreation opportunity and was designated for fish stocking by WA Dept. Fisheries and Wildlife (WDFW). It is far more accessible, was developed specifically for fishing and remains vastly underutilized.

Research Synthesis

Extensive research has occurred following the 1980 eruption of Mount St. Helens. A summary volume was completed for the 25th anniversary commemoration in 2005 (*Ecological Responses to the 1960 Eruption of Mount St. Helens*, Dale, V.H., Swanson, F.J., and Crisafulli, C.M., Springer, 342 pgs.). Two chapters of interest include: *Response of Fish to the 1980 Eruption of Mount St. Helens* (pg. 163-182) and *Response and Recovery of Lakes* (pg. 255-274). Spirit Lake research began in April 1980 in anticipation of the eruption. It has continued through 2008 with some notable breaks in the mid-90s.

What is the process for analyzing proponent-proposed actions?

Mount St. Helens National Volcanic Monument receives multiple requests regarding activities within the Class I Research Area. When an external proponent submits a proposal for consideration, the Forest Service assesses whether the proposal aligns with the Gifford Pinchot National Forest Land and Resource Management Plan (LRMP) which incorporated the MSHNVM Comprehensive Management Plan. More than 95% of these requests or proposals are found inconsistent and are not considered further. When a proposal is consistent with the LRMP it is considered within the context of management implications, safety, partnership involvement, funding support, planning (NEPA), and implementation.

The initial analysis completed by the FS indicates that a pilot fishery in Spirit Lake is inconsistent with management guidelines. Washington Department of Fish and Wildlife personnel as well as some of their constituents feel this assessment is incorrect.

While different from our normal approach, in this one instance, the Forest Service has agreed WDFW could submit a complete, fully outlined proposal for consideration through NEPA. The proposal is not a FS proposal, analysis is dependent upon a complete proposal, NEPA must be funded by the proponent, and decision authority remains with the FS.

What are possible issues that would need to be analyzed regarding the proposal for a Spirit Lake Fishery?

In addition to concerns about the potential impact of any such fishery on research, analysis during the NEPA process will assess whether or how well the following concerns are addressed as well as additional measures needed to mitigate potential impacts.

Safety: Providing public access to Spirit Lake and its immediate shoreline environment poses safety concerns.

Potential use of non-motorized flotation devices is of concern. The large, mobile log mat on the lake surface is a potential hazard for persons in the lake. The log mat often moves rapidly

across the lake with a slight wind shift. In our experience the size of material, the mat, and the movement would be substantive concerns.

The current WDFW proposal would access the lake on the south end and requires a substantial hike of several miles, ending on the pumice plain. This hike has substantive elevational difference and would be primarily uphill when returning from the lake. The pumice plain includes steep highly erodable terrain with "quicksand-like" deposits. The presence of unstable banks and "quicksand-like" sediments along the shoreline are not obvious or easily detected.

Search and rescue operations would be difficult due to the remoteness of the site and the ability for people in distress to call in for help. Costs of necessary supervision and staffing for safety must be considered as part of any proposal.

Access Route: the only existing system trail access to Spirit Lake is the Harmony Falls trail. Proponents suggest a different access route through the Class 1 research area. Impacts of this travel route must be considered. Permits would be required of anyone not on a system trail.

Invasive Species and Lake Shoreline: Mount St. Helens is the most at risk landscape from invasive species in southwest Washington. There is a very high risk of invasive species entering the lake and establishing themselves along the one access route. Anglers and boats have the potential to introduce new species. Whether native or non-native, introduction of new species through long-distance, human-assisted transport has the potential to severely alter the natural recovery process.

Effect on Visitor Experience of Other People: Boating activity on Spirit Lake or shoreline fishing has the potential to detract from the experience of the majority of visitors, who visit primarily on weekends (when fishing is proposed) and who are there primarily to experience the majestic view of the earth's destructive and regenerative forces.

Resource protection considerations will include such things as new impacts to riparian areas; human waste, sensitive species, erosion, noxious weed introduction to a very vulnerable, sensitive, and unique landscape. The unconsolidated nature of the volcanic deposits at shoreline and early stage of development of lakeside vegetation make the research area extremely sensitive to disturbance

Monitoring and Enforcement: It is anticipated there would be confusion of the general public on the nature of the fishery, likely leading to illegal entry and angling as well as resource impacts due to these activities. Any proposal for a fishery must consider the ability of the state to enforce these concerns throughout the season (not just on days of the fishery) and/or provide resources for the USFS for effective enforcement/monitoring.

Consistency with the LRMP (CMP): any proposal deemed inconsistent with the guiding documents will likely require a site-specific plan amendment.

Other issues and concerns identified as part of the scoping process will also need to be addressed.

How will NEPA about the proposal be documented?

Analysis and documentation method are driven by the proposal and the issues and concerns. It is acknowledged there are a range of perspectives about this issue from strong advocates to strong opponents. At a minimum, the FS anticipates this proposal will result in the need for an Environmental Assessment.

How is the NEPA analysis funded?

The proponent for the proposal must provide funding to complete the NEPA analysis.

What outcomes can be expected from a NEPA process?

NEPA analysis can result in several potential outcomes: a) adoption of a proposal, b) modification of the proposal to address issues and concerns, or c) no change to current. There are many concerns that will be considered through the NEPA process and it would be inappropriate to expect any specific outcome from the analysis.

What is the timing for an analysis and decision?

NEPA analysis will not begin until the proponent provides funding. It is likely the analysis and public comment would take a minimum of six months. The decision would also be subject to FS appeal procedures and timeframes.

Why was a limited elk hunt acceptable in 2008?

WDFW and the FS jointly considered a limited elk hunt as a management tool to help reduce the elk population and associated over-grazing occurring within the legislated monument. The Monument Fish and Wildlife Management Plan recognized alteration of the natural recovery process in the Monument may occur from unnaturally high elk populations in areas closed to hunting. The Plan states hunting may be needed in selected areas to bring elk back in balance with the recovery process. The Plan anticipated permit-only hunting in specific areas to facilitate elk herd management while protecting scientific and research values.

Three special elk management areas were implemented for the 2008 season. It was recognized that off-trail hiking is prohibited in the Pumice Plain and debris avalanche area. Participants in the limited elk hunt were issued a permit for off-trail access during the limited hunt time period.

This was a joint proposal between the FS and WDFW. The Monument Manager determined the proposal met the guidelines included in the Fish and Wildlife Management Plan and the intent of the activity was to benefit the natural recovery process. This was a very limited activity and focused upon meeting monument objectives. Any further special elk management areas will be considered based on conditions and whether it remains an appropriate tool to meet management objectives.



South Sound Fly Fishers

P.O. Box 2792 • Olympia, WA 98507



November 16, 2009

Washington Department of Fish and Wildlife
600 Capitol Way North
Olympia, WA. 98501-1091

Attn: Ms. Lori Preuss

Re: Munn and Susan Lakes Proposal

Dear Ms. Preuss

Enclosed is a petition signed by members of the South Sound Fly Fishers in attendance at the club's meeting on November 17, 2009 at the North Olympia Fire Station. We are all, responsible, resident fishers supporting the proposed changes of creating Munn and Susan Lakes to a year-round "Catch & Release" fishery with selective gear rules. Although we are a fly fishing club, this proposal would be open to all fishers, only under new rules.

We think this change will provide a much needed quality fishery for the fishing community that is close to home for our members and the public, to use as a convenient day-trip quality catch-and-release fishing event. Equally important, since we practice and promote "catch-and-release", the cost of stocking this lake will be reduced, especially important in these challenging economic times.

The South Sound Fly Fishers was founded in 1965 and over the years has been involved in many important conservation projects in our Thurston County community. We also promote fly fishing through education, conservation and community fishing events. SSFF is also a member of the Federation of Fly Fishers, a National Fly Fishing organization.

The SSFF club will support WDFW with the success of Munn & Susan Lakes with a Stewardship Program and a fish stocking program.

Please inform the Commission that we support the proposal to change Munn and Susan Lakes to a year-round, "catch and release" fishery with selective gear.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Kellogg".

Gary Kellogg, President
South Sound Fly Fishers
Olympia, WA.

RECEIVED
NOV 24 2009
Fish and Wildlife
Enforcement Program

PETITION FROM SOUTH SOUND FLYFISHERS

SUPPORTING THE PROPOSAL TO MAKE
MUNN LAKE AND SUSAN LAKE
A YEAR ROUND "CATCH & RELEASE" FISHERY
WITH SELECTIVE GEAR RULES

Name	Address	City/State/Zip
Tom Solevages Tom Solevages	9309 181 st Way SW	Rochester WA 98576
James R. Malle John J. Sabo	418 Rogers St NW	Olympia WA 98502
John J. Sabo	2933 Quince SE SE	Olympia, WA 98501
John R. Bauman John R. Bauman	431 Carlson Ave SW	TUMWATER WA 98501
Chuck Pfeil Chuck Pfeil	2000 Chambers St SE	Olympia WA 98501
Robert J. McInnes Robert J. McInnes	4314 Indian Summer Dr	Olympia, WA 98513
Gwll Gwll	1828 - 27 th Ave NW	Olympia, WA 98502
Jim Brusio	2626 17 th Ave NW	Olympia, WA 98502
Curt Jones	7309 G Ave SE	Olympia WA 98503
KEVIN RYAN	9230 DONNACT	OLYMPIA WA 98513
Steve Franson	4458 Governor Ln SE	Olympia, WA 98501
LEWIS W. NILES Lewis W. Niles	8343 Willow Dr NE	Oly WA 98506
VERN D. DOTSON	6128 BOGUESE OLY ⁹⁸⁵⁰³	Oly WASH 98523
James McAllister	2440 113 th Way SW	Olympia 98512
POUG OGDEN	PO Box 2765	OLYMPIA 98507
Brian Morris	2312 Glen Hwy Ct SE	Olympia 98513
James J. Case Tom Case	PO BOX 171	Olympia 98507
JAMES W. RUSH James W. Rush	4727 118 th Loop SW	OLYMPIA 98512
James W. Lewis Denny Lewis	7700 NW 14 th Rd. S.E.	Oly 98513

November 18, 2009

Ms. Lori Preuss
WDFW Coordinator
WASHINGTON DEPARTMENT OF FISH AND WILDLIFE
600 Capitol Way North, Olympia, WA 98501-1091



Re. Munn Lake & Susan Lake

Dear Ms. Preuss

Enclosed is a petition signed by ³⁴33 members of the Puget Sound Flyfishers of Tacoma, WA. in attendance at the club's meeting the evening of November 12, 2009 at the Tacoma Elks Club. We are all resident fly fishers supporting the proposal to change Munn Lake and Susan Lake to a year-round, "Catch & Release" fishery with selective gear rules.

All of these fishers reside in the Puget Sound area and are licensed fishers that plan to fish Munn Lake once it is changed to a year-round catch-and-release fishery with selective gear rules. We feel this change will provide a much needed quality fishery for fly fishing that is close to home for our members to use as a convenient day-trip of quality catch-and-release fishing. Equally important, since we practice and promote catch-and-release, the cost of stocking this lake will be reduced, which is especially important in these challenging economic times.

The Puget Sound Flyfishers was founded in 1956. The purpose of our organization is to encourage flyfishing, conservation and education. PSFF is a proud, active member of the Federation of Flyfishers.

If the Commission elects to make the changes, the Puget Sound Fly Fishers is willing to support the fishery with a stocking and maintenance program.

Please inform the Commission that we support changing Munn Lake & Susan Lake to a year-round, "catch & release" fishery with selective gear.

Sincerely,

A handwritten signature in blue ink, which appears to read "Mike Clancy". The signature is written in a cursive, flowing style.

Mike Clancy, Puget Sound Fly Fishers
PSFF Board Representative
2531 Simon Lane NE
Olympia, WA 98506
360-753-1259

PETITION OF PUGET SOUND FLYFISHERS



SUPPORTING MAKING MUNN LAKE & SUSAN LAKE YEAR-ROUND "Catch & Release" FISHERY WITH SELECTIVE GEAR RULES

November 12, 2009

Name	Address	City/State/Zip
Dick Kuffendall	127 Pt. Fosdick Cir. NW Gig Harbor, 98335	
DAVID ALBERT	7525 91 st AVE SE LAKWOOD, WA 98498	
Paul Fournier	4701 W. 33 rd St. Tacoma, WA 98407	
Ned Krilich	2690 East St 302 Belfair WA 98528	
Philip MOORE	P.O. BOX 258 FOX ISLAND, WA 98333	
Bob Jiverson	2927 21 st AVE SE Puyallup, WA 98372	
Robert Gerlach	924 N. G. St Tacoma, 98403	
Linda Gerlach	924 N. G. St Tacoma 98403	
Michael Alhardowin	11614 Holden Rd. SW LAKWOOD, WA 98498	
Gay Debord	1616 138 th St. So. Tacoma, WA 98444	
Kevin Jones	4901 N. 12 th Tacoma, WA 98406	
Catherine Walters	4901 N. 12 th Tacoma, WA 98406	
Joseph Coni	3732 SW 319 th St Federal Way WA 98003	
Marcella Simon	6005 6 th AVE SE LACEY WA 98503	
Dan Drake	15506 98 th Ave E Puyallup WA 98375	
Thomas Rose	P.O. Box 171 Olympia, WA 98507	
Allen Smith	4620 79 th Ave NW Gig Harbor WA	
Ken Jay	16401 Hill Terrace Lakewood 98498	

PETITION OF PUGET SOUND FLYFISHERS



SUPPORTING MAKING MUNN LAKE & SUSAN LAKE YEAR-ROUND "Catch & Release" FISHERY WITH SELECTIVE GEAR RULES

November 12, 2009

Name Address City/State/Zip

Name	Address	City/State/Zip
TADS Skerrett	3520 72ND AVE CT W.	U.P. Wa 98460
Kim Hampton	5624 Green Hills Ave NE,	Tacoma 98422
Dick Yunker	7924 61 st Ave NE	Olympia WA 98516
Craig Schuh	2104 N. 29TH ST.	Tacoma, WA 98403
JIM MARTINDALE	10526 DORRAN WAY SW	LAKewood WA 98498
BRIAN BAYNE	14806 113 th ST NW	Gig Harbor WA 98329
Les Rosenzweig	4108 FOREST BUSH DR NW	Gig Harbor, WA 98335
Mike Robert	18826 82ND E	Puyallup WA 98475
GAREN HANSEN	2420 76TH AVE CT NW	Gig Harbor, WA 98335
STEVE KOKITA	13425 9 th AVE SW	BORLEN WA 98148
JIM MAUS	63210 School St SW	LAKewood, WA 98499
Jim Griener	527 15 th Ave	Kirkland, WA 98033
MIKE CLAWAY	2531 SIMON LN. N.E.	Olympia, 98506
Bill Anderson	7235 Kadiak Ave NE,	Lacey 98516
GREGORY ROBERTS	7989 BARDLEY	Gig Harbor, WA 98335
Mike Roberts	1152 KAMUS DR	Fox Island, WA 98333

APPENDIX 3 – ADDITIONAL INFORMATION

The following are additional information provided on Sportfishing Rule Proposals.

Proposals 78, 88, 110, 123, 124, 153, 154, 155, 160, 161:

Additional information received on the public proposals to allow fishing from boats on several sections of the Green River November 1 – February 15 that were not supported by staff:

Soos Creek/Palmer Hatchery data:

Steelhead Historical Data

Hatchery Winter steelhead data

Hatchery Coho data

Letter from Mayor of Auburn

Green River Letter from Steelhead Trout Club

Cover letter for form letters

Form letters received on the Green River issue

Green River Form Letter #1

Green River Form Letter #2

Green River Form Letter #3

Year	Hatchery	Stock	Rack Coun	Adults Needed for brood in 2009	Comments
2008-2009					
	Soos	Win Sh-H	82	60	Rack blew out in worst flood in 48 years and Steelhead collection was low but 0 met the broodstock needs
		Win Sh-M	0	0	
		Win Sh-W	3	0	No wild broodstock program instituted this year because of declining wild run
	Palmer	Coho Win Sh-H	Incomplete 10		
2007-2008					
	Soos	Win SH-H	212		
		Win Sh-M	53		Returning wild broodstock hatchery SH- none used for future brood
		Win Sh-W	29		Captured by hook and line by WDF&W, sports and Tribe for future broodstock
		Coho	18353		for integrated hatchery program
	Palmer	in Sh-H	27		
2006-2007					
	Soos	Win SH-H	151		
		Win Sh-M	12		Returning wild broodstock Hatchery SH
		Win Sh-W	38		Hook and line-captured wild SH used for future brood for integrated hatchery program
		Coho	17447		
	Palmer	Win Sh-H	42		

STEELHEAD WINTER

Total Trapped

Released to stream

Trapped less released

Facility	Stock	Bo	Adults	Jacks	Eggtake	Eggtake Goal	Adults	Jacks	Adults	Jacks	
Puget Sound Region											
KENDALL CR HATCHERY	Nookach River	H	159	0	251,000	190,000	0	0	159	0	
MARBLEMOUNT HATCHERY	Skagit River	H	159	0	217,500	250,000	0	0	159	0	
WHITEHORSE POND	Silligamash River	H	133	0	227,500	225,000	0	0	133	0	
TOKUL CR HATCHERY	Snohomish River	H	578	3	849,000	600,000	0	0	578	3	
ISSAQUAH HATCHERY	Lake Washington	W	1	0	0	NA	1	0	0	0	
SOOS CREEK HATCHERY	Green River	H	212	0	356,000	35,000	3	0	209	0	
SOOS CREEK HATCHERY	Green River	M	53	0	0	NA	53	0	0	0	
SOOS CREEK HATCHERY	Green River	W	29	0	21,000	NA	16	0	13	0	
PALMER HATCHERY	Green River	H	27	0	32,000	300,000	0	0	27	0	
VOIGHTS CR HATCHERY	Puyallup River	H	23	0	40,000	250,000	0	0	23	0	
VOIGHTS CR HATCHERY	White River	W	24	0	44,000	60,000	0	0	24	0	
GARRISON HATCHERY	Chambers Creek	W	1	0	0	NA	1	0	0	0	
DUNGENESS HATCHERY	Dungeness River	H	4	0	5,000	12,000	0	0	4	0	
Total Puget Sound Region			1,403	3	2,045,000	1,922,000	74	0	1,329	3	
Coastal Region											
SOLDUC HATCHERY	Bogachiel River	H	24	0	0	NA	0	0	24	0	

COHO NA

Total Trapped

Released to stream

Trapped less released

Facility	Stock	Bo	Adults	Jacks	Eggtake	Eggtake Goal	Adults	Jacks	Adults	Jacks	
Puget Sound Region											
KENDALL CR HATCHERY	Nooksack River	H	1,478	0	670,000	590,000	739	0	739	0	
SAMISH HATCHERY	Samish	M	1,297	131	0	NA	1,297	131	0	0	
MARBLEMOUNT HATCHERY	Skagit River	H	8,677	39	484,500	650,000	21	0	8,656	39	
MARBLEMOUNT HATCHERY	Skagit River	W	236	0	0	NA	63	0	173	0	
WALLACE R HATCHERY	Skykomish River	M	7,216	12	4,461,454	4,500,000	215	0	7,001	12	
GEORGE ADAMS HATCHERY	George Adams	H	6,371	565	344,600	345,000	0	0	6,371	565	
HOODSPORT HATCHERY	Hood Canal	U	4	0	0	NA	0	0	4	0	
ISSAQUAH HATCHERY	Issaquah Creek	H	3,272	203	1,317,000	1,500,000	91	0	3,181	203	
CEDAR RIVER HATCHERY	Cedar River	W	3	0	0	NA	3	0	0	0	
SOOS CREEK HATCHERY	Big Soos Creek	M	18,353	356	2,024,000	1,924,000	2,211	107	16,142	249	
VOIGHTS CR HATCHERY	Voight Creek	H	8,763	148	1,312,000	1,400,000	1,885	4	6,878	144	
GARRISON HATCHERY	Chambers Creek	M	75	0	0	NA	75	0	0	0	
MINTER HATCHERY	Miner Creek	M	16,787	486	1,623,900	1,400,000	1,834	32	14,953	454	
DUNGENESS HATCHERY	Dungeness River	H	1,544	12	573,000	627,800	0	0	1,544	12	
DUNGENESS HATCHERY	Dungeness River	W	76	0	0	NA	76	0	0	0	
Total Puget Sound Region			74,152	1,952	12,810,454	12,897,800	8,510	274	65,642	1,678	

August 27, 2009

Washington Fish and Wildlife Commission
600 Capitol Way N.
Olympia, WA 98501-1091

Phil Anderson
Interim Director
Washington Department of Fish and Wildlife
600 Capitol Way N.
Olympia, WA 98501-1091

Re: Fishing Access to the Green River

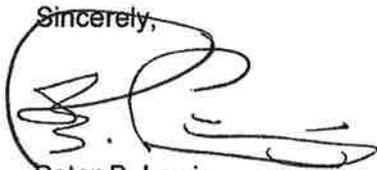
To Whom It May Concern:

Per the City of Auburn's approved Shoreline Master Program (SMP), the City promotes the preservation and expansion of recreational opportunities along the Green and White Rivers along with the other SMP goals of public access, best possible shoreline land use, conservation and preservation of natural shoreline resources, historical/cultural protection and restoration, potential flood hazard reduction, and critical area protection.

In order to provide increased recreational boat access to the Green River, the City of Auburn will open the existing gate at the eastern end of 2nd Street SE allowing fishing boats to access the river at the existing, natural put-in site at the end of this street. This access will be allowed until funding and permits are secured for construction of Phase 2B of the Fenster Levee setback project, at which time a permanent boat ramp location will be evaluated.

The City currently allows boats to "take-out" at a natural boat ramp on City property located north of Isaac Evans Park along Green River Road. The City will continue to look into constructing a permanent ramp at this site.

Sincerely,



Peter B. Lewis
Mayor

PL/KM/bh
CORR09-305

cc: Jim Scott, Assistant Director, Fish Program, Washington Department of Fish and Wildlife
Heather Bartlett, Anadromous Fish Manager, Washington Department of Fish and Wildlife
Robert Leland, Steelhead Manager, Washington Department of Fish and Wildlife
Patricia Michael, Rules Coordinator, Washington Department of Fish and Wildlife
Don Payne, Green River Steelheaders
Hal Boynton, Puget Sound Chapter Save Our Fish

Steelhead Trout Club of Washington

AL SENYOHL, PRESIDENT
6333 Lake Washington Blvd. N.E. #304
Kirkland, WA 98033
425-822-5967



SEATTLE CHAPTER, INC.

TOM WALLACE, SECRETARY
11737 12th Ave. N.E.
Seattle, WA 98125
206-290-1151

DAN MILLER, VICE PRESIDENT
9247 - 12th Ave. S.W.
Seattle, WA 98016
206-715-0497

ED CONROY, TREASURER
W. 600 Lakeside Drive
Shelton, WA 98584
360-482-6113

WDFW Rules Committee

Boat fishing on the Green River

The Steelhead Trout Club of Washington is in support of the proposed rule change to "Extend the Boat Fishing Season" to include Fishing for Coho, Chum & Hatchery Steelhead on the Green River.

The amended proposal would terminate boat fishing on January 15th to protect declining wild Steelhead stocks. This proposal is made to increase the opportunity to fish for surplus hatchery Coho, Chum and hatchery Steelhead in an area of the river where there is limited bank access due to heavy streamside vegetation growth and the development of commercial & private property along the river.

Few if any wild Steelhead are in the river before mid January and brood stock needs for the Soos Creek hatchery have exceeded their goals for the past 5 years. The rack count data at the hatchery does not support the argument that hatchery brood stock needs will not be met if there is boat fishing on this section of the river.

The Steelhead Trout Club has discussed this rule change proposal at length and joins the Green River Steelhead Club and the Save Our Fish Chapter of the Puget Sound Anglers in support of this rule change.

Al Senyohl, President, Steelhead Trout Club of Washington
Email – alsenyohl@aol.com / cell - 425 941-1148

Request WDF&W Extend the Boat Fishing Season to Include Fishing for Coho,Chum,and Hatchery Steelhead

Proposals were made by individuals and members of the Green River Steelhead Club,the Save our Fish Chapter of Puget Sound Anglers,and the Steelhead Trout Club of Washington to extend the Green River Boat fishing which is open in the summer to the period from Nov1 to Feb 28th. This was amended to terminate boat fishing on Jan 15th to protect declining wild Steelhead..These proposals were made to increase the opportunity to fish for surplus hatchery Coho,Chum,and surplus hatchery Steelhead in an area where bank access has been severely reduced due to invasive blackberries,private property,and streamside vegetation planted by King County to improve fish habitat.These fishing clubs have worked with the city of Auburn which has provided boat launch at 2nd St,and a takout at the Auburn golf course.

The WDF&W department rejected this proposal due to the impact to wild Steelhead which have been declining in recent years and also because of the fear that hatchery broodstock needs would not be met.

Very few wild Steelhead are in the river before Jan 15th as evidenced by the Tribal catch of only one wild fish in this period last year when they terminated their fishery in early January.In previous years their fishery went through January and there was a harvest of 84 wild Steelhead in 2006-2007.

This reason is not valid with the change from Feb 28th to Jan 15th closure of boat fishing.

The hatchery broodstock needs have been exceeded at Soos creek in the past 5 years and last year,the hatchery collected 82 hatchery winter Steelhead when they only needed 60 to meet broodstock needs even after the trap blew out due to the worst flood in 48 years.The hatchery manager supports the opening of the river to boats because there was a surplus of 16,000 Coho above broodstock needs and most years the hatchery has surplus Steelhead and they expend large amounts of manpower collecting these surplus fish which are in excess of foodbank needs. (See attached hatchery rack counts).

The rack count data does not support the argument that hatchery brood stock needs will not be met if boat fishing is allowed.

For the above reasons and because the anglers strongly support boat fishing as evidenced by the letters you have received,we request that WDF&W support this amended proposal.

Hal Boynton representing
The Steelhead Trout Club of Washington,Green River Steelhead Club,and Save our Fish Chapter of the Puget Sound Anglers and the 38 individuals who have submitted personal letters

To:

Annette Hoffman Ph.D.
Region 4 Fish Program Manager
16018 Mill Creek, Washington, 98012-1541

I request that you approve opening the Green river to boat fishing until Jan 15th to provide increased angling opportunity for Coho, Chum and hatchery winter Steelhead. River access has been limited in recent years by private property, streamside vegetation planted to improve fish habitat, and invasive blackberries.

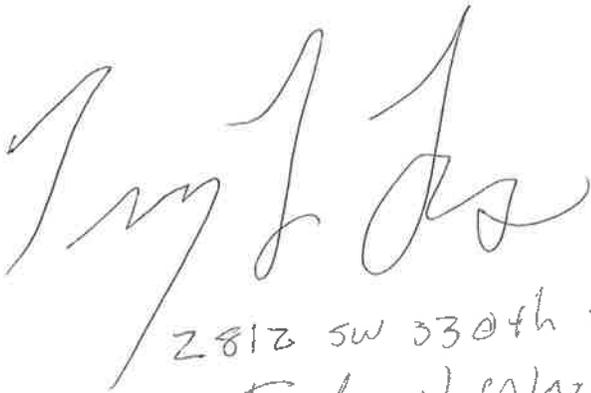
This would be an amendment to a proposal made by my fishing club to open the river until the winter closure on Feb 28th, the amendment to protect declining wild winter Steelhead.

Additional benefits would be to harvest excess hatchery winter Steelhead to meet the guidelines of HSRG.

Broodstock collection needs for the winter Steelhead program have been met in recent years at Soos creek and the closure of Palmer will have no impact on this proposal.

The city of Auburn has installed a boat launch at 2nd St. and a takout at the Golf course to encourage boat fishing and river recreation on the Green river.

We have been working to get this fishing opportunity for many years and hope that you can provide this change in rules.



2812 SW 3304th Street
Federal Way Wa.
98023
Board of Directors
Puget Sound Anglers &
Steelhead Trout Club

September 22, 2009

Dr. Annette Hoffman
Region 4 Fish Program Manager
16018 Mill Creek Blvd.
Mill Creek, WA 98012-1541

To Whom It May Concern,

I encourage the WDFW to allow fishing from a floating device in the winter on King County's Green River. This would improve the harvest of hatchery fish and is in agreement with the stated goals and implementation policies of the HSRG to remove as many hatchery steelhead as possible from wild spawning beds. Opening the river to boat angling would also provide more angler access to the river's chum and coho.

If the Department is concerned about the impact of hooking mortality on wild winter steelhead, a closure date of January 15 would still protect wild fish from interception while maximizing harvest of hatchery steelhead.

The City of Auburn supports increased boater access to the Green and is in the process of constructing a new boat ramp, assuming all liability concerns for its use.

Sincerely,

Ben Williams
9711 101st Ave E.
Bonney Lake WA 98391

September 22, 2009

Dr. Annette Hoffman
Region 4 Fish Program Manager
16018 Mill Creek Blvd.
Mill Creek, WA 98012-1541

To Whom It May Concern,

Please change the regulations to allow fishing from a boat on the Green River in the winter. There is very little bank access on the Green for fishermen who don't own a boat. It's the only river in the Puget Sound Region with this restriction.

Sincerely,

Carl Cowen
18912 SE 3187th Pl
Auburn, WA 98092



3628 South 35th Street
Tacoma, Washington 98409-3192

TACOMA PUBLIC UTILITIES

October 13, 2009

Lori Preuss
WDFW Rules Coordinator
600 Capitol Way N
Olympia, WA 98501-1091

RE: Stream Strategy Table for the Green/Duwamish

Dear Ms. Preuss:

Tacoma Public Utilities Water Division submitted a number of rule change proposals for the 2010-2012 sport-fishing seasons that affected fishing opportunity on the Green River in King County. As part of our outreach effort to gather feedback on our proposals, we mailed an information packet out to nine riverfront property owners that were directly affected by at least one of our proposals. WDFW is currently seeking public comment on those proposals it deems to have merit under the rule change process. Tacoma Water's Proposal #1, which would close fishing from the pipeline bridge to the Headworks Dam on the Green River is currently recommended for adoption by WDFW and described in the stream strategy table for the Green/Duwamish. Although the lands on both sides of the reach affected by this proposal are owned by Tacoma Water, I am attaching those responses received from our mailings regarding Proposal #1. Please include these in your review.

Additionally, we contacted representatives of the South King County Chapter of Puget Sound Anglers (Rob Larsen, Frank Urabeck, and Joe Slepski) and Trout Unlimited (Dana Smith). These groups verbally indicated they were neutral to the proposals at the time they were submitted and would reserve their comments for your review process.

The Stream Strategy Table for the Green/Duwamish also closes the river to sport harvest upstream to the mouth of Friday Creek. Tacoma Water is the principal riverfront property owner along this reach and is highly supportive of this proposed change in the regulations.

Thank you for the opportunity to comment.

Sincerely,

Greg Volkhardt
Environmental Programs Manager

GV:nd

Adjacent Landowner Comments about Tacoma Water's Proposal #1 to Close a Portion of the Green River to Recreational Fishing

Name: Dennis Hoffer
Date: 5-22-09
Parcel #: 909? Hoffers

Please place a checkmark by the statement that best describes your opinion about this proposal

I fully support Tacoma Water's proposal to close the section of the Green River between the pipeline bridge and the Headworks Dam to recreational fishing.

I might support the proposal if restructured based upon my comments below.

I don't support this proposal for the reasons listed below.

Your Comments: Being the only full Time resident
inside Tacoma's new gate, I do watch the river
closely. This entire river system is already posted.
Tacoma's gate & fence being posted already keeps 90%o
of fisherman out. No one fishes beyond the pipeline
to the head works dam. So why are the rafters allowed
to float over chinook spawning grounds? Rafters &
Kayakers come through here by the 100's, in the fall,
if you enforce trespass to fisherman, then enforce
trespass to rafters, whom chase the salmon out of
their redds.

Dennis W Hoffer
360 886 2631

RECEIVED

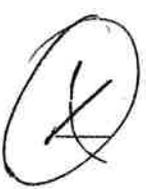
JUN 05 2009

WATER SUPERINTENDENT

Adjacent Landowner Comments about Tacoma Water's Proposal #1 to Close a Portion of the Green River to Recreational Fishing

Name: STEPHEN J. GRADON
Date: 6-4-2009
Parcel #: 132107-9036

Please place a checkmark by the statement that best describes your opinion about this proposal



I fully support Tacoma Water's proposal to close the section of the Green River between the pipeline bridge and the Headworks Dam to recreational fishing.

I might support the proposal if restructured based upon my comments below.

I don't support this proposal for the reasons listed below.

Your Comments: None

**Adjacent Landowner Comments about Tacoma
Water's Proposal #1 to Close a Portion of the Green
River to Recreational Fishing**

Name: MARK THIBO - WDNR
Date: 6-25-09
Parcel #: _____

Please place a checkmark by the statement that best describes your opinion about this proposal

I fully support Tacoma Water's proposal to close the section of the Green River between the pipeline bridge and the Headworks Dam to recreational fishing.

I might support the proposal if restructured based upon my comments below.

I don't support this proposal for the reasons listed below.

Your Comments:

THE DNR SUPPORTS THIS PROPOSAL AS IT RELATES
TO ACCESS FROM STATE TRUST LANDS. IT DEFERS
ALL DECISION MAKING RELATING TO FISHING
SEASONS TO WDFW AND LOCAL TRIBES

W. T. Thib

M. Mitchell



Steelhead SUMMIT ALLIANCE



December 5, 2009

Commissioners of the Washington State
Department of Fish & Wildlife
600 Capital Way North
Olympia, WA 98501

RE: Proposed Rules to Establish a Series of Wild Salmonid Management Areas

Dear Commissioners:

On May 31st of this year, the Steelhead Summit Alliance collectively, and the Wild Steelhead Coalition, Wild Fish Conservancy, Federation of Fly Fishers and the WA State Council of Trout Unlimited individually, proposed specific rules to create Wild Salmonid Management Areas (WSMAs) on 19 river reaches in Washington State. These proposals were submitted as part of the "major" rules proposal cycle.

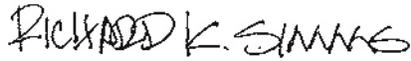
It has been 18 months since the Statewide Steelhead Management Plan was adopted by the Commission and there has been no observable staff action to implement the WSMA proposals adopted in this document. Further, the Hatchery and Fishery Reform Policy passed by the Commission at its November meeting reiterates its intent in this regard and yet no progressive movement is being made on this critical item.

The WDFW staff has recommended the implementation of portions of some of the rules we proposed on several of the rivers recommended, but has refused to establish formal Wild Salmonid Management Areas on them. When our proposed rules are taken only in part, and do not specifically include the hatchery fish free zones, the intent is subverted and the results of the proposed rules are, at best, distorted. This is akin to cutting off one leg of a chair and expecting anyone to sit on it.

We strongly disagree with the staff recommendations to reject these proposals to establish uniform and formal WSMAs. As we noted in the introduction to our rules proposals, we have worked very hard to include only river reaches that would have little or no immediate impact by being formally categorized as WSMAs for the first tangible action in this regard. Yet the Department staff continues to completely reject the implementation of this policy.

We now request that the Commission direct the WDFW staff to approve the establishment of WSMA's on as many rivers as may be practicable at this time. We would be happy to consult with them on the particulars of this matter.

Sincerely,



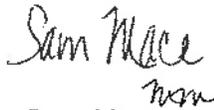
Rich Simms
President
Wild Steelhead Coalition



Bill McMillan
President
Wild Fish Conservancy



Kurt Beardslee
Executive Director
Wild Fish Conservancy



Sam Mace
Vice-President of Conservation
WA Council of Trout Unlimited



Bill Redman
Steelhead Committee
Federation of Fly Fishers

Cc: Governor Christine Gregoire
Congressman Norm Dicks



1. Overharvest and Lack of Corrective Action

Good morning Madam Chair, Commissioners, Director, and Staff, my name is Ed Wickersham and I am here today on behalf of CCA Washington regarding Columbia River white sturgeon. We are deeply troubled by the dramatic decline of legal-sized sturgeon in the lower Columbia. The population has declined by over fifty percent in just thirteen years. In recent years, managers employed an "Optimum Sustainable Yield" (OSY) model with a suggested 22.5% exploitation rate. However, over the last decade we have witnessed harvest rates of 35% or more – exceeding the OSY recommendations by 10 to 15%. We are here today to urge you to make needed revisions to the Lower Columbia River Sturgeon Management Policy you will soon be considering.

Another troubling sturgeon decline we will discuss is the drop in the sub-legal sized population. The sub-legal CPUE's in the Gorge, the mid-river and the estuary have declined for five years in a row, and are now well below the ten-year average. Wild sub-legal sturgeon are the sole source of future legal fish in the Columbia, and we already see signs of poor recruitment into the legal-sized class. The latest population estimate for the 42 inch to 48 inch size class was only 65,600 fish. This is a 38% reduction from last year, and represents a 16 year low.

In reviewing the past decade, it appears as though sturgeon management has largely employed trial and error. In 1997 and 1998, the authorized catch guideline was 67,300 legal-sized sturgeon for an exploitation rate of over 35%. Legal-sized populations declined and by 1999, the guideline was reduced to 50,000 fish, an exploitation rate of approximately 38%. The population continued to decline and in 2003 the



catch guideline was again reduced to 40,000 fish, with the stated goal being, "to grow the population of legal-sized fish." This 40,000 catch guideline has been extended to the present, even as the population has continued to decline.

At a Columbia River Recreational Advisory meeting in 2008 Department staff provided the following concise summary of the situation with LCR sturgeon:

- "the legal catch was the lowest since 1990"
- "the legal CPUE was the lowest since 1991"
- "the sub legal CPUE and the total sub legal handle were the lowest on record"
- "the number of legal sturgeon on record was the lowest ever"
- "the oversize handle and CPUE were the highest on record", and
- "the average size of kept sturgeon was the highest on record"

In spite of all these warning signs, no changes were made to the 40,000 catch guideline for another year. This lack of effective corrective action has made the choices available to us now more stark.

In summary, the Commission is charged with adopting the policies that guide the Department's management of Columbia River White Sturgeon. Without prompt corrective action we believe populations will continue to decline and may soon be considered for listing under the Endangered Species Act. We appreciate your careful consideration of this situation and for your time today. Several other CCA members have joined me here today to discuss sturgeon. If it would please the Commission I respectfully request that we be given the opportunity to answer any questions you may have following our last presenter.



2. Recommendations for Recovery

Good morning. My name is Harry Barber and I will continue sharing CCA's input regarding the declining sturgeon populations in the Columbia River. Looking ahead to 2010 and beyond, we must adopt a harvest rate for sturgeon that will not merely stop the decline, but will recover the population of legal-sized fish. Instead of chasing declining populations with incremental harvest reductions, we recommend adopting buffers and assumptions that favor conservation.

Our first recommendation is to discontinue the use of population point estimates as if they are discrete population numbers. The current population point estimate for legal-sized sturgeon is 97,000. Due to the sampling regime, this estimate carries considerable uncertainty. What we know is that, at the 95 percent confidence level, the actual population is somewhere between 71,700 (the lower confidence limit) and 133,100 (the upper confidence limit). To merely apply an exploitation rate to the point population estimate is asking for trouble. We suggest that Department staff determine an appropriate safety buffer to allow for statistical uncertainty in the point population estimate. The buffer should be a significant percentage of the difference between the point population estimate (97,000) and the lower confidence limit (71,700).

Once managers agree on a buffered population estimate, we recommend that fish program staff develop an appropriate exploitation rate. This is not a simple task. WDFW studies indicates that the exploitation rate should be less than the current OSY rate of 22.5%. The OSY guideline rate is very theoretical. It assumes a steady state system with normal spawning success, normal recruitment of sub-legals into the



legal population, and normal progression of legal into the spawning population. As we noted earlier, the current sturgeon population is stressed in many ways, and can not be considered "normal."

Our third recommendation is that mortality from all factors be considered in calculating the exploitation rate. This new factor should include pinned, catch and release, gillnet and broodstock mortality. We know these numbers are not easy to obtain. But knowledgeable scientists should be consulted and intelligent assumptions need to be made. It is no longer adequate to simply make no assumption concerning mortality from these sources.

Our fourth and last recommendation is to set a harvest rate that is biased to ensure growth of the legal-sized population. Thank you for considering these recommendations.



3. Department Recommendations Lack Uncertainty and Mortality Factors

Good morning, my name is Ginny Ross and I will continue presenting CCA Washington's views on sturgeon management. The Departments have proposed three options to address the population declines. They propose to reduce the 40,000 fish catch guideline (not the actual catch for 2009) by three possible factors as follows:

1. By 12 to 24% to match the legal fish decline,
2. By 16 to 35% to match both the legal and sub-legal fish decline, or
3. By a factor that accounts for both legal and sub-legal fish declines and for uncertainty in broodstock status.

It is important to consider that current catch guidelines are not being met. Through October, the sport catch above Wauna was only 38% of the guideline, and the sport catch below Wauna was 84% of the guideline. Making reasonable assumptions for November and December, the total sport catch for 2009 will be about 4,000 fish below the guideline. It is possible that these fish were not caught because they are simply not there.

Unfortunately, we cannot recommend any of the Department's proposed options because they are tied to catch guidelines that are not even being met. The third option might make sense if it considered both the statistical uncertainty of the population estimate and it accounted for all mortality factors discussed by Mr. Barber.

As the Commissioners are aware, mortality from sealion predation has increased dramatically since 2005. Based on 2009 observations from Bonneville Dam, sealions are estimated to have killed over 1,600 sturgeon in the area immediately below the dam. But sealion predation occurs all the way downstream to the estuary. Kills of sturgeon from every age class are documented throughout the river. We support the Department's efforts to



HARVEST POLICY & THE DECLINE OF COLUMBIA RIVER WHITE STRUGEON
Public testimony by CCA Washington to WDFW Commission, Dec. 4, 2009

reduce this predation, but these impacts are significant and should be considered when setting harvest rates.

The handle of oversize sturgeon in both the sport and commercial fisheries is another factor negatively impacting the sturgeon population. The 2005 Joint State Management Report states: "literature surveys and professional judgment suggest that negative impacts [of oversize handle] might include increased reproductive failure and direct and indirect mortality due to injury and stress..."

Management actions have significantly reduced both handle and mortality of oversize sturgeon in the Gorge, but unfortunately the handle is still significant. In 2009, about 1,700 broodstock sturgeon were caught and released. The handle in the estuary has increased dramatically since 2006. Over 2,500 oversize sturgeon were handled in the estuary in 2009. We support Department actions to reduce oversize handle as part of the process of recovering legal and sub-legal sturgeon throughout the river.

In conclusion, we hope that you will consider our recommendations as you review the Department's proposed options for your Columbia River Sturgeon policy. Thank you for this opportunity to address you today.



4. Underestimated and Concealed Gillnet Mortality Factor

Good morning, my name is John Campbell. I would like to provide additional details on what we view as underestimated mortality factors for sturgeon and suggest a way to reduce them. CCA Washington continues to be concerned about sturgeon mortality associated with the use of non-selective gillnets. We believe that this mortality is significant and must be quantified if it is to be understood. WDFW staff has confirmed that there is no specific mortality rate assigned to sturgeon released from gillnets. Apparently, gillnet mortality is part of a general 10% mortality used to account for natural causes. We feel proper stewardship demands that the Department set a separate mortality rate for gillnets to distinguish this controllable human impact from natural mortality. Underestimating gillnet damage and blending it with natural causes creates a bias in the exploitation rate that leads to overharvest.

We have provided several photographs taken last year of sturgeon with gillnet injuries. The damage includes torn fins, ripped off gill plates and scutes, and even embedded gillnet. Please consider gillnet impacts on sturgeon in the context of the long life span and residential nature of these fish. Sturgeon reach harvestable size in about 11 years and reach breeding age in 20 to 25 years. As you look at those pictures, ask yourself how many times during this long lifespan can sturgeon be netted before they succumb to stress and injury? These chronic, known, long-term stressors should be accounted for in setting harvest rates. While recreational fishing gear does far less damage to sturgeon than gillnets, a reasonable assumption for handling mortality in that fishery should also apply.



Besides assessing fishery mortality rates, we propose that you minimize sturgeon mortality in gillnet fisheries by reducing total fishing time. The Columbia River and SAFE area catch data for 2008 show that directed salmon seasons provided gillnetters with ample opportunity to take their entire sturgeon allocation for the year. Therefore, we recommend that you end the directed winter sturgeon seasons. These seasons are not only unnecessary, but they increase the likelihood the commercial quota will be met early. If gillnetters meet the quota before fall, non-retention rules will apply for all sturgeon in remaining salmon fisheries. This will unnecessarily increase handle impacts to all sturgeon encountered -- legal, sublegal and oversized.

Ending the winter seasons will help reduce handle mortality of sturgeon and will also protect fragile ESA listed wild steelhead and salmon runs from the non-selective gillnets. The pictures of the two steelhead in our materials were taken at the Kalama hatchery in late February. Only sturgeon gillnetting occurred in the Lower Columbia since October of the previous fall. Contrary to frequent claims otherwise, it is apparent that these fish didn't "swim right through" the large mesh sturgeon gillnets.



5. Conclusion: Adopt Conservative Harvest Management for Sturgeon

Good morning, my name is Bob Morgan and I will conclude CCA Washington's testimony. Wise and prophetic advice about LCR Sturgeon is found in a 1995 scientific paper by Devore, James, Tracy, and Hale. In that year, the legal sized sturgeon population reached a modern high of 202,000 fish. The authors' made the following important caution about harvest:

"Managers should be aware that, although LCR white sturgeon may be able to withstand relatively high harvest rates compared to other white sturgeon populations, there is a danger of overexploitation that might lead to a decline in productivity. Throughout their range, sturgeon species have a common history of decline or depletion caused by overexploitation and habitat changes. Optimal sustained yields (OSY) can only be achieved for the LCR population under conservative management schemes. The effects of recent harvest rates above OSY and hydroelectric development of the Columbia basin will not become evident for 20 or more years as declining recruitment to broodstock reduces production."

Our comments come near the end point of their 20 year look forward. In the spirit of their caution, we urge you to adopt a conservative Sturgeon harvest management policy. Due to the current stock status and as many documented uncertainties, conservative management is imperative if we hope to avoid the eventual ESA listing of this species.



We may well be at a tipping point right now. It takes 11 years on average for a sturgeon to grow to legal size, and about 25 years for a sturgeon to reach sexual maturity. Putting these facts together with the evidence of depressed sub-legal populations leads to one conclusion: we must act assertively for conservation now in order to see necessary population increases decades from now. Most importantly we have a very slippery slope to navigate to avoid further population declines.

We hope the Commission will take appropriate action as it reviews the science and the policy options before it. The Commission took a crucial step last year when it insisted on a 30% conservation buffer for the 2009 spring Chinook fishery. We now know that without that buffer we would have exceeded ESA impact limits for salmon due to the inaccurate run forecast. Sturgeon are not yet a listed species, but management challenges are similar to those for listed salmon, especially considering the statistical uncertainties of estimating population size.

We encourage you to set specific recovery goals and milestones, as opposed to merely "growing the population of legal sized fish" as stated in the current plan. As part of reversing the declines, we believe standards of accountability need to be established for managers which include in-season reviews of stock status.

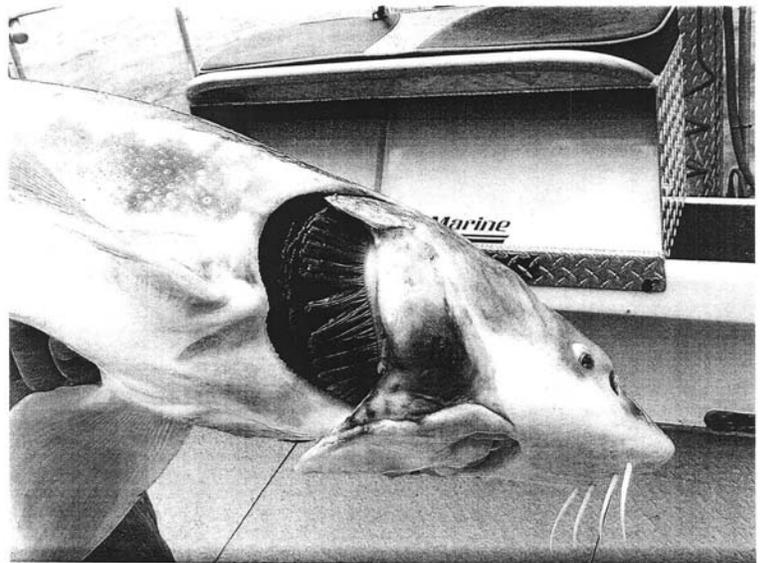
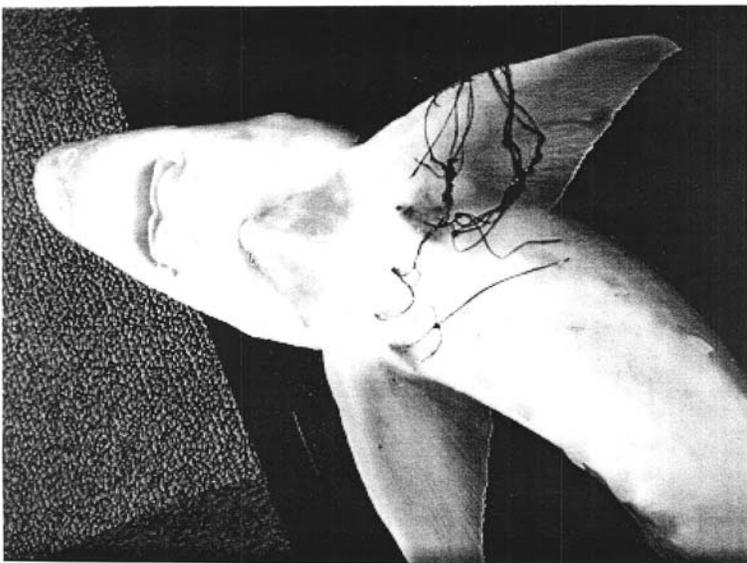
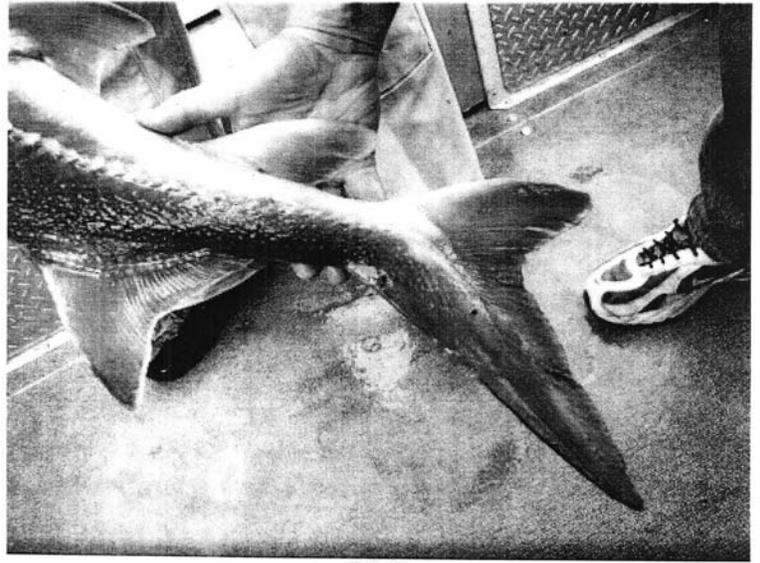
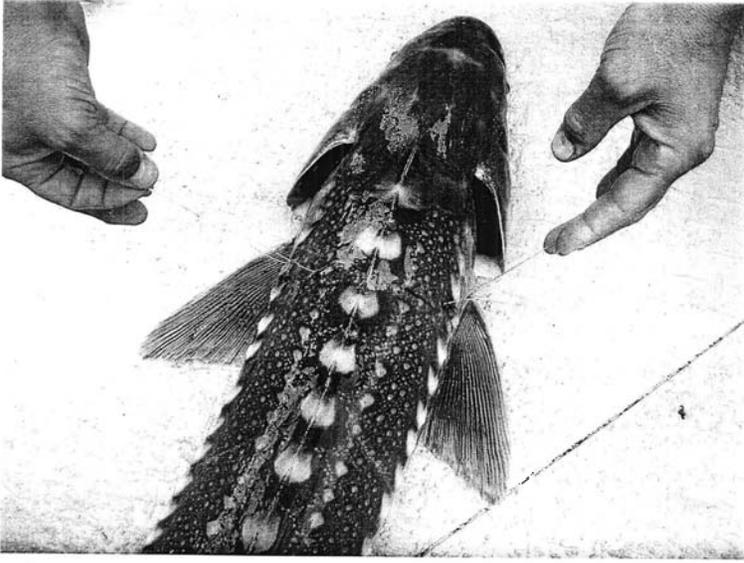
Finally, we want to thank you for your time. With Director Anderson on board, perhaps we can say there is a "new Sheriff in town." Director Anderson, we welcome you to your new position and look forward to supporting your efforts in every way possible to help recover our fish populations.

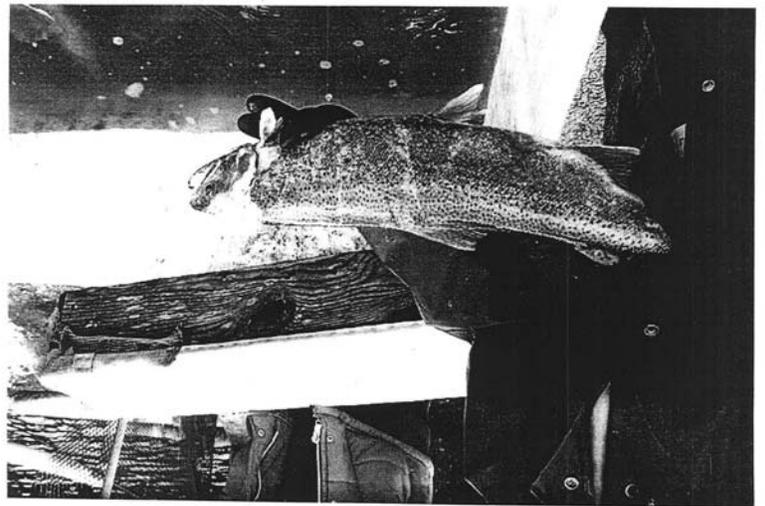
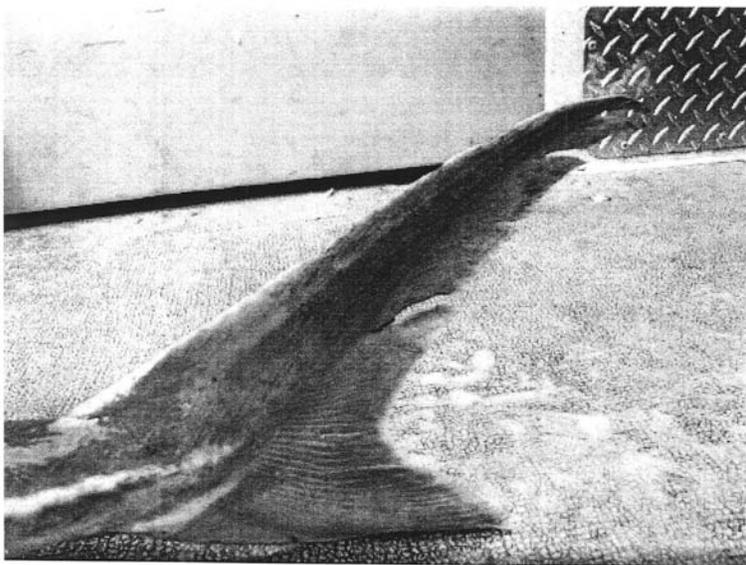
DYNAMICS AND POTENTIAL PRODUCTION OF WHITE STURGEON IN THE
UNIMPOUNDED LOWER COLUMBIA RIVER

JOHN D. DEVORE, BRAD W. JAMES, CHARLES A. TRACY, AND DONNA A. HALE

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Vol. 124, No. 6, November 1995
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	Sturgeon	chinook	incidental sturgeon	Sockeye	coho	Shad	chum
Columbia River Commercial 2009							
Sp Main Stem 4 1/4" mesh min.		4,354	24			1,394	
Su main stem 8" mesh min		2524	632	236			
Early Aug 9" mesh min.		9453	2,213		160		
Late Aug. 9" mesh min.		18,769	756		1,171		
Late Fall mix of 6", 8", 9" mesh min		6,758	2,001		43,910		26
Winter Sturgeon 9" - 9 3/4" mesh min.	1,786		1,786				
Columbia River Main Stem Totals	1,786	41858	7,412	236	45,241	1394	26
SAFE Area Landings							
Youngs Bay Winter		158	6				
Youngs Bay Spring		1,863	89				
Youngs Bay Summer		990	103				
Youngs Bay Fall		6582	75		49,265		
Blind Slough Winter		92	1				
Blind Slough Spring		796	35				
Blind Slough Fall		3,730	19		9,489		
Tongue Pt Spring		133	11				
Tongue Pt Fall		895	9		16956		1
Deep River Winter		40	27				
Deep River Spring		123	53				
Deep River Fall		559	11		4364		1
SAFE Area Totals		15,261	439	0	80074	0	2
Columbia River and SAFE area Totals		57119	7,851		125315	1394	28
Willapa Bay Through Oct. *		6467	39		72429	0	4,576
Including Willapa Bay Grand Totals		63576	7,890		197744	1394	4604
Note* All Willapa Bay Streams Closed to Rec. Chum Angling							
Does not include last two fishing periods							







PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Department of Fish and Wildlife

- Preproposal Statement of Inquiry was filed as WSR 09-16-127; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) WAC 220-12-020, Shellfish—Classification. WAC 220-12-090, Classification—Nonnative aquatic animal species. WAC 220-55-220, Two pole endorsement. WAC 220-55-230, Columbia River endorsement. WAC 220-56-100, Definitions—Personal-use fishing. WAC 220-56-115, Angling gear—Lawful and unlawful acts. WAC 220-56-116, Statewide saltwater hook rules. WAC 220-56-122, Statewide bait rules. WAC 220-56-123, Statewide freshwater hook rules. WAC 220-56-124, Unlawful provisions—Hoodsport Hatchery. WAC 220-56-128, Food fish fishing—Closed areas. WAC 220-56-129, Unclassified freshwater invertebrates and fish. WAC 220-56-130, Unclassified marine invertebrates and fish. WAC 220-56-185, Marine area codes. WAC 220-56-230, Bottomfish and halibut – Closed areas. WAC 220-56-235, Possession limits—Bottomfish. WAC 220-56-240, Daily limits forage fish and other food fish not otherwise provided for. WAC 220-56-250, Lingcod—Areas and seasons. WAC 220-56-265, Forage fish—Lawful gear. WAC 220-56-282, Sturgeon—Areas, seasons, limits and unlawful acts. WAC 220-56-310, Shellfish—Daily limits. WAC 220-56-330, Crab—Areas and seasons. WAC 220-56-350, Clams other than razor clams, mussels – Areas and seasons. WAC 220-56-380, Oysters – Areas and seasons. WAC 220-56-385, Oysters—Unlawful acts. WAC 220-56-500, Game fish seasons. WAC 232-12-064, Live wildlife. WAC 232-28-619, Washington food fish and game fish – Freshwater exceptions to statewide rules.

Hearing location(s):
 Natural Resources Building, Room 172
 1111 Washington St., SE
 Olympia WA 98504

Date: December 4-5, 2009. Time: 8 a.m.

Date of intended adoption: On or after February 5, 2010
 (Note: This is NOT the effective date)

Submit written comments to:
 Name: Lori Preuss, Rules Coordinator
 Address: WDFW Enforcement, 600 Capitol Way, North,
 Olympia WA 98501-1091

E-mail: Lori.Preuss@dfw.wa.gov
 Fax: (360) 902-2155 by December 1, 2009

Assistance for persons with disabilities: Contact:
Susan Yeager by November 26, 2009, at:
 TTY (360) 902-2207 or (360) 902-2267

Purpose of the proposal and its anticipated effects, including any changes in existing rules: See Attachment 1.

Reasons supporting proposal: See Attachment 1.

Statutory authority for adoption: RCW 77.12.047

Statute being implemented: RCW 77.12.047

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE
 October 20, 2009

NAME (type or print)
 Lori Preuss

SIGNATURE

TITLE
 Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: **October 20, 2009**
 TIME: **5:14 PM**

WSR 09-21-102

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Washington Department of Fish and Wildlife

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Patricia Michael	1111 Washington St., Olympia	(360) 902-2628
Implementation.... James Scott	1111 Washington St., Olympia	(360) 902-2736
Enforcement..... Chief Bruce Bjork	1111 Washington St., Olympia	(360) 902-2373

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

These rules affect recreational fishers. There is no direct regulation of small businesses.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: These proposals do not affect hydraulics.

ATTACHMENT 1

WAC 220-12-020 Shellfish—Classification. Update scientific name of native little neck clam.

WAC 220-12-090 Classification—Nonnative aquatic animal species. Set rules for harvest of 2 genera of crayfish in family Carbaridae. Allows anglers to harvest non-native species.

WAC 220-55-220 Two pole endorsement. New section allowing anglers to fish with 2 lines in all lakes and ponds open to fishing except those on the list of exceptions provided. Provides angler opportunity.

WAC 220-55-230 Columbia River endorsement. Provides a list of the places where an adult angler must possess a valid Columbia River Endorsement in order to fish for salmon or steelhead. Money collected will provide more selective fisheries in the area.

WAC 220-56-100 Definitions—Personal-use fishing. Changes definition of anti-snagging rule to allow treble hooks on floating gear or if an angler is trolling. Defines “buoyant lure” and “trolling” as part of the anti-snagging rule. Removes from the definition of selective gear rules the provision against fishing from a floating device with an internal combustion engine, so that the provision can be applied as needed.

WAC 220-56-115 Angling gear—Lawful and unlawful acts. Allows anglers with 2-pole endorsement to fish with up to 2 lines in lakes, ponds and reservoirs, unless those bodies of water are listed as an exception in WAC 220-55-220.

WAC 220-56-116 Statewide saltwater hook rules. Provides angler opportunity. Removes language allowing anglers to fish for salmon with other than single barbless hooks in any marine area. Provides uniform rules in saltwater and makes release of fish easier.

WAC 220-56-122 Statewide bait rules. Makes it unlawful to use shad as bait while fishing for sturgeon. Helps anglers avoid targeting oversize sturgeon. Makes it unlawful to use bait while fishing for tiger muskellunge.

WAC 220-56-123 Statewide freshwater hook rules. Makes it unlawful to use more than three hooks per line when fishing in fresh water, unless the angler is using forage fish jigger gear in the waters of the Columbia River downstream from a line between Rocky Point and Tongue Point.

WAC 220-56-124 Unlawful provisions—Hoodsport Hatchery. Provides opportunity for anglers who permanently use a wheelchair and their designated harvesters to fish from the ADA-accessible site at Hoodsport Hatchery.

WAC 220-56-128 Food fish fishing—Closed areas. Allows anglers who permanently use a wheelchair and their designated harvesters to fish from the ADA-accessible site at Hoodsport Hatchery.

WAC 220-56-129 Unclassified freshwater invertebrates and fish. Makes it unlawful to retain any freshwater fish not classified as a food fish or game fish. Closes a loophole for anglers who claim to be fishing for unclassified species.

WAC 220-56-130 Unclassified marine invertebrates and fish. Closes all harvest of unclassified marine invertebrates or fish. Provides protection for unmanaged populations.

WAC 220-56-185 Marine area codes. Corrects reference to a Saratoga Pass Light in description for area 8-2.

WAC 220-56-230 Bottomfish and halibut – Closed areas. Makes it unlawful to take, fish for, retain, or possess bottomfish from waters deeper than 120 feet in marine areas 5-11,13, and Marine Area 4 east of the Bonilla-Tatoosh line. Makes it unlawful to take, fish for, retain, or possess rockfish taken for personal use in Marine Areas 6-11 and 13. Provides protection for deepwater species that cannot be released alive

after bring brought to the surface from depth. Provides protection for small stocks of rockfish in Puget Sound.

WAC 220-56-240 Daily limits forage fish and other food fish not otherwise provided for. Sets a daily limit of 2 for these fish. Provides protection for unmanaged populations.

WAC 220-56-250 Lingcod—Areas and seasons. Synchronizes the season for divers with that of anglers.

WAC 220-56-265 Forage fish—Lawful gear. Removes disability license language and replaces it with a reduced fee license or designated harvest card. Is for housekeeping purposes.

WAC 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts. Makes it unlawful to fish for sturgeon with shad as bait. Limits an angler's ability to target oversized sturgeon.

WAC 220-56-310 Shellfish—Daily limits. Reduces daily limit for scallops from 12 to 6 and Dungeness crab daily limit from 5 to 4 in Puget Sound. Provides protection for scallop stocks and for Dungeness crab, and reduces the daily limit due to another proposal to have crabbing open on 2 weekend days instead of one.

WAC 220-56-330 Crab—Areas and seasons. Changes open days of the week from Wednesday through Saturday to Friday through Monday in Marine Areas 6, 7, 8-1, 8-2, 9, 10, 11, and 12. Allows harvest on both weekend days.

WAC 220-56-350 Clams other than razor clams, mussels – Areas and seasons. DNR 85 and South Dougall Point are removed from the rule, opening them year-round. Potlatch East is removed from rule, as it is now in private ownership. Silverdale Waterfront Park is renamed, and state-owned tidelands are opened at Oakland Bay.

WAC 220-56-380 Oysters – Areas and seasons. DNR 57-B, DNR 85, and South Dougall Point are removed from the rule, opening them year-round. Potlatch East and Cushman (Saltwater) Park are removed from rule because these beaches are now in private ownership. Kayak Point, Pitt Island, and part of Purdy Spit County Park are closed all year. Other oyster beach seasons are adjusted to match clam openings to ease enforcement and lessen confusion.

WAC 220-56-385 Oysters—Unlawful acts. Conflicting language is removed, making it clear that oysters must be shucked before being removed from the beach.

WAC 220-56-500 Game fish seasons. Rivers, streams, and beaver ponds draining into Puget Sound and the Strait of Juan de Fuca are closed to fishing unless listed as open. Provides protection in many nursery areas for anadromous fish. Opportunity is provided for anglers who permanently use a wheelchair and their designated harvesters to fish from the ADA-accessible site at Hoodspout Hatchery.

WAC 232-12-064 Live wildlife. Makes it unlawful to take live unclassified marine invertebrates and fish without a permit. Provides protection for unmanaged populations. Other changes in this rule were made as part of WSR 09-16-146, filed on August 5, 2009, to correct WAC references and punctuation errors.

WAC 232-28-619 Washington food fish and game fish – Freshwater exceptions to statewide rules. Implements change in game fish seasons in rivers, streams and beaver ponds draining into Puget Sound and the Strait of Juan de Fuca, as noted in WAC 220-56-500. Wild steelhead harvest is closed in the Pysht, Hoko, and Green/Duwamish rivers to protect weak stocks. Wild steelhead retention seasons are adjusted in all open areas to begin February 16 rather than December 1, to provide protection for the early portion of the runs. Single barbless hooks are required when fishing for salmon and steelhead in

the Columbia River from the mouth to McNary Dam, to ease the release of fish. Sturgeon sanctuary areas are closed in the upper Columbia and Snake rivers to protect large broodstock. Trout rules in many South Sound lakes are changed to 5 fish, with no more than 2 over 14" in length, to better allocate large fish. Selective gear rules are added to several coastal rivers for protection of wild steelhead. Closed areas are added to Sprague Lake to protect nesting waterbirds. Use of small lead tackle is restricted in several lakes to protect nesting areas for loons. A limited-entry fishery is proposed for Spirit Lake if USFS approval for entry is attained. Other rules are adjusted to protect ESA-listed species or provide more angling opportunity or quality fisheries.

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 220-12-020 Shellfish--Classification. The following species are classified as shellfish under RCW 75.08.080 and are subject to the provisions of this title:

Abalone

Pinto abalone *Haliotis kamtschatkana*

Mussel

Blue mussel *Mytilus trossulus*
California mussel *Mytilus californianus*
Mediterranean mussel *Mytilus galloprovincialis*

Scallops

Pacific pink scallop *Chlamys rubida*
Rock scallop *Crassadoma gigantea*
Spiny scallop *Chlamys hastata*
Weathervane scallop *Patinopecten caurinus*

Clams

All macoma clams *Macoma spp.*
Butter clam *Saxidomus giganteus*
Common cockle *Clinocardium nuttallii*
Geoduck *Panopea abrupta*
Horse or Gaper clam *Tresus nuttallii,*
Tresus capax
Mud or soft shell clam *Mya arenaria*
Manila clam *Venerupis philippinarum*
Piddock *Zirfaea pilsbryi*
Razor clam *Siliqua patula*

Rock or native little neck clam (~~*Protothaca*~~) *Leukoma staminea*
 Varnish clam *Nuttallia obscurata*

All other marine clams existing in Washington in a wild state

Oysters

All oysters (Ostreidae)

Squid

All squid Sepiolida or Teuthida

Octopus

Octopus *Enteroctopus dofleini*

Barnacles

Goose barnacle *Pollicipes polymerus*

Shrimp

Coonstripe shrimp *Pandalus danae*

Coonstripe shrimp *Pandalus hypsinotus*

Ghost or sand shrimp *Neotrypaea spp.*

Humpy shrimp *Pandalus goniurus*

Mud shrimp *Upogebia pugettensis*

Ocean pink shrimp *Pandalus jordani*

Pink shrimp *Pandalus eous*

Sidestripe shrimp *Pandalopsis dispar*

Spot shrimp *Pandalus platyceros*

Crab

Dungeness or Pacific crab *Cancer magister*

Red rock crab *Cancer productus*

Tanner crab *Chionoecetes tanneri*

King and box crab *Lopholithodes spp.*

Crawfish

Crawfish *Pacifastacus sp.*

Sea cucumber

Sea cucumber *Parastichopus californicus*

Sea urchin

Green urchin	<i>Strongylocentrotus</i> <i>droebachiensis</i>
Red urchin	<i>Strongylocentrotus</i> <i>franciscanus</i>
Purple urchin	<i>Strongylocentrotus purpuratus</i>

[Statutory Authority: RCW 77.12.047. 04-07-009 (Order 04-39), § 220-12-020, filed 3/4/04, effective 5/1/04; 03-05-057 (Order 03-24), § 220-12-020, filed 2/14/03, effective 5/1/03. Statutory Authority: RCW 77.12.040 and 75.08.080. 98-06-031, § 220-12-020, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 95-04-066 (Order 95-10), § 220-12-020, filed 1/30/95, effective 5/1/95; 91-10-024 (Order 91-22), § 220-12-020, filed 4/23/91, effective 5/24/91; 88-12-025 (Order 88-28), § 220-12-020, filed 5/25/88, effective 8/22/88; 87-23-006 (Order 87-187), § 220-12-020, filed 11/6/87; 86-24-046 (Order 86-190), § 220-12-020, filed 11/26/86; 85-09-017 (Order 85-20), § 220-12-020, filed 4/9/85; 85-01-010 (Order 84-214), § 220-12-020, filed 12/7/84; 83-24-024 (Order 83-200), § 220-12-020, filed 11/30/83, effective 1/1/84; Order 1186, § 220-12-020, filed 1/13/75; Order 990, § 220-12-020, filed 5/11/72; Order 807, § 220-12-020, filed 1/2/69, effective 2/1/69; Order 677, Shellfish classification, filed 3/31/66; Order 256, Shellfish classification, filed 3/1/60; Abalone and octopus from Order 483 and 256, filed 3/1/60.]

AMENDATORY SECTION (Amending Order 03-312, filed 12/16/03, effective 1/16/04)

WAC 220-12-090 Classification--Nonnative aquatic animal species. (1) Prohibited aquatic animal species. The following species are classified as prohibited aquatic animal species:

(a) Amphibians:

(i) In the family Hylidae: Cricket frog, in the genus *Hyla* species in the group *Arborea* including: *Hyla annectans*, *Hyla arborea*, *Hyla chinensis*, *Hyla hallowellii*, *Hyla immaculata*, *Hyla japonica*, *Hyla meridionalis*, *Hyla sanchiangensis*, *Hyla simplex*, *Hyla suweonensis*, *Hyla tsinlingensis*, *Hyla ussuriensis*, and *Hyla zhaopingensis*.

(ii) In the family Pelobatidae, spadefoots, all species of the genus *Pelobates* including *P. cultripes*, *P. fuscus*, *P. syriacus*, and *P. varaldii*. All species of the genus *Scaphiopus* including: *S. couchii*, *S. holbrookii*, and *S. hurterii*. All species of the genus *Spea* including: *S. hurterii*, *S. bombifrons*, *S. hammondii*, and *S. multiplicata* with the exception of the native species: *Spea intermontana* the great basin spadefoot.

(iii) In the family Pipidae: African clawed frog, all members of the genera *Silurana*, and *Xenopus*.

(iv) In the family Ranidae:

(A) Bull frog, *Rana catesbeiana*.

(B) Holarctic brown frogs and Palearctic green frogs of the

genus *Rana*, including the following: *Rana arvalis* group (*R. arvalis*, *R. chaochiaoensis*, *R. chevronta*); *Rana chensinensis* group (*R. altaica*, *R. chensinensis*, *R. dybowskii*, *R. kukunoris*, *R. kunyuensis*, *R. ornativentris*, *R. pirica*); *Rana graeca* group (*R. graeca*, *R. italica*); *Rana japonica* group (*R. amurensis*, *R. aragonensis*, *R. japonica*, *R. omeimontis*, *R. zhenhaiensis*); the subgenus *Rugosa* (*Rana rugosa*, *Rana emeljanovi*, *Rana tientaiensis*); *Rana tagoi* group (*R. sakurarii*, *R. tagoi*); *Rana temporaria* group (*R. asiatica*, *R. dalmatina*, *R. honnorate*, *R. huanrenensis*, *R. iberica*, *R. latastei*, *R. macrocnemis*, *R. okinavana*, *R. pyrenaica*, *R. tsushimensis*, *R. zhengi*); and in the *Rana Pelophylax* section, the subgenus *Pelophylax* (*R. bedriagae*, *R. bergeri*, *R. cerigensis*, *R. chosenica*, *R. cretensis*, *R. demarchii*, *R. epeirotica*, *R. fukienensis*, *R. grafti*, *R. hubeiensis*, *R. lateralis*, *R. lessonae*, *R. nigrolineata*, *R. nigromaculata*, *R. perezi*, *R. plancyi*, *R. porosa*, *R. ridibunda*, *R. saharica*, *R. shqipericana*, *R. shuchinae*, *R. terentievi*, *R. tenggerensis*); and the *Rana ridibunda*-*Rana lessonae* hybridogenetic complex species *R. esculenta* and *R. hispanica*.

(v) In the family Ambystomatidae: Mole salamanders. In the genus *Ambystomata*: *A. californiense*, *A. laterale*, *A. opacum*, *A. rosaceum*, *A. tigrinum*, except for the native species *A. tigrinum mavortium* Western tiger salamander, and *A. tigrinum melanostictum* Tiger salamander.

(vi) In the family Amphiumidae one, two, and three toed salamanders or congo eels: All members of the genus *Amphiuma*.

(vii) In the family Cryptobranchidae: Giant salamanders and hellbenders, all members of the genera *Andrias* and *Cryptobranchus*.

(viii) In the family Dicamptodontidae, American giant salamanders, all members of the genus *Dicamptodon*, except for the native species: *Dicamptodon tenebrosus*, Pacific giant salamander, and *Dicamptodon copei*, Cope's giant salamander.

(ix) In the family Hynobiidae: Mountain salamanders, all members of the genera *Batrachuperus*, *Hynobius*, *Liua*, *Onychodactylus*, *Pachyhynobius*, *Pseudohynobius*, *Ranodon*, and *Salamandrella*.

(x) In the family Plethodontidae, subfamily Desmognathinae: All members of the genus *Desmognathus*, dusky salamander.

(xi) In the family Plethodontidae, subfamily Plethodontinae: All members of the genera *Aneides* (climbing salamanders); *Batrachoseps* (slender salamanders); *Eurycea* (American brook salamanders); *Gyrinophilus* (cave salamanders); *Hemidactylium* (four-toed salamanders); *Hydromantes* (web-toed salamanders); *Plethodon* (woodland and slimy salamanders); *Pseudotriton* (mud or red salamanders), and *Speleomantes* (European salamanders).

(xii) In the family Proteidae, mudpuppies, all members of the genus *Necturus* and *Proteus*.

(xiii) In the family Salamandridae: Newts, all members of the genera *Chioglossa*; *Eichinotriton* (mountain newts); *Euproctus* (European mt. salamander); *Neurergus* (Kurdistan newts); *Notophthalmus* (red-spotted newts); *Pachytriton* (Chinese newts); *Paramesotriton* (warty newts); *Salamandrina* (speckled salamander); *Taricha* except for the native species *Taricha granulosa granulosa* the Northern rough-skinned newt, and *Triturus* (alpine newts).

(xiv) In the family Sirenidae, sirens, all species of the genera *Pseudobranchus* and *Siren*.

(b) Reptiles:

(i) In the family Chelydridae, snapping turtles, all species.

(ii) In the family Emydidae:

(A) Chinese pond turtles, all members of the genus *Chinemys*.

(B) Pond turtles, all members of the genus *Clemmys*.

(C) European pond turtle, *Emys orbicularis*.

(D) Asian pond turtle, all members of the genus *Mauremys*.

(iii) In the family Trionychidae, American soft shell turtles, all members of the genus *Apalone*.

(c) Crustaceans:

(i) Family Cercopagidae:

(A) Fish hook water flea, *Cercopagis pengoi*.

(B) Spiny water flea, *Bythotrephes cederstroemi*.

(ii) Family Grapsidae: Mitten crabs: All members of the genus *Erochier*.

(iii) Family Cambaridae: Crayfish: All genera, except a person may possess and transport ~~live species of *Oreonectes virillis* and *Procambarus clarkii*~~ dead prohibited crayfish species only when obtained under the department's recreational crayfishing rules (WAC 220-56-336, 220-56-~~310~~-320 and 220-56-315). There is no daily limit, size limit, or sex restriction for prohibited crayfish species. All prohibited species crayfish must be kept in a separate container from native crayfish. Release of any live crayfish species into waters other than the water being fished is prohibited.

(iv) Family Parastacidae: Crayfish: All genera except *Engaeos*, and except the species *Cherax quadricarinatus*, *Cherax papuanus*, and *Cherax tenuimanus*.

- (v) Family Portunidae: European green crab, *Carcinus maenas*.
- (vi) Family Spheromatidae: Burrowing isopod, *Sphaeroma quoyanum*.
- (d) Fish:
- (i) Family Amiidae: Bowfin, grinnel, or mudfish, *Amia calva*.
- (ii) Family Channidae: China fish, snakeheads: All members of the genus *Channa*.
- (iii) Family Characidae: Piranha or caribe: All members of the genera *Pygocentrus*, *Roseveltiella*, and *Serrasalmus*.
- (iv) Family Clariidae: Walking catfish: All members of the family.
- (v) Family Cyprinidae:
- (A) Fathead minnow, *Pimephales promelas*.
- (B) Carp, Bighead, *Hypophthalmichthys nobilis*.
- (C) Carp, Black, *Mylopharyngodon piceus*.
- (D) Carp, Grass (in the diploid form), *Ctenopharyngodon idella*.
- (E) Carp, Silver, *Hypophthalmichthys molitrix*.
- (F) Ide, silver orfe or golden orfe, *Leuciscus idus*.
- (G) Rudd, *Scardinius erythrophthalmus*.
- (vi) Family Gobiidae: Round goby, *Neogobius melanostomus*.
- (vii) Family Esocidae: Northern pike, *Esox lucius*.
- (viii) Family Lepisosteidae: Gar-pikes: All members of the family.
- (e) Mammals:
- Family Myocastoridae: Nutria, *Myocastor coypu*.
- (f) Molluscs:
- (i) Family Dreissenidae: Zebra mussels: All members of the

genus *Dreissena* and all species known as quagga.

(ii) Family Gastropoda: New Zealand mud snail, *Potamopyrgus antipodarum*.

(2) Regulated aquatic animal species. The following species are classified as regulated aquatic animal species:

(a) Crustaceans:

All nonnative crustaceans classified as shellfish.

(b) Fish:

(i) All nonnative fish classified as food fish and game fish.

(ii) Family Cichlidae: Tilapia: All members of the genera *Tilapia*, *Oreochromis*, and *Sartheradon*.

(iii) Family Clupeidae: Alewife, *Alosa pseudoharengus*.

(iv) Family Cyprinidae:

(A) Common carp, koi, *Cyprinus carpio*.

(B) Goldfish, *Carassius auratus*.

(C) Tench, *Tinca tinca*.

(D) Grass carp (in the triploid form), *Ctenopharyngodon idella*.

(v) Family Poeciliidae: Mosquito fish, *Gambusia affinis*.

(c) Molluscs:

(i) All nonnative molluscs classified as shellfish.

(ii) Family Psammobiidae: Mahogany clam or purple varnish clam, *Nuttalia obscurata*.

(3) Unregulated aquatic animal species. The following species are classified as unregulated aquatic animal species: None.

[Statutory Authority: RCW 77.12.047. 04-01-096 (Order 03-312), § 220-12-090, filed 12/16/03, effective 1/16/04; 02-19-007 (Order

02-223), § 220-12-090, filed 9/5/02, effective 10/6/02.]

NEW SECTION

WAC 220-55-220 Two pole endorsement. Anglers who are in possession of a valid two pole endorsement may fish with two lines in all lakes and ponds open to fishing, with the following exceptions:

Water Body	County	
Para-juvenile Lake	Adams	
Quail Lake	Adams	
Headgate Pond	Asotin	
Columbia Park Pond	Benton	
Blackbird Island Pond	Chelan	
Lake Wenatchee	Chelan	
Aldwell Lake	Clallam	
Beaver Lake	Clallam	
Carrie Blake Pond	Clallam	
Dickey Lake	Clallam	
Lake Pleasant	Clallam	
Lincoln Pond	Clallam	
Sutherland Lake	Clallam	
Vancouver Lake	Clark	Includes all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River
Big Four Lake	Columbia	
Dayton Pond	Columbia	
Blue Lake	Cowlitz	
Castle Lake	Cowlitz	
Coldwater Lake	Cowlitz	
Lewis River Power Canal	Cowlitz	Includes old Lewis River streambed between Swift No.1 powerhouse and Swift No. 2 powerhouse

	Cowlitz	
Silver Lake	Cowlitz	
Grimes Lake	Douglas	
Pit Lake	Douglas	
Long Lake	Ferry	
Beda Lake	Grant	
Brookies Lakes	Grant	
Dry Falls Lake	Grant	
Dusty Lake	Grant	
Homestead Lake	Grant	
Lenice Lake	Grant	
Lenore Lake	Grant	
Merry Lake	Grant	
Nunnally Lake	Grant	
Ping Pond	Grant	
Damon Lake	Grays Harbor	
Mill Creek Pond	Grays Harbor	
Promised Land Pond	Grays Harbor	
Quigg Lake	Grays Harbor	Located at Friends Landing near Montesano
Shye Lake	Grays Harbor	
Vance Creek Pond #1	Grays Harbor	
Vance Creek Pond #2	Grays Harbor	
Wynoochee Reservoir	Grays Harbor	
Anderson Lake	Jefferson	
Gibbs Lake	Jefferson	
Horseshoe Lake	Jefferson	
Teal Lake	Jefferson	
Lake Sammamish	King	
Lake Union	King	
Lake Washington	King	Including that portion of Sammamish River from 68th Ave. NE bridge downstream

	King	(Including Lake Union, Portage Bay, and Salmon Bay) waters east of a north-south line 400' west of the Chittenden Locks to the MontLake Bridge
Mill Pond	King	Auburn
Old Fishing Hole Pond	King	Kent
Portage Bay	King	
Rattlesnake Lake	King	
Ravensdale Lake	King	
Salmon Bay	King	
Swans Mill Pond	King	
Koeneman Lake	Kitsap	Formerly Fern Lake
Easton Lake	Kittitas	
Kachess Lake	Kittitas	
Keechelus Lake	Kittitas	
Kiwanis Pond	Kittitas	
Naneum Pond	Kittitas	
Cowlitz Falls Reservoir	Lewis	
Fort Borst Park Pond	Lewis	
Mayfield Lake	Lewis	Mayfield Dam to Mossyrock Dam
Packwood Lake	Lewis	
Scanewa Lake	Lewis	Cowlitz Falls Reservoir
Walupt Lake	Lewis	
Willame Lake	Lewis	
Coffeepot Lake	Lincoln	
Cady Lake	Mason	
Cushman Reservoir	Mason	
Prices Lake	Mason	
Stump Lake	Mason	
Aeneas Lake	Okanogan	
Big Twin Lake	Okanogan	
Black Lake	Okanogan	
Blue Lake	Okanogan	Near Wannacut Lake

	Okanogan	Sinlahekin Creek
Campbell Lake	Okanogan	
Chopaka Lake	Okanogan	
Cougar Lake	Okanogan	Lost River
Davis Lake	Okanogan	
Ell Lake	Okanogan	
Green Lake	Okanogan	
Green Lake	Okanogan	Lower Green Lake
Hidden Lake	Okanogan	Lost River
Rat Lake	Okanogan	
Silvermail Lake	Okanogan	
Cases Pond	Pacific	
Middle Nemah Pond	Pacific	
Mooses Pond	Pacific	
Owens Pond	Pacific	
South Bend Mill Pond	Pacific	
Browns Lake	Pend Oreille	
Muskegon Lake	Pend Oreille	
Bradley Lake	Pierce	
De Coursey Pond	Pierce	
Ohop Lake	Pierce	
Tanwax Lake	Pierce	
Wapato Lake	Pierce	
Granite Lakes	Skagit	Near Marblemount
Northern State Hospital Pond	Skagit	
Pass Lake	Skagit	
Vogler Lake	Skagit	
Drano Lake	Skamania	(Little White Salmon River) downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery and upstream of Hwy. 14 bridge
Swift Reservoir	Skamania	From dam to markers approximately 1 mile below Eagle Cliff Bridge
Ebey Lake	Snohomish	Little Lake

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	Snohomish	
Jennings Park Pond	Snohomish	
Monte Cristo Lake	Snohomish	
North Gissburg Pond	Snohomish	
Spada Lake	Snohomish	
Amber Lake	Spokane	
Bear Lake	Spokane	
Medical Lake	Spokane	
North Silver Lake	Spokane	
Bayley Lake	Stevens	
Lucky Duck Pond	Stevens	
Mcdowell Lake	Stevens	
Rigley Lake	Stevens	
Kennedy Creek Pond	Thurston	
Long's Pond	Thurston	
Mclane Creek Ponds	Thurston	
Munn Lake	Thurston	
Jefferson Park Pond	Walla Walla	
Lions Park Pond	Walla Walla	College Place
((Baker Lake	Whatcom))	
Diablo Lake	Whatcom	
Gorge Lake	Whatcom	
Lake Whatcom	Whatcom	
Ross Lake	Whatcom	
Squalicum Lake	Whatcom	
Garfield Juvenile Pond	Whitman	
Bumping Lake	Yakima	
Clear Lake	Yakima	
Leech Lake	Yakima	White Pass area
Mud Lake	Yakima	
Myron Lake	Yakima	
Rimrock Lake	Yakima	

Yakima

Yakima Sportsmen's Park Ponds Yakima

Note: The two pole endorsement is not valid in the Columbia and Snake rivers except as noted in Lake Roosevelt and Rufus Woods Lake.

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NEW SECTION

WAC 220-55-230 Columbia River endorsement. Anglers fifteen years of age or older must be in possession of a valid Columbia River endorsement to fish for salmon or steelhead in the following waters:

Mainstem Columbia River from the Rocky Point/Tongue Point line to Chief Joseph Dam

Deep River (Wahkiakum County)

Grays River (Wahkiakum County)

 Grays River, West Fork

 Grays River, East Fork

Skamokawa River (Wahkiakum County)

Elochoman River (Wahkiakum County)

Mill Creek (Lewis County)

Abernathy Creek (Cowlitz County)

Germany Creek (Cowlitz County)

Coal Creek (Cowlitz County)

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Blue Creek
Lacamas Creek
Mill Creek
Olequa Creek
Tilton River
Mayfield Lake
Riffe Lake
Lake Scanewa
Cispus River (Lewis County)
Coweeman River (Cowlitz County)
Toutle River (Cowlitz County)
 Toutle River, North Fork
 Toutle River, South Fork
 Green River (Cowlitz County)
Green River (Cowlitz County)
Kalama River (Cowlitz County)
Lewis River (Clark/Cowlitz counties)
 Lewis River, North Fork
 Swift Reservoir
 Lewis River, East Fork
 Cedar Creek
Salmon Creek (Clark County)
Washougal River (Clark County)
Washougal River West, North Fork
 Little Washougal
Camas Slough (Clark County)

Hamilton Creek (Skamania County)
Rock Creek (Skamania County)
Wind River (Skamania County)
White Salmon River (Klickitat/Skamania counties)
Klickitat River (Klickitat County)
Walla Walla River (Walla Walla County)
Mill Creek (Walla Walla County)
Touchet River (Columbia/Walla Walla counties)
Grande Ronde River (Asotin County)
Snake River mainstem
 Palouse River (Whitman County)(below the falls)
Tucannon River (Columbia/Garfield counties)
Yakima River (Benton/Yakima/Kittitas counties)
Wenatchee River
Icicle River (Chelan County)
Lake Wenatchee (Chelan County)
Entiat River (Chelan County)
Methow River (Okanogan County)
Okanogan River (Okanogan County)
Lake Osoyoos (Okanogan County)
Similkameen River (Okanogan County)

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AMENDATORY SECTION (Amending Order 09-27, filed 2/25/09, effective 5/1/09)

WAC 220-56-100 Definitions--Personal-use fishing. The following definitions apply to personal use fishing in Titles 220 and 232 WAC:

(1) "Anadromous game fish" means steelhead, sea-run cutthroat trout, and sea-run Dolly Varden/bull trout.

(2) "Anti-snagging rule" means:

(a) Except when fishing with a buoyant lure (with no weights added to the lure or line) or trolling from a vessel or floating device, terminal fishing gear is limited to a lure or bait with one single point hook. (~~(When fishing from a floating device, up to two single point hooks may be used.)~~)

(b) Only single point hooks measuring not more than 3/4 inch from point to shank may be used and all hooks must be attached to or below the lure or bait.

(c) Weights may not be attached below or less than 12 inches above the lure or bait.

(3) "Bait" means any substance which attracts fish by scent or flavors. Bait includes any lure which uses scent or flavoring to attract fish.

(4) "Barbless hook" means a hook on which all barbs have been deleted when manufactured or filed off or pinched down.

(5) "Bass" means largemouth and smallmouth bass.

(6) "Bow and arrow fishing" means any method of taking, or attempting to take, fish by the use of an arrow equipped with a barbed head and a line attached, and propelled by a bow, as in the sport of archery, while the fisher is above the surface of the water.

(7) "Buoy 10 line" means a true north-south line projected through Buoy 10 at the mouth of the Columbia River. "Buoy 10 fishery" means a fishery between a line in the Columbia River from Tongue Point in Oregon to Rocky Point in Washington and the Buoy 10 line.

(8) "Buoyant lure" means a lure that floats on the surface of freshwater when no additional weight is applied to the line or lure, and when not being retrieved by a line.

(9) "Channel Marker 13 line" means a true north-south line through Grays Harbor Channel Marker 13.

~~((9))~~ (10) "Daily limit" means the maximum number or pounds of fish, shellfish, or seaweed of the required size of a given species or aggregate of species which a person may retain in a single day.

~~((10))~~ (11) "Fresh" means fish or shellfish that are refrigerated, iced, salted, or surface glazed.

~~((11))~~ (12) "Freshwater area" means:

(a) Within any freshwater river, lake, stream or pond.

(b) On the bank or within 10 yards of any freshwater river, lake, stream or pond.

(c) On or within any boat launch, ramp, or parking facility associated with any freshwater river, lake, stream or pond.

~~((12))~~ (13) "Frozen" means fish or shellfish that are hard frozen throughout.

~~((13))~~ (14) "Gaffing" means an effort to take fish by impaling

the fish with a hook attached directly to a pole or other device.

~~((14))~~ (15) "Hatchery" when used to describe the difference between a hatchery fish and a nonhatchery fish, except salmon, means a fish having a clipped adipose fin or a clipped ventral fin with a healed scar at the location of the clipped fin. A hatchery salmon is a salmon having a clipped adipose fin and a healed scar at the location of the clipped fin, regardless of whether the fish is missing a ventral fin.

~~((15))~~ (16) "Hook" means one single point, double or treble hook. A "single point hook" means a hook having only one point. A "double hook" means a hook having two points on a common shank. A "treble hook" means a hook having three points on a common shank.

~~((16))~~ (17) "Hook and line" or "angling" shall be identical in meaning and, except as provided in WAC 220-56-115, shall be defined as the use of not more than one line with three hooks attached to a pole held in hand while landing fish, or the use of a hand operated line without rod or reel, to which may be attached not more than three hooks. When fishing for bottom fish, "angling" and "jigging" shall be identical in meaning.

~~((17))~~ (18) "In the field or in transit" means at any place other than at the ordinary residence of the harvester. An ordinary residence is a residential dwelling where a person normally lives, with associated features such as address, telephone number, utility account, etc. A motor home or camper parked at a campsite or a vessel are not considered to be an ordinary residence.

~~((18))~~ (19) "Juvenile" means a person under fifteen year of age.

~~((19))~~ (20) "Lure" means a manufactured article constructed of feathers, hair, fiber, wood, metal, glass, cork, leather, rubber or plastic which does not use scent or flavoring to attract fish. "Nonbuoyant lure" means a lure complete with hooks, swivels or other attachments, which does not float in freshwater.

~~((20))~~ (21) "Night closure" means closed to fishing from one hour after official sunset to one hour before official sunrise.

~~((21))~~ (22) "Opening day of lowland lake season" means the last Saturday in April.

(23) "Possession limit" means the number of daily limits allowed to be retained in the field or in transit.

~~((22))~~ (24) "Processed" means fish or shellfish which have been processed by heat for human consumption as kippered, smoked, boiled, or canned.

~~((23))~~ (25) "Steelhead license year limit" means the maximum number of steelhead trout any one angler may retain from April 1st through the following March 31st.

~~((24))~~ (26) "Selective gear rules" means terminal fishing gear is limited to artificial flies with barbless single hooks or lures with barbless single hooks~~((7))~~ and bait is prohibited~~((7 and fishing from a floating device equipped with an internal combustion motor is prohibited unless otherwise provided))~~. Up to three hooks may be used. Only knotless nets may be used to land fish. In waters under selective gear rules, fish may be released until the daily limit is retained.

~~((25))~~ (27) "Slough" means any swamp, marsh, bog, pond, side-channel, or backwater connected to a river by water. Waters

called sloughs that are not connected to a river are considered lakes.

~~((26))~~ (28) "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.

~~((27))~~ (29) "Spearing" or "spear fishing" means an effort to take fish or shellfish by impaling the fish or shellfish on a shaft, arrow or other device.

~~((28))~~ (30) "Stationary gear restriction" means the line and weight and lure or bait must be moving while in the water. The line and weight and lure or bait may not be stationary.

~~((29))~~ (31) "Steelhead" means sea-run rainbow trout over twenty inches in length.

~~((30))~~ (32) "Trolling" means a method of fishing from a vessel or floating device that is underway and under power.

(33) "Unmarked salmon" means a salmon with intact adipose and ventral fins.

~~((31))~~ (34) "Trout" means brown trout, bull trout, cutthroat trout, Dolly Varden, Eastern brook trout, golden trout, grayling, Kokanee (silver trout), lake trout, rainbow trout, tiger trout, and, in WAC 232-28-619, salmon from waters designated as "landlocked salmon rules apply."

~~((32))~~ (35) "Whitefish gear rules" means terminal fishing gear is restricted to one single hook, maximum hook size three-sixteenths inch point to shank (hook size 14), and bait is allowed. All species: Release all fish except whitefish.

~~((33))~~ (36) "Wild" when used to describe the difference between a hatchery fish and a nonhatchery fish, except salmon, means

a fish with all fins intact.

~~((34))~~ (37) "Wild" when used to describe a salmon (Chinook, coho, chum, pink or sockeye), means a salmon with an unclipped adipose fin, regardless of whether the fish is ventral fin-clipped. A salmon with a clipped adipose fin and a healed scar at the site of the clipped fin is not a wild salmon.

~~((35))~~ (38) "Wild cutthroat release" means it is unlawful to retain any cutthroat trout that does not have a clipped adipose fin and a healed scar at the location of the clipped fin.

~~((36))~~ (39) "Wild steelhead release" means it is unlawful to retain any steelhead that does not have a clipped adipose or ventral fin and a healed scar at the location of the clipped fin.

[Statutory Authority: RCW 77.12.047. 09-06-042 (Order 09-27), § 220-56-100, filed 2/25/09, effective 5/1/09; 08-07-003, § 220-56-100, filed 3/5/08, effective 4/5/08; 06-13-023 (Order 06-135), § 220-56-100, filed 6/13/06, effective 7/14/06; 06-05-085 (Order 06-23), § 220-56-100, filed 2/14/06, effective 5/1/06; 05-17-007 (Order 05-168), § 220-56-100, filed 8/3/05, effective 9/3/05; 04-24-030 (Order 04-306), § 220-56-100, filed 11/23/04, effective 12/24/04; 04-07-009 (Order 04-39), § 220-56-100, filed 3/4/04, effective 5/1/04; 03-18-007 (Order 03-211), § 220-56-100, filed 8/20/03, effective 9/20/03; 02-08-048 (Order 02-53), § 220-56-100, filed 3/29/02, effective 5/1/02. Statutory Authority: 2000 c 107 § 7. 00-16-091 (Order 00-134), § 220-56-100, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080 and 77.12.040. 99-08-029 (Order 99-13), § 220-56-100, filed

3/30/99, effective 5/1/99; 98-06-031, § 220-56-100, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-100, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-100, filed 5/13/96, effective 6/13/96; 95-04-066 (Order 95-10), § 220-56-100, filed 1/30/95, effective 5/1/95; 94-14-069, § 220-56-100, filed 7/1/94, effective 8/1/94; 91-08-054 (Order 91-13), § 220-56-100, filed 4/2/91, effective 5/3/91; 86-09-020 (Order 86-08), § 220-56-100, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-100, filed 4/9/85; 82-13-040 (Order 82-61), § 220-56-100, filed 6/9/82; 80-03-064 (Order 80-12), § 220-56-100, filed 2/27/80, effective 4/1/80.]

AMENDATORY SECTION (Amending Order 06-67, filed 4/11/06, effective 5/12/06)

WAC 220-56-115 Angling gear--Lawful and unlawful acts. (1)

It is unlawful for any person to use more than one line while angling for personal use except:

(a) Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing in lakes, ponds, and reservoirs open to fishing unless listed as an exception in WAC 220-55-220.

(b) A second line using forage fish jigger gear is lawful while fishing in Catch Record Card Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13. A violation of this subsection is an infraction, punishable under RCW 77.15.160.

(2) It shall be unlawful for any person to take, fish for or

possess fish taken for personal use by any means other than angling with a line attached to a pole held in hand while landing the fish or with a hand-operated line without rod or reel except as follows:

(a) It is lawful to leave the pole in a pole holder while playing or landing the fish if the pole is capable of being readily removed from the pole holder.

(b) It is lawful to use an electric power-operated reel designed for sport fishing attached to a pole.

(c) It is lawful to fish for or possess salmon taken for personal use with hand lines (lines not attached to a handheld pole) except use of hand lines is unlawful in those waters west of the mouth of the Sekiu River, the Pacific Ocean, Washington waters at the mouth of the Columbia River west of a line projected true north and south through Buoy 10, Grays Harbor, and Willapa Bay.

(d) A violation of this subsection is an infraction, punishable under RCW 77.15.160.

(3) It shall be unlawful for any person while angling to fail to keep his angling gear under his direct and immediate physical control.

(4) In areas where a saltwater license is valid, each fisher aboard a vessel may continue to deploy angling gear or shellfish gear until the daily limit of food fish or shellfish for all licensed and juvenile anglers aboard has been retained.

(5) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were

taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree--Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree--Penalty.

[Statutory Authority: RCW 77.12.047. 06-09-021 (Order 06-67), § 220-56-115, filed 4/11/06, effective 5/12/06; 06-05-085 (Order 06-23), § 220-56-115, filed 2/14/06, effective 5/1/06; 05-05-035 (Order 05-15), § 220-56-115, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-115, filed 3/4/04, effective 5/1/04; 02-09-001 (Order 02-53A), § 220-56-115, filed 4/3/02, effective 5/4/02; 01-06-036 (Order 01-24), § 220-56-115, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7. 00-16-091 (Order 00-134), § 220-56-115, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080 and 77.12.040. 99-15-081 (Order 99-102), § 220-56-115, filed 7/20/99, effective 8/20/99; 98-06-031, § 220-56-115, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 95-04-066 (Order 95-10), § 220-56-115, filed 1/30/95, effective 5/1/95; 91-08-054 (Order 91-13), § 220-56-115, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-115, filed 2/28/90, effective 3/31/90; 88-10-013 (Order 88-15), § 220-56-115, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-115, filed 4/21/87; 85-09-017 (Order 85-20), § 220-56-115, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-115, filed 4/11/84; 82-13-040 (Order 82-61), § 220-56-115, filed 6/9/82; 82-07-047 (Order 82-19), § 220-56-115, filed 3/18/82; 80-12-040 (Order

80-107), § 220-56-115, filed 8/29/80; 80-03-064 (Order 80-12), § 220-56-115, filed 2/27/80, effective 4/1/80.]

AMENDATORY SECTION (Amending Order 09-133, filed 7/8/09, effective 8/8/09)

WAC 220-56-116 Statewide saltwater hook rules. (1) It is unlawful to use more than two hooks to fish in saltwater, except for forage fish jigger gear and squid jig gear, and when fishing from the north jetty of the Columbia River.

(2) It is unlawful to use barbed hooks in Marine Areas 5-13, except for forage fish jigger gear.

(3) It is unlawful to use other than one single-point barbless hook to fish for sturgeon.

(4) It is unlawful to use other than single-point barbless hooks to fish for salmon in Marine Areas 1-13(~~(, except in the Ocean Shores and Westport Boat Basins, and in Marine Area 2-1 from August 1 through January 31, as provided for in this section)~~)).

(5) It is unlawful to fish for or possess salmon taken with terminal gear hooks in violation of anti-snagging rule in the following saltwater areas during the periods indicated:

~~((a))~~ Budd Inlet waters south of a line projected true west from the KGY radio station to the mainland and north of the closed zone provided for in WAC 220-56-128 - July 16 through October 31.

~~((b) Ocean Shores Boat Basin - August 16 through January 31.~~

~~(c) Westport Boat Basin - August 16 through January 31.))~~

(6) It is unlawful to use forage fish jig gear, and anti-snagging rule and night closure in effect, in the Duwamish Waterway downstream from the First Avenue South Bridge to an east-west line through Southwest Hanford Street on Harbor Island parallel to Southwest Spokane Street where it crosses Harbor Island - July 1 through October 31.

(7) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160.

(8) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree--Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree--Penalty.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 09-15-035 (Order 09-133), § 220-56-116, filed 7/8/09, effective 8/8/09; 08-15-002 (Order 08-165), § 220-56-116, filed 7/3/08, effective 8/3/08; 07-16-056, § 220-56-116, filed 7/26/07, effective 8/26/07.

Statutory Authority: RCW 77.12.047. 06-09-021 (Order 06-67), § 220-56-116, filed 4/11/06, effective 5/12/06; 06-05-085 (Order 06-23), § 220-56-116, filed 2/14/06, effective 5/1/06; 02-08-048 (Order 02-53), § 220-56-116, filed 3/29/02, effective 5/1/02.

Statutory Authority: 2000 c 107 § 7. 00-16-091 (Order 00-134), §

220-56-116, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080. 95-04-066 (Order 95-10), § 220-56-116, filed 1/30/95, effective 5/1/95; 92-11-012 (Order 92-19), § 220-56-116, filed 5/12/92, effective 6/12/92; 89-10-032 (Order 89-26), § 220-56-116, filed 4/27/89; 88-10-012 (Order 88-14), § 220-56-116, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-116, filed 4/9/85; 83-07-043 (Order 83-16), § 220-56-116, filed 3/17/83; 82-13-040 (Order 82-61), § 220-56-116, filed 6/9/82.]

AMENDATORY SECTION (Amending Order 09-27, filed 2/25/09, effective 5/1/09)

WAC 220-56-122 Statewide bait rules. (1) It is unlawful to fish for sturgeon except with bait.

(2) It is unlawful to use lamprey as fishing bait, regardless of the source or species of lamprey.

(3) It is acceptable to use bait in saltwater.

(4) It is unlawful to chum, broadcast, feed, or distribute into freshwater any bait or other substance capable of attracting fish unless specifically authorized in exceptions to statewide rules.

(5) When fishing for trout with bait, all trout that are lawful to possess and are equal to or greater than the minimum size are counted as part of the daily limit, whether kept or released, and it is unlawful to continue to fish once the daily limit has been achieved, except that steelhead trout may be caught and released until the daily limit is taken.

(6) It is unlawful to possess or use live aquatic animals as bait in freshwater except:

(a) Live aquatic animals (other than fish) collected from the water being fished may be possessed or used as bait.

(b) Live sand shrimp may be possessed or used as bait.

(c) Live forage fish may be possessed or used as bait in the Columbia River downstream of a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank.

(7) Use of bait in violation of this section is an infraction, punishable under RCW 77.15.160.

~~(8)~~ (8) It is unlawful to possess fish taken with bait in violation of the provisions of this section. Possession of fish while using bait in violation of the provisions of this section is a rebuttable presumption that the fish were taken with such bait. Violation of this subsection is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree--Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree--Penalty.

[Statutory Authority: RCW 77.12.047. 09-06-042 (Order 09-27), § 220-56-122, filed 2/25/09, effective 5/1/09. Statutory Authority: RCW 77.12.047 and 77.04.020. 07-16-056, § 220-56-122, filed 7/26/07, effective 8/26/07. Statutory Authority: RCW 77.12.047. 06-13-023 (Order 06-135), § 220-56-122, filed 6/13/06, effective 7/14/06; 06-09-021 (Order 06-67), § 220-56-122, filed 4/11/06,

effective 5/12/06; 06-05-085 (Order 06-23), § 220-56-122, filed 2/14/06, effective 5/1/06.]

AMENDATORY SECTION (Amending Order 06-67, filed 4/11/06, effective 5/12/06)

WAC 220-56-123 Statewide freshwater hook rules. (1) It is unlawful to use more than three hooks per line to fish in freshwater, except it is lawful to use forage fish jigger gear in the waters of the Columbia River downstream from a line between Rocky Point and Tongue Point.

(2) It is unlawful to use other than one single barbless hook to fish for sturgeon.

(3) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160.

(4) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree--Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree--Penalty.

[Statutory Authority: RCW 77.12.047. 06-09-021 (Order 06-67), § 1/20/10 11:10 AM [14] OTS-2690.4

220-56-123, filed 4/11/06, effective 5/12/06; 06-05-085 (Order 06-23), § 220-56-123, filed 2/14/06, effective 5/1/06; 05-17-007 (Order 05-168), § 220-56-123, filed 8/3/05, effective 9/3/05; 04-24-030 (Order 04-306), § 220-56-123, filed 11/23/04, effective 12/24/04; 01-06-036 (Order 01-24), § 220-56-123, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7. 00-16-091 (Order 00-134), § 220-56-123, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080 and 77.12.040. 99-15-081 (Order 99-102), § 220-56-123, filed 7/20/99, effective 8/20/99. Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-123, filed 7/1/94, effective 8/1/94.]

AMENDATORY SECTION (Amending Order 09-133, filed 7/8/09, effective 8/8/09)

WAC 220-56-124 Unlawful provisions--Hoodsport Hatchery.

During the period July 1 through December 31, those waters of Catch Record Card Area 12 within a 2,000 foot arc seaward of yellow buoys at the mouth of Finch Creek at the Hoodsport Salmon Hatchery are regulated as provided for in this section:

(1) These waters are open to salmon angling regardless of the status of the surrounding waters of Area 12.

(2) Special daily limit of four salmon, of which no more than two salmon may be chinook salmon greater than 24 inches in length. Release chum salmon July 1 through October 15.

(3) It is unlawful to fish for or possess salmon taken from these

waters from one hour after sunset to one hour before sunrise.

(4)(a) Persons with disabilities who permanently use a wheelchair and/or who have a designated harvester card under WAC 220-55-065 may fish from the ADA-accessible site at the Hoodspout Salmon Hatchery, provided such persons follow all applicable rules and regulations.

(b) Designated harvesters may fish from the ADA-accessible site with persons with disabilities who permanently use a wheelchair and/or who have a designated harvester card, if room allows. However, persons with disabilities who permanently use a wheelchair have priority over others if the ADA-accessible site becomes overcrowded.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 09-15-035 (Order 09-133), § 220-56-124, filed 7/8/09, effective 8/8/09; 08-15-002 (Order 08-165), § 220-56-124, filed 7/3/08, effective 8/3/08. Statutory Authority: RCW 77.12.047. 02-15-097 (Order 02-158), § 220-56-124, filed 7/16/02, effective 8/16/02; 01-14-001 (Order 01-107), § 220-56-124, filed 6/21/01, effective 7/22/01. Statutory Authority: RCW 75.08.080 and 77.12.040. 99-15-081 (Order 99-102), § 220-56-124, filed 7/20/99, effective 8/20/99; 98-15-081 (Order 98-122), § 220-56-124, filed 7/15/98, effective 8/15/98; 97-18-035, § 220-56-124, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-56-124, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-124, filed 5/31/95, effective 7/1/95; 94-14-069, § 220-56-124, filed 7/1/94, effective 8/1/94; 93-08-034 (Order

93-20), § 220-56-124, filed 3/31/93, effective 5/1/93.]

AMENDATORY SECTION (Amending Order 06-67, filed 4/11/06, effective 5/12/06)

WAC 220-56-128 Food fish fishing--Closed areas. It is unlawful to fish for or possess food fish taken from the following areas during the times indicated.

(1) It is unlawful at all times to fish for or possess food fish taken for personal use in waters lying within 400 feet below any fish rack, fishway, dam or other artificial or natural obstruction, either temporary or permanent, unless otherwise provided.

(2) Waters of Budd Inlet at Olympia south of the Fourth Avenue Bridge are closed at all times, and all contiguous waters lying between the Fourth Avenue Bridge and a line from the northwesterly corner of the Thriftway Market Building to a point 100 yards north of the railroad bridge located on the western side of the inlet opposite the Thriftway Market Building are closed during the period July 16 through October 31.

(3) The waters of Percival Cove are closed at all times.

(4) Those waters of Hood Canal inshore from yellow marker buoys to the mouth of Finch Creek and waters within the channel created when tidelands are exposed are closed the entire year.

(5) Waters within a radius of 100 yards from the Enetai Hatchery Outfall Creek where it enters saltwater are closed at all times.

(6) Those waters of Sinclair Inlet inside a line fifty yards

from the pierhead line of the Puget Sound Naval Shipyard at Bremerton are closed at all times.

(7) Those waters of Hood Canal within 100 feet of the Seabeck Highway Bridge over Big Beef Creek are closed August 1 through November 30.

(8) In Shilshole Bay waters east of a line 175 feet west of the Burlington Northern Railroad Bridge are closed to fishing.

(9) Those waters of the Chinook River upstream from tide gate at the Highway 101 Bridge are closed at all times.

(10) Those waters of the Columbia River between the Vernita Bridge and the Hanford power line crossing (wooden towers at S24, T13N, R27E) are closed October 23 through June 15.

(11) Those waters of the Columbia River between the upstream line of Bonneville Dam to a point 600 feet below the fish ladder at the new Bonneville Dam Powerhouse are closed at all times.

(12) Waters of the Lake Washington Ship Canal west of a north-south line 400 feet east of the eastern end of the north wing wall of Chittenden Locks to the mouth of the Lake Washington Ship Canal are closed to food fish angling at all times.

(13) Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to food fish angling from January 1 through March 31 except it is lawful to fish with gear meeting the fly fishing only requirements of WAC 220-56-210 except it is unlawful to use lead core fly line. Use of gear other than fly fishing gear or use of a lead core line in violation of this subsection is an infraction, punishable under RCW 77.15.160. It is unlawful to retain any fish

taken during the period January 1 through March 31.

(14) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device downstream of Chief Joseph Dam to the Corps of Engineers Safety Zone Marker.

(15) Wells Dam - waters between the upstream line of Wells Dam to boundary markers 400 feet below the spawning channel discharge on the Chelan County side and the fish ladder on the Douglas County side.

(16) Rocky Reach, Rock Island and Wanapum Dams - waters between the upstream lines of these dams and boundary markers 400 feet downstream of the fish ladders at Rocky Reach and Rock Island Dams and boundary markers at Wanapum Dam 750 feet below the east fish ladder and 500 feet below the west fish ladder.

(17) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam and boundary markers 650 feet below the fish ladders.

(18) Jackson (Moran) Creek - all waters of the Priest Rapids hatchery system including Columbia River waters out to midstream between markers located 100 feet upstream and 400 feet downstream of the mouth of the hatchery outlet.

(19) McNary Dam - waters between the upstream line of McNary Dam and a line across the river from the red and white marker on the Oregon shore to the downstream end of the wingwall of the boat lock near the Washington shore.

(20) John Day Dam - waters between the upstream line of John Day Dam and markers approximately 3,000 feet downstream, except that

fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(21) The Dalles Dam - waters between the upstream line of the Dalles Dam and the upstream side of the Interstate 197 Bridge, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(22) Spring Creek - waters within 1/4 mile of the U.S. Fish and Wildlife Service Hatchery grounds between posted boundary markers located 1/4 mile on either side of the fish ladder entrance.

(23) The waters of Catch Area 12 are closed at all times to the taking of food fish other than salmon except:

(a) Persons with disabilities who permanently use a wheelchair and/or who have a designated harvester card under WAC 220-55-065 may fish from the ADA-accessible site at the Hoodspout Salmon Hatchery, provided such persons follow all applicable rules and regulations of the adjoining waters of Marine Area 12.

(b) Designated harvesters may fish from the ADA-accessible site with persons with disabilities who permanently use a wheelchair and/or who have a designated harvester card, if room allows. However, persons with disabilities who permanently use a wheelchair have priority over others if the ADA-accessible site becomes overcrowded.

(24) Freshwater Bay - waters south of a line from Angeles Point to Observatory Point (Bachelor Rock) are closed July 1 through August 31.

(25) Tulalip Bay - waters east of line from Mission Point to Hermosa Point are closed at all times.

(26) Waters of Catch Record Card Area 13 within 500 yards of the Toliva Shoal buoy are closed to fishing for food fish June 16 through April 30 and closed to rockfish year-round.

[Statutory Authority: RCW 77.12.047. 06-09-021 (Order 06-67), § 220-56-128, filed 4/11/06, effective 5/12/06; 06-05-085 (Order 06-23), § 220-56-128, filed 2/14/06, effective 5/1/06; 05-05-035 (Order 05-15), § 220-56-128, filed 2/10/05, effective 5/1/05; 04-24-030 (Order 04-306), § 220-56-128, filed 11/23/04, effective 12/24/04; 04-17-098 (Order 04-218), § 220-56-128, filed 8/17/04, effective 9/17/04; 02-08-048 (Order 02-53), § 220-56-128, filed 3/29/02, effective 5/1/02. Statutory Authority: 2000 c 107 § 7. 00-16-091 (Order 00-134), § 220-56-128, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080 and 77.12.040. 98-15-081 (Order 98-122), § 220-56-128, filed 7/15/98, effective 8/15/98; 98-06-031, § 220-56-128, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-128, filed 3/19/97, effective 5/1/97; 95-12-027 (Order 95-46), § 220-56-128, filed 5/31/95, effective 7/1/95; 94-14-069, § 220-56-128, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-128, filed 3/31/93, effective 5/1/93; 91-08-054 (Order 91-13), § 220-56-128, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-128, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-128, filed 3/16/89; 88-10-012 (Order 88-14), § 220-56-128, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-128, filed 4/9/85; 82-07-047 (Order 82-19), § 220-56-128, filed 3/18/82; 80-03-064 (Order 80-12), § 220-56-128, filed 2/27/80, effective

4/1/80. Formerly WAC 220-56-065.]

AMENDATORY SECTION (Amending Order 06-289, filed 11/17/06, effective 12/18/06)

WAC 220-56-129 Unclassified freshwater invertebrates and fish. (1) Definitions. For purposes of this section, "freshwater clams and mussels" means all freshwater bivalves existing in Washington in a wild state, except prohibited aquatic animal species classified under WAC 232-12-090.

(2) It is unlawful for any person to take or possess freshwater clams and mussels taken for personal use. Freshwater clams and mussels include all bodily parts but does not include five pounds or less of relic shells of freshwater clams and mussels. A relic (dead) shell is defined as one which apparently died of natural causes and contains no meat or soft parts: It readily exhibits noticeable sediment, vegetation, algal or mineral stains, discolorations, soiling, weathering or other visual evidence on its interior surface which clearly and unambiguously shows the shell has not been cooked-out or freshly cleaned. No license or permit is required to take or possess up to five pounds of relic shells per day. It is unlawful to take or possess more than five pounds of relic shells without first obtaining a scientific collection permit.

(3) It is unlawful to retain any freshwater fish not classified as a food fish or game fish.

(4) It is unlawful for any person to take, fish for or possess

Pacific lamprey, western brook lamprey, or river lamprey taken for personal use.

~~((4))~~ (5) Violation of this rule is punishable under RCW 77.15.140.

[Statutory Authority: RCW 77.12.047. 06-23-114 (Order 06-289), § 220-56-129, filed 11/17/06, effective 12/18/06; 05-05-035 (Order 05-15), § 220-56-129, filed 2/10/05, effective 5/1/05; 03-05-057 (Order 03-24), § 220-56-129, filed 2/14/03, effective 5/1/03.]

AMENDATORY SECTION (Amending Order 06-67, filed 4/11/06, effective 5/12/06)

WAC 220-56-130 Unclassified marine invertebrates and fish.

(1) ~~((Definitions. For purposes of this section:~~

~~(a) "Daily limit" means individual animals retained, alive or dead.~~

~~(b) "Sculpins" means individual sculpins of species that are not defined as bottomfish.~~

~~(c) "Nudibranch" means individual nudibranchs of any species.~~

~~(d))~~ "Unclassified marine invertebrates" and "unclassified marine fish" mean species existing in Washington state marine waters in a wild state that have not been classified as food fish, shellfish, game fish, protected wildlife, or endangered species.

(2) ~~((The following limits apply to the taking of unclassified marine invertebrates in Catch Record Card Areas 1 through 13, and~~

~~the taking of unclassified marine fish in Catch Record Card Areas 5 through 13:~~

~~(a) Daily limit of ten unclassified marine invertebrates, except moon snails and nudibranchs.~~

~~(b) Daily limit of five moon snails.~~

~~(c) Daily limit of two nudibranchs.~~

~~(d) Daily limit of two unclassified marine fish per species of fish, except that the daily limit may not contain more than two sculpins and it is unlawful to take, fish for or possess Pacific lamprey or river lamprey.~~

~~(e) The possession limit and the daily limit are the same.~~

~~(f) Potlatch DNR tidelands)) All Marine Areas are closed to the taking of unclassified marine invertebrates and unclassified marine fish.~~

~~((g)) (3) It is unlawful to take, fish for or possess Pacific lamprey or river lamprey.~~

~~(4) Violation of this subsection-section is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree--Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree--Penalty.~~

~~((3) Each person possessing unclassified marine invertebrates or unclassified marine fish must retain their take in a separate container. Violation of this subsection is an infraction, punishable under RCW 77.15.160.))~~

[Statutory Authority: RCW 77.12.047. 06-09-021 (Order 06-67), §

220-56-130, filed 4/11/06, effective 5/12/06; 06-05-085 (Order 06-23), § 220-56-130, filed 2/14/06, effective 5/1/06; 05-05-035 (Order 05-15), § 220-56-130, filed 2/10/05, effective 5/1/05. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-130, filed 3/29/00, effective 5/1/00. Statutory Authority: RCW 75.08.080. 95-04-066 (Order 95-10), § 220-56-130, filed 1/30/95, effective 5/1/95; 80-03-064 (Order 80-12), § 220-56-130, filed 2/27/80, effective 4/1/80.]

AMENDATORY SECTION (Amending Order 07-22, filed 2/16/07, effective 3/19/07)

WAC 220-56-185 Marine area codes. The term "marine area code numbers" is defined as the catch area for the catch record card. The following is a list of the catch areas:

(1) Area 1 (Ilwaco): Waters west of the Buoy 10 Line and north to Leadbetter Point.

(2)(a) Area 2 (Westport-Ocean Shores): From Leadbetter Point north to the Queets River. Area 2 excludes waters of Willapa Bay and Grays Harbor.

(b) Area 2-1: Willapa Bay east of a line from Leadbetter Point to Willapa Channel Marker 8 (Buoy 8) then to the westerly most landfall on Cape Shoalwater.

(c) Area 2-2: Grays Harbor east of a line from the outermost end of the north jetty to the outermost exposed end of the south jetty.

(3) Area 3 (La Push): From the Queets River north to Cape Alava.

(4) Area 4 (Neah Bay): From Cape Alava north and inside Juan de Fuca Strait to the Sekiu River.

(5) Area 5 (Sekiu and Pillar Point): From mouth of Sekiu River east to Low Point, mouth of the Lyre River.

(6) Area 6 (East Juan de Fuca Strait): From Low Point east to the Partridge Point-Point Wilson line north to the line from Trial Island (near Victoria, B.C.) - Rosario Strait Traffic Lane Entrance Lighted Buoy R (USCG Light List No. 16340, referenced as Y "R" on National Ocean Service Chart No. 18400-1 dated 1997-08-30) - Smith Island - the most northeasterly of the Lawson Reef lighted buoys (RB1 QK Fl Bell) - Northwest Island - the Initiative 77 marker on Fidalgo Island.

(7) Area 7 (San Juan Islands): All marine waters north of the line described under Area 6 to the United States-Canadian boundary.

(8)(a) Area 8 (Deception Pass, Hope and Camano Islands): Line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island east through Deception Pass, including all waters east of Whidbey Island to the Possession Point - Shipwreck Line.

(b) Area 8-1 (Deception Pass and Hope Island): East of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, south of the Burlington Northern Railroad Bridge at the north end of Swinomish Slough, north of the Highway 532 Bridge between Camano Island and the mainland, and westerly of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light #4 on Camano Island (Fl red 4 sec.).

(c) Area 8-2 (Port Susan and Port Gardner): East of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light

((#2)) #4 on Camano Island (Fl red 4 sec.) and north of a line from the south tip of Possession Point 110 degrees true to a shipwreck on the opposite shore.

(9) Area 9 (Admiralty Inlet): All waters inside and south of the Partridge Point-Point Wilson Line and a line projected from the southerly tip of Possession Point 110 degrees true to a shipwreck on the opposite shore and northerly of the Hood Canal Bridge and the Apple Cove Point-Edwards Point Line.

(10) Area 10 (Seattle-Bremerton): From the Apple Cove Point-Edwards Point Line to a line projected true east-west through the northern tip of Vashon Island.

(11) Area 11 (Tacoma-Vashon Island): From the northern tip of Vashon Island to the Tacoma Narrows Bridge.

(12) Area 12 (Hood Canal): All contiguous waters south of the Hood Canal Bridge and adjacent waters north of the Hood Canal Bridge when fishing from the pontoon beneath the bridge.

(13) Area 13 (South Puget Sound): All contiguous waters south of the Tacoma Narrows Bridge.

[Statutory Authority: RCW 77.12.047. 07-05-051 (Order 07-22), § 220-56-185, filed 2/16/07, effective 3/19/07. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-185, filed 3/29/00, effective 5/1/00; 99-15-081 (Order 99-102), § 220-56-185, filed 7/20/99, effective 8/20/99; 99-08-029 (Order 99-13), § 220-56-185, filed 3/30/99, effective 5/1/99. Statutory Authority: RCW 75.08.080. 95-04-066 (Order 95-10), § 220-56-185, filed 1/30/95, effective 5/1/95; 91-08-054 (Order 91-13), §

220-56-185, filed 4/2/91, effective 5/3/91; 89-07-060 (Order 89-12), § 220-56-185, filed 3/16/89; 88-10-013 (Order 88-15), § 220-56-185, filed 4/26/88; 85-18-026 (Order 85-111), § 220-56-185, filed 5/27/85; 85-09-017 (Order 85-20), § 220-56-185, filed 4/9/85; 80-03-064 (Order 80-12), § 220-56-185, filed 2/27/80, effective 4/1/80.]

AMENDATORY SECTION (Amending Order 09-107, filed 6/22/09, effective 7/23/09)

WAC 220-56-230 Bottomfish and halibut--Closed areas. (1) It is unlawful to take, fish for, retain, or possess bottomfish or halibut taken for personal use from within the following areas:

~~((1))~~ (a) An eastward-facing C-shaped closed area defined as: Beginning at 48°N, 124°59'W; thence to 48°N, 125°18'W; thence to 48°18'N, 125°18'W; thence to 48°18'N, 124°59'W; thence to 48°11'N, 124°59'W; thence to 48°11'N, 125°11'W; thence to 48°04'N, 125°11'W; thence to 48°04'N, 124°59'W; thence to the point of origin.

~~((2))~~ (b) The "Westport Offshore Recreational YRCA" closed area, defined by straight lines connecting the following specific latitude and longitude coordinates in the order listed: Beginning at 46°54.30'N, 124°53.40'W; thence to 46°54.30'N, 124°51.00'W; thence to 46°53.30'N, 124°51.00'W; thence to 46°53.30'N, 124°53.40'W, thence to the point of origin.

~~((3))~~ (c) The "South Coast Recreational YRCA" closed area,
1/20/10 11:10 AM [28] OTS-2690.4

defined by straight lines connecting the following specific latitude and longitude coordinates in the order listed: Beginning at 46°58.00'N, 124°48.00'W; thence to 46°55.00'N, 124°48.00'W; thence to 46°55.00'N, 124°49.00'W; thence to 46°58.00'N, 124°49.00'W; thence to the point of origin.

(d) Marine Area 12.

(2) It is unlawful to take, fish for, retain, or possess bottomfish taken for personal use from within the following areas:

(a) Waters deeper than 120 feet in Marine Area 4 east of the Bonilla Tatoosh line.

(b) Waters deeper than 120 feet in Marine Areas 5 - 11 and 13.

(3) It is unlawful to take, fish for, retain, or possess rockfish taken for personal use from Marine Areas 6 - 11 and 13.

[Statutory Authority: RCW 77.04.020 and 77.12.047. 09-14-010 (Order 09-107), § 220-56-230, filed 6/22/09, effective 7/23/09. Statutory Authority: RCW 77.12.047. 03-05-057 (Order 03-24), § 220-56-230, filed 2/14/03, effective 5/1/03. Statutory Authority: RCW 75.08.080. 90-06-026, § 220-56-230, filed 2/28/90, effective 3/31/90.]

AMENDATORY SECTION (Amending WSR 07-12-080, filed 6/5/07, effective 7/6/07)

WAC 220-56-235 Possession limits--Bottomfish. It is unlawful for any person to take in any day more than the following quantities of bottomfish for personal use. The possession limit at any time shall not exceed the equivalent of two daily limits in fresh, frozen or processed form. Unless otherwise provided bottomfish fishing is open the entire year.

(1) Coastal (Catch Record Card Areas 1 through 4) - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

(a) Lingcod - 2 fish:

(i) Minimum length 22 inches in Catch Record Card Areas 1 through 3.

(ii) Minimum length 24 inches in Catch Record Card Area 4.

(b) Rockfish - 10 fish. Release all canary and yelloweye rockfish. In Marine Area 4 east of the Bonilla-Tatoosh line, only black or blue rockfish may be retained.

(c) Surfperch (excluding shiner perch) - 15 fish.

(d) Wolfeel - 0 fish from Catch Record Card Area 4.

(e) Cabezon - 2 fish east of the Bonilla-Tatoosh line.

(2) Inner Puget Sound (Catch Record Card Areas 5 through 13):

(a) Catch Record Card Areas 5 and 6 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include

no more than:

Rockfish <u>in Marine Area 5</u> except	1 fish May 1 through September 30 <u>only</u> <u>black or blue rockfish</u> <u>may be retained.</u>
in Marine Area 5 west of Slip Point	3 fish (of which no more than 1 may be other than) <u>only</u> black <u>or blue</u> rockfish may be retained.
<u>in Marine Area 6.</u>	<u>0 fish</u>
Surfperch	10 fish
Pacific cod	2 fish
Pollock	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pacific hake	2 fish

(b) Catch Record Card Area 7 - 15 fish in the aggregate of all species of bottomfish, which may include no more than:

Rockfish	((+) 0 fish ((May 1 through September 30))
Surfperch	10 fish
Pacific cod	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pollock	2 fish
Pacific hake	2 fish

(c) Catch Record Card Areas 8-1 through 11 and 13 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish (in Area 9 May 1 through September 30 and in Areas 8-1, 8-2, 10, 11 and 13 when lingcod or salmon seasons are open. Rockfish closed in Area 12)))	((4)) 0 fish
Surfperch	10 fish
Pacific cod	0 fish
Pollock	0 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pacific hake	0 fish

(d) Catch Area 12: Closed.

(e) It is unlawful to possess lingcod taken by angling or by spear fishing less than 26 inches in length or greater than ((40)) 36 inches in length.

~~(f) ((The daily limit taken by spear fishing may include no more than one lingcod. There is no size restriction on the one lingcod allowed in the daily limit if taken by spear fishing.~~

~~(g))~~ It is unlawful to retain cabezon taken from Catch Record Card Areas 5 through 11 and 13 from December 1 through April 30.

~~((h))~~ (g) It is unlawful to retain six-gill shark taken from Catch Record Card Areas 5 through 13.

~~((i) It is unlawful to retain canary or yelloweye rockfish taken from Catch Record Card Areas 5 through 13.~~

~~(j) It is unlawful to take rockfish by spear fishing in Catch Record Card Areas 5 through 13.~~

~~(k))~~ (h) In Catch Record Area((s)) 5 ~~((through 11 and 13)),~~

the daily limit for rockfish is the first legal rockfish caught, except (~~in Area 5~~) west of Slip Point the daily limit for rockfish is the first three legal rockfish caught(~~(, provided that no more than one of the three may be other than black rockfish)~~). Only black or blue rockfish may be retained. After the daily limit of rockfish is caught, all subsequent rockfish must be released.

(i) In Catch Record Card Area 5, it is unlawful to take rockfish by spear fishing except when this area is open to spearfishing for lingcod.

[Statutory Authority: RCW 77.12.047 and 77.65.200. 07-12-080, § 220-56-235, filed 6/5/07, effective 7/6/07. Statutory Authority: RCW 77.12.047. 04-17-098 (Order 04-218), § 220-56-235, filed 8/17/04, effective 9/17/04; 04-07-009 (Order 04-39), § 220-56-235, filed 3/4/04, effective 5/1/04; 03-16-100 (Order 03-178), § 220-56-235, filed 8/6/03, effective 9/6/03; 03-05-057 (Order 03-24), § 220-56-235, filed 2/14/03, effective 5/1/03; 02-09-001 (Order 02-53A), § 220-56-235, filed 4/3/02, effective 5/4/02; 01-06-036 (Order 01-24), § 220-56-235, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7. 00-17-016 (Order 00-139), § 220-56-235, filed 8/3/00, effective 9/3/00. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-235, filed 3/29/00, effective 5/1/00; 99-15-081 (Order 99-102), § 220-56-235, filed 7/20/99, effective 8/20/99. Statutory Authority: RCW 75.08.080. 98-15-032 (Order 98-119), § 220-56-235, filed 7/7/98, effective 8/7/98; 97-07-078 (Order 97-53), § 220-56-235, filed 3/19/97, effective 5/1/97; 96-05-004 (Order 96-13), §

220-56-235, filed 2/9/96, effective 5/1/96; 95-04-066 (Order 95-10),
§ 220-56-235, filed 1/30/95, effective 5/1/95; 94-14-069, §
220-56-235, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20),
§ 220-56-235, filed 3/31/93, effective 5/1/93; 92-11-012 (Order
92-19), § 220-56-235, filed 5/12/92, effective 6/12/92; 91-08-054
(Order 91-13), § 220-56-235, filed 4/2/91, effective 5/3/91;
90-06-026, § 220-56-235, filed 2/28/90, effective 3/31/90; 89-07-060
(Order 89-12), § 220-56-235, filed 3/16/89; 88-10-013 (Order 88-15),
§ 220-56-235, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-235,
filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-235, filed 4/11/84;
83-07-043 (Order 83-16), § 220-56-235, filed 3/17/83; 80-07-017
(Order 80-45), § 220-56-235, filed 6/11/80; 80-03-064 (Order 80-12),
§ 220-56-235, filed 2/27/80, effective 4/1/80.]

AMENDATORY SECTION (Amending Order 01-24, filed 3/5/01, effective
5/1/01)

**WAC 220-56-240 Daily limits forage fish and other food fish
not otherwise provided for.** It is unlawful for any person to retain
more than the following quantities and sizes of food fish taken for
personal use. Unless otherwise provided, other food fish fishing
is open the entire year:

(1) Forage fish: 10 pounds in the aggregate. The possession
limit is two daily limits in fresh form. Additional forage fish may
be possessed in frozen or processed form.

(2) All other marine food fish not otherwise provided for in

this chapter except albacore, yellowfin, skipjack and northern bluefin tuna and all species of mackerel: ((No)) Daily limit two fish.

[Statutory Authority: RCW 77.12.047. 01-06-036 (Order 01-24), § 220-56-240, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-240, filed 3/29/00, effective 5/1/00. Statutory Authority: RCW 75.08.080 and 1998 c 191 § 40. 98-24-042 (Order 98-241), § 220-56-240, filed 11/24/98, effective 1/1/99. Statutory Authority: RCW 77.12.040 and 75.08.080. 98-06-031, § 220-56-240, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 97-08-017 (Order 97-53), § 220-56-240, filed 3/25/97, effective 5/1/97; 96-05-004 (Order 96-13), § 220-56-240, filed 2/9/96, effective 5/1/96; 95-04-066 (Order 95-10), § 220-56-240, filed 1/30/95, effective 5/1/95; 94-14-069, § 220-56-240, filed 7/1/94, effective 8/1/94; 93-22-004 (Order 93-125), § 220-56-240, filed 10/20/93, effective 1/1/94; 93-08-034 (Order 93-20), § 220-56-240, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-240, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-240, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-240, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-240, filed 3/16/89; 88-10-012 (Order 88-14), § 220-56-240, filed 4/26/88; 86-09-020 (Order 86-08), § 220-56-240, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-240, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-240, filed 4/11/84; 80-03-064 (Order 80-12), § 220-56-240, filed 2/27/80, effective 4/1/80.]

AMENDATORY SECTION (Amending Order 09-107, filed 6/22/09, effective 7/23/09)

WAC 220-56-250 Lingcod--Areas and seasons. It is unlawful to take, fish for, or possess lingcod for personal use except during the following seasons and areas:

(1) Coastal area:

(a) Catch Record Card Areas 1 through 3: The Saturday closest to March 16, through the Saturday closest to October 15;

(b) Catch Record Card Area 4 west of the Bonilla-Tatoosh line: April 16 through October 15, or the Saturday closest to October 15 if that Saturday comes before October 15, whichever is earlier; and

(c) Catch Record Card Area 4 east of the Bonilla-Tatoosh line: April 16 through October 15.

(2) Catch Record Card Areas 5 through 13: May 1 through June 15 (~~by angling, and May 21 through June 15 by spear fishing~~) by angling, and May 21 through June 15 by spear fishing.

[Statutory Authority: RCW 77.04.020 and 77.12.047. 09-14-010 (Order 09-107), § 220-56-250, filed 6/22/09, effective 7/23/09; 08-15-089 (Order 08-173), § 220-56-250, filed 7/17/08, effective 8/17/08. Statutory Authority: RCW 77.12.047. 04-07-009 (Order 04-39), § 220-56-250, filed 3/4/04, effective 5/1/04; 03-05-057 (Order 03-24), § 220-56-250, filed 2/14/03, effective 5/1/03. Statutory Authority: 2000 c 107 § 7. 00-17-016 (Order 00-139), § 1/20/10 11:10 AM [36] OTS-2690.4

220-56-250, filed 8/3/00, effective 9/3/00. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-250, filed 3/29/00, effective 5/1/00. Statutory Authority: RCW 75.08.080. 92-11-012 (Order 92-19), § 220-56-250, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-250, filed 4/2/91, effective 5/3/91; 89-10-032 (Order 89-26), § 220-56-250, filed 4/27/89; 84-09-026 (Order 84-22), § 220-56-250, filed 4/11/84; 83-07-043 (Order 83-16), § 220-56-250, filed 3/17/83; 82-07-047 (Order 82-19), § 220-56-250, filed 3/18/82; 80-07-017 (Order 80-45), § 220-56-250, filed 6/11/80; 80-03-064 (Order 80-12), § 220-56-250, filed 2/27/80, effective 4/1/80.]

AMENDATORY SECTION (Amending Order 06-67, filed 4/11/06, effective 5/12/06)

WAC 220-56-265 Forage fish--Lawful gear. (1) It shall be unlawful to take, fish for and possess herring, candlefish, pilchards, anchovies and smelt taken for personal use except with hand dip net gear not exceeding 36 inches across the bag frame having a maximum mesh size of five-eighths inch stretched mesh size, and forage fish jigger gear having not more than three treble or nine single hooks.

(2) It is unlawful to use a dip bag net to take forage fish unless the operator of the net holds the handle at all times the netting is in the water.

(3) It is unlawful to operate a dip bag net to harvest forage

fish from a vessel under power, or to use more than one forage fish dip net at a time.

(4) Only persons with a (~~disability~~) reduced fee license or a designated harvest card may use a hand-operated gate on a dip net while fishing for forage fish.

(5) Forage fish jigger gear hooks may not have a gap between the shank and the point exceeding 3/8 inch.

(6) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160.

(7) It is unlawful to possess forage fish taken with gear in violation of the provisions of this section. Possession of forage fish while using gear in violation of the provisions of this section is a rebuttable presumption that the forage fish were taken with such gear. Violation of this subsection is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree--Penalty, unless the forage fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree--Penalty.

[Statutory Authority: RCW 77.12.047. 06-09-021 (Order 06-67), § 220-56-265, filed 4/11/06, effective 5/12/06; 06-05-085 (Order 06-23), § 220-56-265, filed 2/14/06, effective 5/1/06; 03-05-057 (Order 03-24), § 220-56-265, filed 2/14/03, effective 5/1/03; 02-08-048 (Order 02-53), § 220-56-265, filed 3/29/02, effective 5/1/02. Statutory Authority: RCW 77.12.040 and 75.08.080. 98-06-031, § 220-56-265, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 95-04-066 (Order 95-10), §

220-56-265, filed 1/30/95, effective 5/1/95; 88-10-013 (Order 88-15), § 220-56-265, filed 4/26/88; 80-03-064 (Order 80-12), § 220-56-265, filed 2/27/80, effective 4/1/80.]

AMENDATORY SECTION (Amending Order 08-23, filed 2/13/08, effective 1/1/09)

WAC 220-56-282 Sturgeon--Areas, seasons, limits and unlawful acts. (1) It is unlawful to retain green sturgeon.

(2) It is lawful to fish for white sturgeon the entire year in saltwater, but open in freshwater only concurrent with a salmon or gamefish opening unless otherwise provided.

(3) The daily limit is one white sturgeon, with the following size restrictions:

(a) Minimum size 43 inches fork length in the Columbia River and tributaries upstream from The Dalles Dam.

(b) Minimum size 38 inches fork length in all other state waters.

(c) Maximum size 54 inches fork length.

Once the daily limit has been retained, it is lawful to continue to fish for sturgeon in the mainstem of the Columbia River downstream from where the river forms the boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(4) The possession limit is two daily limits of fresh, frozen or processed white sturgeon.

(5) There is an annual personal-use limit of five white sturgeon

from April 1 through March 31, regardless of where the sturgeon were taken. After the annual limit of sturgeon has been taken, it is lawful to continue to fish for white sturgeon in the mainstem Columbia River downstream from where the river forms the common boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(6) It is unlawful to fish for sturgeon with terminal gear other than bait and one single barbless hook. It is lawful to use artificial scent with bait when fishing for white sturgeon. Violation of this subsection is an infraction, punishable under RCW 77.15.160. It is unlawful to possess sturgeon taken with gear in violation of the provisions of this section. Possession of sturgeon while using gear in violation of the provisions of this section is a rebuttable presumption that the sturgeon were taken with such gear. Possession of such sturgeon is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree--Penalty, unless the sturgeon are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree--Penalty.

(7) It is unlawful to fish for or possess sturgeon taken for personal use from freshwater, except the Chehalis River, from one hour after official sunset to one hour before official sunrise.

(8) It is unlawful to possess in the field sturgeon eggs without having retained the intact carcass of the fish from which the eggs have been removed.

(9) It is unlawful to use a gaff or other fish landing aid that penetrates the fish while restraining, handling or landing a

sturgeon.

(10) It is unlawful to fail to immediately return to the water any undersize sturgeon.

[Statutory Authority: RCW 77.12.047. 08-05-039 (Order 08-23), § 220-56-282, filed 2/13/08, effective 1/1/09; 07-05-051 (Order 07-22), § 220-56-282, filed 2/16/07, effective 3/19/07; 06-09-021 (Order 06-67), § 220-56-282, filed 4/11/06, effective 5/12/06; 05-05-035 (Order 05-15), § 220-56-282, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-282, filed 3/4/04, effective 5/1/04; 03-21-133 (Order 03-273), § 220-56-282, filed 10/21/03, effective 4/1/04; 03-18-006 (Order 03-209), § 220-56-282, filed 8/20/03, effective 9/20/03; 02-08-048 (Order 02-53), § 220-56-282, filed 3/29/02, effective 5/1/02; 01-06-036 (Order 01-24), § 220-56-282, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 75.08.080. 95-04-066 (Order 95-10), § 220-56-282, filed 1/30/95, effective 5/1/95; 91-08-054 (Order 91-13), § 220-56-282, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-282, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-282, filed 3/16/89.]

AMENDATORY SECTION (Amending WSR 08-07-003, filed 3/5/08, effective 4/5/08)

WAC 220-56-310 Shellfish--Daily limits. It is unlawful for any one person to take in any one day for personal use more than the following quantities and sizes of shellfish:

(1) Cockles, borers and clams in the shell, other than razor clams, geoduck clams and horse clams, 40 clams in the aggregate, or 10 pounds, whichever is achieved first except:

(a) In Skagit Bay, east of a line projected from Browns Point to Swinomish Slough entrance - diggers may additionally retain up to 20 pounds of eastern softshell clams in the shell.

(b) Willapa Bay - diggers may additionally retain up to twenty-four cockles.

(2) Razor clams: 15 clams.

(3) Geoduck clams: 3 clams.

(4) Horse clams: 7 clams.

(5) Oysters: 18 oysters, shucked and the shells left on the beach. Minimum size before shucking two and one-half inches along the longest dimension of the shell.

(6) Rock scallops: (~~12~~) 6 scallops.

(7) Weathervane scallops: 12 scallops (over 4 inches).

(8) Spiny and pink scallops: 10 pounds or 5 quarts in the shell, in the aggregate.

(9) Shrimp:

(a) In Areas 1-3 and Area 4 west of the Bonilla-Tatoosh line - total weight 10 pounds, maximum 80 spot shrimp as part of the 10-pound limit.

(b) In Area 4 east of the Bonilla-Tatoosh line and Areas 5-13 - first Saturday in May through May 31, daily limit 80 shrimp. During all other open periods total weight 10 pounds, maximum 80 spot shrimp as part of the 10-pound limit.

(10) Octopus: 1 octopus.

(11) Pinto abalone: Closed statewide.

(12) Crawfish: 10 pounds in the shell. Minimum size 3 1/4 inches from tip of rostrum to tip of tail. Female crawfish with eggs or young attached to the abdomen must be released immediately.

(13) Squid other than Humboldt squid: 10 pounds or 5 quarts. In addition a person may retain up to 5 Humboldt squid per day.

(14) Sea cucumbers: 25 sea cucumbers.

(15) Red sea urchins: 18 sea urchins.

(16) Purple sea urchins: 18 sea urchins.

(17) Green sea urchins: 36 sea urchins.

(18) Dungeness crabs:

(a) In Area 1 except when fishing from the north jetty of the Columbia River and Areas 2, 3, and 4 west of the Bonilla-Tatoosh line - 6 male crabs.

(b) In Area 4 east of the Bonilla-Tatoosh line, and Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12 and (~~13-5~~) 13 - 4 male crabs.

(c) In the Columbia River upstream of a line from the outermost end of the north jetty to the exposed end of the south jetty, or when fishing from the north jetty of the Columbia River - 12 male crabs.

(19) Red rock crabs: 6 crabs.

(20) Mussels: 10 pounds in the shell, in the aggregate.

(21) Goose barnacles: 10 pounds of whole barnacles or 5 pounds of barnacle stalks.

(22) Ghost and mud shrimp: 10 dozen.

(23) King and box crab: Closed statewide.

(24) Tanner crabs: 6 crabs.

[Statutory Authority: RCW 77.12.047. 08-07-003, § 220-56-310, filed 3/5/08, effective 4/5/08; 06-05-085 (Order 06-23), § 220-56-310, filed 2/14/06, effective 5/1/06; 05-12-007 (Order 05-102), § 220-56-310, filed 5/19/05, effective 6/19/05; 05-05-035 (Order 05-15), § 220-56-310, filed 2/10/05, effective 5/1/05; 04-17-088 (Order 04-217), § 220-56-310, filed 8/16/04, effective 9/16/04; 04-07-009 (Order 04-39), § 220-56-310, filed 3/4/04, effective 5/1/04; 02-08-048 (Order 02-53), § 220-56-310, filed 3/29/02, effective 5/1/02. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-310, filed 3/29/00, effective 5/1/00; 99-15-081 (Order 99-102), § 220-56-310, filed 7/20/99, effective 8/20/99; 99-08-029 (Order 99-13), § 220-56-310, filed 3/30/99, effective 5/1/99; 98-06-031, § 220-56-310, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-310, filed 3/19/97, effective 5/1/97; 95-04-066 (Order 95-10), § 220-56-310, filed 1/30/95, effective 5/1/95; 93-08-034 (Order 93-20), § 220-56-310, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-310, filed 5/12/92, effective 6/12/92; 90-06-026, § 220-56-310, filed

2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-310, filed 3/16/89; 88-12-025 (Order 88-28), § 220-56-310, filed 5/25/88, effective 8/22/88; 88-10-013 (Order 88-15), § 220-56-310, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-310, filed 4/21/87; 86-24-046 (Order 86-190), § 220-56-310, filed 11/26/86; 86-09-020 (Order 86-08), § 220-56-310, filed 4/9/86; 85-12-046 (Order 85-57), § 220-56-310, filed 6/5/85; 84-09-026 (Order 84-22), § 220-56-310, filed 4/11/84; 83-04-027 (Order 83-06), § 220-56-310, filed 1/27/83; 82-07-047 (Order 82-19), § 220-56-310, filed 3/18/82; 80-03-064 (Order 80-12), § 220-56-310, filed 2/27/80, effective 4/1/80.]

AMENDATORY SECTION (Amending Order 05-102, filed 5/19/05, effective 6/19/05)

WAC 220-56-330 Crab--Areas and seasons. (1) It is unlawful to fish for or possess crab taken for personal use from Puget Sound except during the following seasons:

(a) Marine Area 4 east of the Bonilla-Tatoosh line, and Areas 5 and 13 - Open 7:00 a.m., June 18 through the last day in February.

(b) Waters of Area 6, those waters of 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, thence running along the northern shore of Patos Island to the westernmost point of Patos Island, thence due west to the international boundary; 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, and waters of Areas 8-1, 8-2, 9, 10, 11 and 12 - Open 7:00 a.m. July 1 through September 3, open only (~~(Wednesday through Saturday)~~) Friday through Monday of each week (~~(, and open Sunday, September 4 and Monday, September 5)~~) and open Saturday September 4, Sunday September 5 and Monday September 6.

(c) Those contiguous waters of Marine Area 7 north, south and east 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 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 (southeast Hale Pass, Bellingham Bay, Samish Bay, Padilla Bay, eastern waters of Bellingham Channel, Guemes Channel and Fidalgo Bay) - Open 7:00 a.m. July 16 through September 30, and open only (~~(Wednesday through Saturday)~~) Friday through Monday of each week (~~(except also open Sunday, September 4 and Monday, September 5)~~).

(d) Those 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 - Open 7:00 a.m. August 17 through September 30, and open only (~~Wednesday through Saturday~~) Friday through Monday of each week (~~except also open Sunday, September 4 and Monday, September 5~~).

(2) It is unlawful to fish for or possess crab taken for personal use with shellfish pot gear from Marine Areas 1, 2, 3, and Area 4 west of the Bonilla-Tatoosh line except during the period December 1 through September 15. Open to gear other than shellfish pot gear year-round.

(3) The Columbia River upstream from a line projected from the outermost end of the north jetty to the exposed end of the south jetty is open to crab fishing for personal use year-round.

[Statutory Authority: RCW 77.12.047. 05-12-007 (Order 05-102), § 220-56-330, filed 5/19/05, effective 6/19/05; 05-05-035 (Order 05-15), § 220-56-330, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-330, filed 3/4/04, effective 5/1/04; 01-06-036 (Order 01-24), § 220-56-330, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-330, filed 3/29/00, effective 5/1/00; 99-08-029 (Order 99-13), § 220-56-330, filed 3/30/99, effective 5/1/99; 98-06-031, § 220-56-330, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-330, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-330, filed 5/13/96, effective 6/13/96; 93-08-034 (Order 93-20), § 220-56-330, filed 3/31/93, effective 5/1/93; 90-06-026, § 220-56-330, filed 2/28/90, effective 3/31/90;

86-09-020 (Order 86-08), § 220-56-330, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-330, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-330, filed 4/11/84; 80-03-064 (Order 80-12), § 220-56-330, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]

AMENDATORY SECTION (Amending Order 09-27, filed 2/25/09, effective 5/1/09)

WAC 220-56-350 Clams other than razor clams, mussels--Areas and seasons. A person can take, dig for and possess clams and mussels taken for personal use on Puget Sound the entire year:

Except that public tidelands at the following beaches are closed unless otherwise provided:

- (1) Ala Spit: ~~Closed the entire year~~Open May 1 through May 31.
- (2) Alki Park: Closed the entire year.
- (3) Alki Point: Closed the entire year.
- (4) Bay View State Park: Closed the entire year.
- (5) Belfair State Park: Closed the entire year.
- (6) Brown's Point Lighthouse: Closed the entire year.
- ~~(6)~~(7) Cama Beach State Park: Closed the entire year.
- ~~(7)~~(8) Camano Island State Park: Closed the entire year.
- ~~(8)~~(9) Chuckanut Bay: Closed the entire year.
- ~~(9)~~(10) Coupeville: Closed the entire year.
- ~~(10)~~(11) Dash Point State Park: Closed the entire year.
- ~~(11)~~(12) Dave Mackie County Park: Closed the entire year.
- ~~(12)~~(13) Des Moines City Park: Closed the entire year.

~~(13)~~ (14) Discovery Park: Closed the entire year.

~~(14)~~ (15) DNR-79: Closed the entire year.

~~(15)~~ (16) (~~DNR-85: Closed the entire year.~~

DNR-142: Closed the entire year.

(17) DNR-144 (Sleeper): Closed the entire year.

(18) Dockton County Park: Closed the entire year.

(19) Dosewallips State Park: Open March 1 through October 31

only in area defined by boundary markers and signs posted on the beach.

(20) Dungeness Spit and Dungeness National Wildlife Refuge Tidelands - Open May 15 through September 30.

(21) Eagle Creek: Open July 1 through July 31.

(22) East San (~~De FCA~~) de Fuca: Closed the entire year.

(23) Fort Flagler State Park including that portion of the spit west of the park boundary (Rat Island): Open May 15 through July 31.

(24) Fort Ward State Park: Closed the entire year.

(25) Freeland County Park: Closed the entire year.

(26) Frye Cove County Park: ~~Closed the entire year.~~ Open January 1 through May 15.

(27) Garrison Bay: Tidelands at Guss Island and those tidelands at British camp between the National Park Service dinghy dock at the north end and the park boundary at the south end are closed the entire year.

(28) Gertrude Island - All tidelands at Gertrude Island closed the entire year.

(29) Golden Gardens: Closed the entire year.

(30) Graveyard Spit: Closed the entire year.

(31) Harrington Beach: Closed the entire year.

(32) Hoodspout: Tidelands at Hoodspout Salmon Hatchery are closed the entire year.

(33) Hope Island State Park (South Puget Sound): Open April May 1 through May 31.

(34) Howarth Park: Closed the entire year.

(35) Illahee State Park: Open April 1 through July 31.

(36) Kayak Point County Park: Closed the entire year.

(37) Kitsap Memorial State Park: Open May 15 through July 15.

(38) Kopachuck State Park: Open June 1 through July 31.

(39) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of clams the entire year.

(40) Lincoln Park: Closed the entire year.

(41) Lions Park (Bremerton): Closed the entire year.

(42) Little Clam Bay: Closed the entire year.

(43) Lower Roto Vista Park: Closed the entire year.

(44) Manchester State Park: Closed the entire year.

(45) McNeil Island - All tidelands on McNeil Island are closed the entire year.

(46) Meadowdale County Park: Closed the entire year.

(47) Mee-Kwa-Mooks Park: Closed the entire year.

(48) Monroe Landing: Closed the entire year.

(49) Mukilteo State Park - Closed the entire year.

(50) Mystery Bay State Park: Open October 1 through April 30.

(51) Nisqually National Wildlife Refuge: Closed the entire

year.

(52) North Beach County Park: Closed the entire year.

(53) North Fort Lewis: Closed the entire year.

(54) North Point Hudson: Closed the entire year.

(55) Northeast Cultus Bay: Closed the entire year.

(56) Oak Bay County Park: Open June 1 through July 31.

(57) Oak Harbor City Park: Closed the entire year.

(58) Old Man House State Park: Closed the entire year.

(59) Olympia Shoal: Closed the entire year.

(60) Oyster Reserves: Puget Sound and Willapa Bay state oyster

reserves are closed the entire year except as follows:

(a) North Bay: State-owned oyster reserves open the entire year.

(b) Oakland Bay: (~~Tidelands at the north end of Oakland Bay and on the channel of the northwest shore of the Bayshore Peninsula between department markers open the entire year.~~) State-owned oyster reserves open the entire year except in areas defined by boundary markers and signs posted on the beach.

(c) Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.

(61) Penrose Point State Park: ~~Open March 1 through May 31~~Closed the entire year.

(62) Picnic Point County Park: Closed the entire year.

(63) Pitship Point: Closed the entire year.

(64) Pitt Island - All tidelands on Pitt Island are closed the entire year.

(65) Pleasant Harbor State Park: Closed the entire year.

(66) Point Whitney (excluding Point Whitney Lagoon): Open March 1 through ~~May 31~~April 30.

(67) Point Whitney Lagoon: ~~Closed~~Open May 1 through May 31.

(68) Port Angeles Coast Guard: Closed the entire year.

(69) Port Angeles Harbor: Closed the entire year.

(70) Port Gardner: Closed the entire year.

(71) Port Townsend Ship Canal/Portage Canal: Open January 1 through ~~May 31~~June 30.

(72) Post Point: Closed the entire year.

(73) Potlatch DNR tidelands: Open April 1 through ~~August 31~~June 30.

~~((74) Potlatch East: Open April 1 through August 31.~~

(74) Potlatch State Park: Open April 1 through ~~August 31~~June 30.

(75) Priest Point County Park: Closed the entire year.

(76) Purdy Spit County Park: The southern shore of the spit from the boat ramp to the bridge is closed the entire year.

(77) Quilcene Bay Tidelands - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed to the harvest of clams the entire year, except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open April 1 through December 31, daily from official sunrise to official sunset only.

(78) Reid Harbor - South Beach: Closed the entire year.

(79) Retsil: Closed the entire year.

~~((81))) (79) Rendsland Creek: Open January 1 through June 30.~~

- (80) Richmond Beach Saltwater Park: Closed the entire year.
- (81) Saltwater State Park: Closed the entire year.
- (82) Samish Beach: Closed the entire year.
- (83) Scenic Beach State Park: Open April 15 through May 15.
- (84) Seahurst County Park: Closed the entire year.
- (85) Semiahmoo: Closed the entire year.
- (86) Semiahmoo County Park: Closed the entire year.
- (87) Sequim Bay State Park - Open May 1 through ~~July 31~~June

30.

- (88) Shine Tidelands State Park: Open January 1 through May 15.
- (89) Silverdale ((County)) Waterfront Park: Closed the entire year.
- (90) Sinclair Inlet: Closed the entire year.
- (91) Skagit Wildlife Area: Closed the entire year.
- (92) South Carkeek Park: Closed the entire year.
- ~~((95) South Dougall Point: Closed the entire year.~~
- (93) South Gordon Point: Closed the entire year.
- (94) South Indian Island County Park: Open April 1 through May 31.
- (95) South Mukilteo Park: Closed the entire year.
- (96) South Oro Bay: Closed the entire year.
- (97) South Point Wilson (Port Townsend): Closed the entire year.
- (98) Southworth Ferry Dock: Closed the entire year.
- (99) Spencer Spit State Park: Open March 1 through July 31.
- (100) Suquamish (Old Man House): Closed the entire year.

(101) Taylor Bay: Closed the entire year.

(102) Triton Cove Tidelands: Open ~~May~~ June 1 through ~~September 30~~ August 31.

(103) Twanoh State Park: Open August 1 through September 30.

(104) Walker County Park: Closed the entire year.

(105) West Dewatto: DNR Beach 44A open August 1 through September 30.

(106) West Pass Access: Closed the entire year.

(107) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and Nahcotta Tidelands Interpretive Site are closed year-round.

(108) Wolfe Property State Park: Open January 1 through May 15.

(109) Woodard Bay: Closed the entire year.

It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams, taken for personal use in Grays Harbor and Willapa Harbor the entire year, except from state oyster reserves, which are closed to clam digging the entire year.

It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams taken for personal use from the Pacific Ocean beaches from November 1 through March 31.

[Statutory Authority: RCW 77.12.047. 09-06-042 (Order 09-27), § 220-56-350, filed 2/25/09, effective 5/1/09; 08-07-003, § 220-56-350, filed 3/5/08, effective 4/5/08; 07-05-051 (Order 07-22), § 220-56-350, filed 2/16/07, effective 3/19/07; 06-05-085 (Order 06-23), § 220-56-350, filed 2/14/06, effective 5/1/06; 05-05-035

(Order 05-15), § 220-56-350, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-350, filed 3/4/04, effective 5/1/04; 03-05-057 (Order 03-24), § 220-56-350, filed 2/14/03, effective 5/1/03; 02-17-019 (Order 02-193), § 220-56-350, filed 8/9/02, effective 9/9/02; 02-08-048 (Order 02-53), § 220-56-350, filed 3/29/02, effective 5/1/02; 01-06-036 (Order 01-24), § 220-56-350, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7. 00-16-091 (Order 00-134), § 220-56-350, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-350, filed 3/29/00, effective 5/1/00; 99-08-029 (Order 99-13), § 220-56-350, filed 3/30/99, effective 5/1/99; 98-06-031, § 220-56-350, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-350, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-350, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-350, filed 5/31/95, effective 7/1/95; 94-14-069, § 220-56-350, filed 7/1/94, effective 8/1/94; 93-15-011, § 220-56-350, filed 7/8/93, effective 8/8/93; 93-08-034 (Order 93-20), § 220-56-350, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-350, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-350, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-350, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-350, filed 3/16/89; 88-10-013 (Order 88-15), § 220-56-350, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-350, filed 4/21/87; 86-09-020 (Order 86-08), § 220-56-350, filed 4/9/86; 85-12-046 (Order 85-57), § 220-56-350, filed 6/5/85; 83-07-043 (Order 83-16), § 220-56-350,

filed 3/17/83; 81-05-027 (Order 81-13), § 220-56-350, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-350, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]

AMENDATORY SECTION (Amending Order 09-27, filed 2/25/09, effective 5/1/09)

WAC 220-56-380 Oysters--Areas and seasons. A person can take and possess oysters taken for personal use from public tidelands the entire year, except that public tidelands at the following beaches are closed unless otherwise provided:

- (1) Ala Spit: ~~Closed the entire year~~ Open May 1 through May 31.
- (2) Alki Park: Closed the entire year.
- ~~((2))~~ (3) Alki Point: Closed the entire year.
- ~~((3))~~ (4) Bangor: Closed the entire year.
- ~~((4))~~ (5) Bay View State Park: Closed the entire year.
- ~~((5) Brown Point (DNR 57-B): Closed the entire year.)~~
- (6) Brown's Point Lighthouse: Closed the entire year.
- (7) Cama Beach State Park: Closed the entire year.
- (8) Camano Island State Park: Closed the entire year.
- (9) Chuckanut: Closed the entire year.
- ~~((8))~~ (10) Coupeville: Closed the entire year.
- ~~((9) Cushman (Saltwater) Park: Open year-round.~~
- ~~((10))~~ (11) Dash Point State Park: Closed the entire year.
- ~~((11))~~ (12) Dave Mackie County Park: Closed the entire year.
- ~~((12))~~ (13) Des Moines City Park: Closed the entire year.

~~((13))~~ (14) Discovery Park: Closed the entire year.

~~((14))~~ (15) DNR-79: Closed the entire year.

~~((15) DNR-85: Closed the entire year.))~~

(16) DNR-142: Closed the entire year.

(17) DNR 144 (Sleeper): Closed the entire year.

(18) Dockton County Park: Closed the entire year.

(19) Dungeness Spit/National Wildlife Refuge: Open May 15 - September 30.

(20) East San de Fuca: Closed the entire year.

~~((20))~~ (21) Fort Flagler State Park including that portion of the spit west of the park boundary (Rat Island): Open May 15 through July 31.

~~((21))~~ (22) Fort Ward State Park: Closed the entire year.

~~((22))~~ (23) Freeland County Park: Closed the entire year.

~~((23))~~ (24) Frye Cove County Park: ~~Closed the entire year~~Open January 1 through May 15.

~~((24))~~ (25) Golden Gardens: Closed the entire year.

~~((25))~~ (26) Graveyard Spit: Closed the entire year.

~~((26))~~ (27) Harrington Beach: Closed the entire year.

~~((27))~~ (28) Hoodspport: Tidelands at the Hoodspport Salmon Hatchery are closed the entire year.

~~((28))~~ (29) Hope Island State Park (South Puget Sound): ~~Open April-May~~Open April 1 through May 31.

~~((29))~~ (30) Howarth Park: Closed the entire year.

~~((30))~~ (31) Illahee State Park: Open April 1 through July 31.

~~((31))~~ (32) Kayak Point County Park: Closed the entire year.

(33) Kitsap Memorial State Park: Open May 15 through August 15.

~~((32))~~ (34) Kopachuck State Park: Open March 1 through July 31.

~~((33))~~ (35) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of oysters the entire year.

~~((34))~~ (36) Lincoln Park: Closed the entire year.

~~((35))~~ (37) Lions Park (Bremerton): Closed the entire year.

~~((36))~~ (38) Little Clam Bay: Closed the entire year.

~~((37))~~ (39) Lower Roto Vista Park: Closed the entire year.

~~((38))~~ (40) Manchester State Park: Closed the entire year.

~~((39))~~ (41) Meadowdale County Park: Closed the entire year.

~~((40))~~ (42) Mee-Kwa-Mooks Park: Closed the entire year.

~~((41))~~ (43) Monroe Landing: Closed the entire year.

~~((42))~~ (44) Mukilteo State Park: Closed the entire year.

~~((43))~~ (45) Mystery Bay State Park: Open October 1 through April 30.

~~((44))~~ (46) Nisqually National Wildlife Refuge: Closed the entire year.

~~((45))~~ (47) North Beach County Park: Closed the entire year.

~~((46))~~ (48) North Fort Lewis: Closed the entire year.

~~((47))~~ (49) North Point Hudson: Closed the entire year.

~~((48))~~ (50) Northeast Cultus Bay: Closed the entire year.

~~((49))~~ (51) Oak Bay County Park: Open June 1 through July 31.

~~((50))~~ (52) Oak Harbor Beach Park: Closed the entire year.

~~((51))~~ (53) Oak Harbor City Park: Closed the entire year.

~~((52))~~ (54) Old Man House State Park: Closed the entire year.

~~((53))~~ (55) Olympia Shoal: Closed the entire year.

~~((54))~~ (56) Oyster Reserves: Puget Sound and Willapa Bay oyster reserves are closed the entire year except the following are open the entire year:

(a) Oakland Bay - ~~((Tidelands at the north end of Oakland Bay and on the channel of the northwest shore of the Bayshore Peninsula between department markers -- open the entire year.))~~ State-owned oyster reserves open the entire years except in areas defined by boundary markers and signs posted on the beach.

(b) North Bay - State-owned reserves open the entire year.

(c) Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.

~~((55))~~ (57) Penrose Point State Park: ~~Open March 1 through May 31~~Closed the entire year.

~~((56))~~ (58) Picnic Point: Closed the entire year.

~~((57))~~ (59) Pitt Island: Closed the entire year.

(60) Pleasant Harbor State Park: Closed the entire year.

~~((58))~~ (61) Port Angeles Coast Guard: Closed the entire year.

~~((59))~~ (62) Port Angeles Harbor: Closed the entire year.

~~((60))~~ (63) Port Gardner: Closed the entire year.

~~((61))~~ (64) Port Townsend Ship Canal/Portage Canal: Open January 1 through ~~May 31~~ June 30.

~~((62))~~ (65) Post Point: Closed the entire year.

~~((63))~~ (66) Potlatch DNR Tidelands: Open April 1 through ~~August 31~~June 30.

~~((64) Potlatch East: Open April 1 through August 31.~~

~~(65))~~ (67) Potlatch State Park: Open April 1 through ~~August 31~~June 30.

~~((66))~~ (68) Priest Point County Park: Closed the entire year.

~~((67))~~ (69) Purdy Spit County Park: The southern shore of the spit from the boat ramp to the bridge is closed the entire year.

(70) Quilcene Bay Tidelands - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open April 1 through December 31, daily from official sunrise to official sunset, only.

~~((68))~~ (71) Reid Harbor - South Beach: Closed the entire year.

~~((69))~~ (72) Retsil: Closed the entire year.

~~((70))~~ (73) Richmond Beach Saltwater Park: Closed the entire year.

~~((71))~~ (74) Saltwater State Park: Closed the entire year.

~~((72))~~ (75) Samish Beach: Closed the entire year.

~~((73))~~ (76) Seahurst County Park: Closed the entire year.

~~((74))~~ (77) Scenic Beach State Park: Open April 15 through May 15.

~~((75))~~ (78) Semiahmoo: Closed the entire year.

~~((76))~~ (79) Semiahmoo County Park: Closed the entire year.

~~((77))~~ (80) Shine Tidelands State Park: Open January 1 through May 15.

~~((78))~~ (81) Silverdale (~~County~~) Waterfront Park: Closed the entire year.

~~((79))~~ (82) Sinclair Inlet: Closed the entire year.

~~((80))~~ (83) Skagit Wildlife Area: Closed the entire year.

~~((81))~~ (84) South Carkeek Park: Closed the entire year.

~~((82) South Dougall Point: Closed the entire year.~~

~~(83))~~ (85) South Gordon Point: Closed the entire year.

~~((84))~~ (86) South Indian Island County Park: Open April 1 through May 31.

~~((85))~~ (87) South Mukilteo Park: Closed the entire year.

~~((86))~~ (88) South Oro Bay: Closed the entire year.

~~((87))~~ (89) South Point Wilson (Port Townsend): Closed the entire year.

~~((88))~~ (90) Southworth Ferry Dock: Closed the entire year.

~~((89))~~ (91) Spencer Spit State Park: Open March 1 through July 31.

(92) Suquamish (Old Man House): Closed the entire year.

~~((90))~~ (93) Taylor Bay: Closed the entire year.

~~((91))~~ (94) Walker County Park: Closed the entire year.

~~((92))~~ (95) West Pass Access: Closed the entire year.

~~((93))~~ (96) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and the Nahcotta Tidelands Interpretive Site are open only between boundary markers and posted signs.

~~((94))~~ (97) Woodard Bay: Closed the entire year.

((~~95~~)) (98) Wolfe Property State Park: Open January 1 through May 15.

[Statutory Authority: RCW 77.12.047. 09-06-042 (Order 09-27), § 220-56-380, filed 2/25/09, effective 5/1/09; 08-07-003, § 220-56-380, filed 3/5/08, effective 4/5/08; 07-05-051 (Order 07-22), § 220-56-380, filed 2/16/07, effective 3/19/07; 06-05-085 (Order 06-23), § 220-56-380, filed 2/14/06, effective 5/1/06; 05-05-035 (Order 05-15), § 220-56-380, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-380, filed 3/4/04, effective 5/1/04; 03-05-057 (Order 03-24), § 220-56-380, filed 2/14/03, effective 5/1/03; 02-08-048 (Order 02-53), § 220-56-380, filed 3/29/02, effective 5/1/02; 01-06-036 (Order 01-24), § 220-56-380, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7. 00-16-091 (Order 00-134), § 220-56-380, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-380, filed 3/29/00, effective 5/1/00; 99-08-029 (Order 99-13), § 220-56-380, filed 3/30/99, effective 5/1/99; 98-06-031, § 220-56-380, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-380, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-380, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-380, filed 5/31/95, effective 7/1/95; 94-14-069, § 220-56-380, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-380, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-380, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-380,

filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-380, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-380, filed 3/16/89; 88-10-012 and 88-10-013 (Orders 88-14 and 88-15), § 220-56-380, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-380, filed 4/21/87; 86-09-020 (Order 86-08), § 220-56-380, filed 4/9/86; 84-09-026 (Order 84-22), § 220-56-380, filed 4/11/84; 82-13-040 (Order 82-61), § 220-56-380, filed 6/9/82; 82-07-047 (Order 82-19), § 220-56-380, filed 3/18/82; 81-05-027 (Order 81-13), § 220-56-380, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-380, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-086.]

AMENDATORY SECTION (Amending WSR 98-06-031, filed 2/26/98, effective 5/1/98)

WAC 220-56-385 Oysters--Unlawful acts. Oysters taken for personal use (~~((from the contiguous Puget Sound waters or beaches of the state of Washington south of a line from Tala Point to Foulweather Bluff and waters or beaches of the Pacific Ocean, Grays Harbor or Willapa Bay))~~) must be shucked before removing oysters from the intertidal zone and the shells replaced on the tidelands at the approximate tide level from which originally taken and it shall be unlawful for any person to fail to do so.

[Statutory Authority: RCW 77.12.040 and 75.08.080. 98-06-031, § 220-56-385, filed 2/26/98, effective 5/1/98. Statutory Authority:

RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-385, filed 2/27/80, effective 4/1/80.]

AMENDATORY SECTION (Amending Order 09-27, filed 2/25/09, effective 5/1/09)

WAC 220-56-500 Game fish seasons. It is unlawful to fish for game fish except during open seasons or open time periods.

(1) Freshwater lakes, ponds and reservoirs: Open year round except as provided for in WAC 232-28-619.

(2) Freshwater rivers, streams and beaver ponds:

(a) Rivers, streams, and beaver ponds that drain into Puget Sound or the Strait of Juan de Fuca are closed to fishing for game fish unless otherwise provided for.

(b) All other rivers, streams, and beaver ponds: Open the first Saturday in June through October 31 except as provided for in WAC 232-28-619.

(3) Saltwater (all waters downstream and seaward of the mouths of rivers and streams generally defined in WAC 220-16-245 and specifically defined in WAC 220-56-105): Open year-round, except:

(a) Lake Washington Ship Canal - Those waters of Area 10 west of the Lake Washington Ship Canal to a north-south line 175 feet west of the Burlington-Northern Railroad Bridge are closed waters.

(b) Toliva Shoal - Waters within 500 yards of the Toliva Shoal buoy are closed waters from June 16 through April 30.

(c) Freshwater Bay - Waters south of a line from Angeles Point

westerly to Observatory Point are closed July 1 through August 31.

(d) Tulalip Bay - Waters of Tulalip Bay east of a line from Hermosa Point to Mission Point are closed waters.

(e) Agate Pass - Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to game fish angling from January 1 through March 31; except a person can fish with gear meeting the fly-fishing-only requirements of WAC 220-56-210, as long as he or she does not use lead-core fly line. Use of gear other than fly-fishing gear or use of a lead core line in violation of this subsection is an infraction, punishable under RCW 77.15.160. It is unlawful to retain any fish taken during the period January 1 through March 31.

(f) Those waters of Hood Canal inshore from yellow marker buoys to the mouth of Finch Creek and waters within the channel created when tidelands are exposed are closed the entire year except:

(i) Persons with disabilities who permanently use a wheelchair and/or who have a designated harvester card under WAC 220-55-065 may fish from the ADA-accessible site at the Hoodspout Salmon Hatchery, provided such persons follow all applicable rules and regulations of the adjoining waters of Marine Area 12.

(ii) Designated harvesters may fish from the ADA-accessible site with persons with disabilities who permanently use a wheelchair and/or who have a designated harvester card, if room allows. However, persons with disabilities who permanently use a wheelchair have priority over others if the ADA-accessible site becomes overcrowded.

[Statutory Authority: RCW 77.12.047. 09-06-042 (Order 09-27), § 220-56-500, filed 2/25/09, effective 5/1/09. Statutory Authority: RCW 77.12.047 and 77.04.020. 08-15-002 (Order 08-165), § 220-56-500, filed 7/3/08, effective 8/3/08. Statutory Authority: RCW 77.12.047. 06-13-023 (Order 06-135), § 220-56-500, filed 6/13/06, effective 7/14/06.]

AMENDATORY SECTION (Amending Order 04-98, filed 5/12/04, effective 6/12/04)

WAC 232-12-064 Live wildlife. Taking from the wild, importation, possession, transfer, holding in captivity.

(1) It is unlawful to take live wildlife (~~((except unclassified marine invertebrates and fish))~~), wild birds (except starlings, house sparrows and rock doves by falconers, and rock doves by bird dog trainers), or game fish from the wild without a permit provided for by rule of the commission and issued by the director.

(2) Notwithstanding the provisions of WAC 232-12-027(1), 232-12-067, and subsections (3) and (4) (~~(herein)~~) of this section, it is unlawful to import into the state, hold, possess, propagate, offer for sale, sell, transfer, or release live specimens of wildlife listed in this subsection, or their gametes and/or embryos, except as provided under subsection(~~(s)~~) (7), (8), (9) or (10) (~~(below)~~) of this section:

In the family Cervidae, all of the following species:

Roosevelt and Rocky Mountain elk	Cervus elaphus
Mule deer and Black-tailed deer	Odocoileus hemionus
White-tailed deer	Odocoileus virginianus
Moose	Alces alces
Caribou	Rangifer tarandus caribou

(3) It is unlawful to import into the state or to hold live wildlife which were taken, held, possessed, or transported contrary to federal or state law, local ordinance, or department rule. Live wild animals, wild birds, or game fish shall not be imported without first presenting to the department the health certificate required by the Washington (~~(state)~~) department of agriculture under WAC (~~(16-54-030)~~) 16-54-180. Notwithstanding the provisions of this subsection, raptors used for falconry or propagation may be imported if the health certificate is in the possession of the importer. Proof of lawful importation must be produced for inspection on request of a department employee.

(4) It is unlawful to possess or hold in captivity live wild animals, wild birds, or game fish unless lawfully acquired and possessed. Proof of lawful acquisition and possession must be produced for inspection on request of a department employee. Such proof shall contain:

- ~~((1))~~ (a) Species;
- ~~((2))~~ (b) Age and sex of animal;
- ~~((3))~~ (c) Origin of animal;
- ~~((4))~~ (d) Name of receiving party;
- ~~((5))~~ (e) Source-name and address;
- ~~((6))~~ (f) Invoice/statement date; and

((+7)) (g) Documentation of prior transfers.

(5) Live wild animals, wild birds, or game fish held in captivity, or their progeny or parts thereof, may not be sold or otherwise ~~((commercialized on))~~ used commercially except as provided by rule of the commission.

(6) No wildlife shall be released from captivity except as provided in WAC 232-12-271, except that it is lawful to return to the waters from which caught, game fish caught and subsequently kept alive on stringers, in live wells, or in other containers while fishing. The release of fish into any waters of the state, including private, natural, or man-made ponds, requires a fish planting permit.

(7) Scientific research or display: The director may authorize, by written approval, a person to import into the state, hold, possess and propagate live specimens of wildlife listed in subsection (2) of this section, for scientific research or for display by zoos or aquariums who are accredited institutional members of the ~~((American))~~ Association of ~~((Zoological Parks))~~ Zoos and Aquariums ~~((AAZPA))~~ (AZA), provided:

(a) The specimens are confined to a secure facility~~((τ))~~;

(b) The specimens will not be transferred to any other location within the state, except to other ~~((AAZPA))~~ AZA-accredited facilities, and transported by ~~((AAZPA))~~ AZA-accredited institutional members or their authorized agents with written approval of the director or as otherwise authorized in writing by the director~~((τ))~~;

(c) The specimens will not be sold or otherwise disposed of within the state without written approval of the director~~((τ))~~;

(d) The person will keep such records on the specimens and make such reports as the director may require~~((τ))~~; and

(e) The person complies with the other requirements of this section.

(8) Retention or disposal of existing specimens lawfully in captivity prior to June 20, 1992: A person holding live Roosevelt and Rocky Mountain elk, Mule Deer and Black-tailed deer, White-tailed deer, and Moose may retain the specimens of such wildlife such person lawfully possessed prior to June 20, 1992, and the lawful progeny thereof, provided such person complies with (a) through (f) of this subsection and the other requirements of this section~~((τ))~~;

(a) The person reported to the director, in writing, the species, number, and location of the specimens as required~~((τ))~~;

(b) The specimens are confined to a secure facility at the location reported~~((τ))~~;

(c) Live specimens are not propagated except at ~~((AAZPA))~~ AZA-accredited facilities with the written permission of the director or as otherwise authorized in writing by the director;

(d) Live specimens are not released, except with written permission of the director~~((τ))~~;

(e) Live specimens are not sold or transferred, except:

(i) Live specimens in lawful possession prior to June 20, 1992, and their lawful progeny may be permanently removed from the

state of Washington or transported directly to slaughter where in accordance with other applicable law((7))i

(ii) Federally listed endangered or threatened species may be transferred to ((AAZPA)) AZA-accredited facilities where in compliance with federal law((7))i

(iii) Live specimens may be moved to the new primary residence of the possessor with the written approval of the director, provided all other requirements of this section are satisfied and the total number of locations where animals are held is not increased; and

(iv) ((AAZPA)) AZA-accredited facilities may sell and/or transfer live specimens within the state with the written permission of the director((7))i

(f) Live specimens shall be neutered, physically separated by sex, and/or rendered infertile by means of contraception, except at ((AAZPA)) AZA-accredited facilities with the written permission of the director.

(9) Retention or disposal of existing specimens lawfully in captivity prior to February 13, 1993: A person holding live specimens of wildlife newly listed in subsection (2) of this section by operation of this rule ((†))(Caribou (Rangifer tarandus caribou)((†))), may retain the specimens of such wildlife the person lawfully possessed prior to February 13, 1993, provided:

(a) The person reports to the director in writing by March 31, 1993, and reports annually thereafter, or as otherwise required by the director, the species, number, and location of such specimens((7))i and

(b) The person complies with subsection((§)) (8)(b) through ((†8))(f) ((herein)) of this section and the other requirements of this section.

(10) The provisions of this section shall not prohibit the importation, possession, propagation, sale, transfer, or release of live specimens of federally listed threatened or endangered species, their gametes ((and/))or embryos, where in compliance with federal law.

(11) Escaped wildlife:

(a) Escaped wildlife will be considered a public nuisance. The department or any peace officer may seize, capture, or destroy wildlife that have escaped the possessor's control. The former possessor shall be responsible for costs incurred by the department in recovering, maintaining, or disposing of such animals, as well as any damage to the state's wildlife or habitat.

(b) Escapes of wildlife must be reported immediately to the department((7)).

(c) The recapture or death of escaped wildlife must be reported immediately to the department.

(12) Secure facility:

(a) All captive wildlife will be held in a secure facility. For the purposes of this rule, a secure facility is an enclosure so constructed as to prevent danger to the environment or wildlife of the state, including escape of live wildlife specimens in captivity or ingress of resident wildlife ungulates (hoofed animals).

(b) For wildlife listed in subsection (2) of this section, the secure facility must comply with the fencing requirements in subsection (13) (~~herein~~) of this section.

(13) Fencing requirements:

(a) Perimeter fences must be, at a minimum, eight feet above ground level for their entire length. The bottom six feet must be mesh of sufficient size to prevent resident wildlife ungulates (hoofed animals) from entering and captive wildlife from escaping. Supplemental wire required to attain a height of eight feet may be smooth, barbed, or woven wire (at least 12-1/2 gauge) with strands spaced not more than six inches apart.

(b) Perimeter fences constructed of high tensile wire must be supported by a post or stay at minimum intervals of eight feet.

(c) Perimeter fences must be at least 12-1/2 gauge woven wire, 14-1/2 gauge high-tensile woven wire, chain link, (~~non-climbable~~) nonclimbable woven fence, or other fence approved by the director.

If the wire used is not a full eight feet in height, it must be overlapped one row and securely fastened at every other vertical row or woven together with cable.

(d) Electric fencing materials may be used on perimeter fences only as a supplement to conventional fencing materials.

(e) All gates in the perimeter fences must be self-closing, equipped with two locking devices, and installed only in locations that have been approved by the director. Double gates may be required at points in the perimeter fences subject to frequent vehicle traffic that is not related to activities involving the holding of captive wildlife.

(f) Posts used in the perimeter fences must be:

(i) Wood (pressure treated), five-inch minimum diameter or an equivalent as approved by the director;

(ii) Spaced no more than twenty-four feet apart with stays or supports at eight foot intervals between the posts;

(iii) Extended at least eight feet above ground level; and

(iv) Have corners braced with wood or with an equivalent material as approved by the director.

(g) Fences must be maintained at all times to prevent captive wildlife from escaping or resident wildlife ungulates (hoofed animals) from entering the enclosure. If such animals do pass through, under, or over the fence because of any topographic feature or other conditions, the person possessing wildlife must immediately supplement the fence to prevent continued passage.

(h) For any fence existing prior to February 13, 1993, a person may petition the director in writing for a variance from the above fencing requirements. Any such petition must be filed no later than May 31, 1993, and must identify all aspects in which the existing fence does not meet the fencing requirements contained herein. On approval of the director, such person may maintain such existing fence with normal repair. However, any extension or relocation of existing fence must meet the fencing requirements contained herein.

(14) Marking requirements:

(a) All live specimens of wildlife identified in subsection

(2) of this section must be individually identified by the methods specified below:

(i) All live specimens of such wildlife shall be marked with USDA official ear tags or with ear tags supplied or approved by the department. Tags shall be applied in sequential order((7)); and

(ii) All live specimens of such wildlife shall be marked with a tattoo with an identifying number that has been recorded with the director. The tattoo must be placed on the left ear of the animal.

(b) Identification assigned to an individual animal may not be transferred to any other animal.

(c) Where allowed, all lawful progeny of wildlife identified in subsection (2) of this section must be tagged and tattooed by December 31 of the year of birth or upon leaving the holding facility, whichever is earlier.

(d) Where allowed, if wildlife identified in subsection (2) of this section is sold or transferred within the state, the tag and tattoo must accompany the animal. The new owner or possessor shall not renumber the animal.

(e) Where allowed, live specimens of wildlife identified in subsection (2) of this section shall be marked prior to importation.

(f) No unmarked wildlife identified in subsection (2) of this section may be sold or otherwise transferred from the holding facility.

(15) Testing of specimens((7)):

(a) Where allowed, prior to entry into the state of Washington, persons importing any member of the Genus Cervus, which is identified in subsection (2) ((~~herein~~)) of this section, must submit records of genetic tests((7)) conducted by a professionally recognized laboratory to identify red deer genetic influence (genetic material from any member of any subspecies, race, or species of the elk-red deer-wapiti complex Cervus elaphus not indigenous to the state of Washington). Such testing shall be at the possessor's expense. Animals which are deemed by department of fish and wildlife biologists upon examination to exhibit either((+)) behavioral (vocalization), morphological (size, rump patch, color), or biochemical indications of such influence (hemoglobin, superoxide dismutase, transferrin and post-transferrin, or others to be developed) may not be imported.

(b) A person currently holding any member of the genus Cervus elaphus identified in subsection (2) ((~~herein~~)) of this section must submit records of genetic tests((7)) conducted by a professionally recognized laboratory to identify red deer genetic influence (genetic material from any member of any subspecies, race, or species of the elk-red deer-wapiti complex Cervus elaphus not indigenous to the state of Washington)((7)) for each individual cervid to the director within ((90)) ninety days of passage of this rule. Such testing shall be at the possessor's expense. Any animals identified as red deer or having nonindigenous genetic influence must be destroyed, removed from the state, or neutered within ((180)) one hundred eighty days of passage of this rule.

(c) The director may require that specimens listed in

subsection (2) of this section lawfully in captivity be tested for brucellosis (*brucella abortus*), tuberculosis (*mycobacterium bovis* and *mycobacterium tuberculosis*), meningeal worm (*Paralophostromylus tenuis*), and muscle worm (*Elaphostrongylus cervis*) in accordance with the procedures specified in department of agriculture WAC (~~(16-54-035)~~) 16-54-180 as now or hereafter amended, and/or for other diseases or parasites determined to pose a risk to wildlife. The results of such tests shall be filed with the director as required.

(16) Reporting:

(a) A person holding wildlife listed in subsection (2) of this section in captivity shall submit a completed report no later than March 30, 1993, and then no later than January 31 of each year, or as otherwise required by the director, on a form provided by the department.

(b) Persons possessing wildlife listed in subsection (2) of this section must notify the director within ten days of any change of such persons' address and/or location of the holding facility.

(17) Inspection:

(a) All holding facilities for captive wildlife located in the state are subject to inspection for compliance with the provisions of this section.

(b) Such inspections (~~(may take place without warrant or prior notice but)~~) shall be conducted at reasonable times (~~(and locations)~~).

(18) Notification and disposition of diseased animals(~~(-)~~):

(a) Any person who has reason to believe that wildlife being held pursuant to this rule have or have been exposed to a dangerous or communicable disease or parasite shall notify the department immediately.

(b) Upon having reason to believe that wildlife held pursuant to this rule have been exposed to or contracted a dangerous or contagious disease or parasite, the director may order inspection of such animals by a licensed, accredited veterinarian, certified fish pathologist, or inspection agent. Inspection shall be at the expense of the possessor.

(c) The director shall determine when destruction of wildlife, quarantine, disinfection, or sterilization of facilities is required at any facility holding wildlife pursuant to this rule. If the director determines that destruction of wildlife, quarantine, disinfection, or sterilization of facilities is required, a written order shall be issued to the possessor describing the procedure to be followed and the time period for carrying out such actions. Such activities shall be at the expense of the possessor.

(19) Quarantine area:

(a) Any facility holding wildlife listed in subsection (2) of this section must have an approved quarantine facility within its exterior boundary or submit an action plan to the director that guarantees access to an approved quarantine facility within the state of Washington.

(i) An approved quarantine facility is one that meets criteria

set by the Washington (~~state~~) department of agriculture.

(ii) The quarantine area must meet the tests of isolation, separate feed and water, escape security, and allowances for the humane holding and care of its occupants for extended periods of time.

(b) Should the imposition of a quarantine become necessary, the possessor of any wildlife must provide an on-site quarantine facility or make arrangements at such possessor's expense to transport such wildlife to an approved quarantine facility.

(20) Seizure:

(a) The department of fish and wildlife may seize any unlawfully possessed wildlife.

(b) The cost of any seizure and/or holding of wildlife may be charged to the possessor of such animals.

AMENDATORY SECTION (Amending Order 09-133, filed 7/8/09, effective 8/8/09)

WAC 232-28-619 Washington food fish and game fish--Freshwater exceptions to statewide rules. (1) All freshwater streams and lakes not listed as open for salmon fishing are closed to fishing for salmon.

(2) Freshwater terminal gear restrictions: In all waters with freshwater terminal gear restrictions, including, but not limited to, selective gear rules, whitefish gear rules, single point barbless hooks required, fly-fishing only, and anti-snagging rules, violation of the gear rules is an infraction, punishable under RCW 77.15.160. It is unlawful to possess fish taken with gear in violation of the freshwater terminal gear restrictions. Possession of fish while using gear in violation of the freshwater terminal gear restrictions is a rebuttable presumption that the fish were taken with such gear. Possession of such fish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree.

(3) County freshwater exceptions to statewide rules:

(a) Adams and Grant counties: All seasons in specific freshwater exceptions to statewide rules apply to inlet and outlet streams of named lakes in Grant and Adams counties.

(b) Adams, Douglas, Franklin, Grant, and Okanogan counties,

except Zosel Dam (Okanogan River): Lawful to fish to base of all dams.

~~(c) ((Benton County: Rivers, streams and beaver ponds open year around.~~

~~(d))~~ Ferry and Lincoln counties: Except those tributaries listed under specific water exceptions to statewide rules, all tributaries to Lake Roosevelt between Grand Coulee Dam and the State Highway 25 Bridge at Northport except Barnaby and Nancy creeks: Saturday before Memorial Day through October 31 season. Trout: Daily limit 5, no minimum size.

~~((e))~~ (d) Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: Last Saturday in April through October 31 season. Trout: No minimum length.

(e) Kitsap County and Mason County east of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: First Saturday in June through October 31 season. Trout: No minimum length.

(4) Rivers, streams, and beaver ponds that drain into Puget Sound or the Strait of Juan de Fuca are closed to fishing unless listed as open below.

(5) Specific freshwater exceptions to statewide rules:

Aberdeen Lake (Grays Harbor County): Last Saturday in April through October 31 season. Trout: No more than two over 15 inches in length may be retained per day.

Abernathy Creek (Cowlitz County):

From mouth to a point five hundred feet downstream from salmon hatchery: The first Saturday in June through August 31 and November

1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

From Abernathy falls to posted markers five hundred feet downstream from salmon hatchery: Closed waters.

Aeneas Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Ahtanum Creek, including North and Middle Forks (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. North Fork from Grey Rock Trailhead Bridge crossing to Shellneck Creek and Middle Fork from the A2000 Road Bridge at Tree Phones Campground downstream to the A2000 Spur Road Bridge in NE Section 34: Closed waters.

Alder Creek (Cowlitz County): Closed waters.

Alder Lake (Thurston County): Kokanee not included in trout daily limit. Kokanee daily limit 10.

Aldrich Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Aldwell Lake (Clallam County): Last Saturday in April through October 31 season. Selective gear rules (~~((except fishing from a floating device equipped with an internal combustion motor permitted))~~). Trout: Daily limit two, minimum length twelve inches.

Alexander Lake (Kitsap County): Closed waters.

Alkali Lake (Grant County): Crappie: Not more than five greater than eight inches in length. Bluegill: Not more than five greater than six inches in length.

All Creek (Skagit County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Alma Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Amon Creek (Benton County): Selective gear rules.

Alta Lake (Okanogan County): Last Saturday in April through September 30 season.

Amber Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Trout: Daily limit two, minimum length fourteen inches; release rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Additional season October 1 through November 30 and March 1 through Friday before last Saturday in April. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

American Lake (Pierce County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Chumming permitted.

American River (Yakima County): Closed waters: From Highway 410 Bridge at river mile 5.4 to the Mesatchee Creek Trail crossing at
1/20/10 11:10 AM [4] OTS-2728.3

river mile 15.8 July 16 through September 15. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Anderson Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Anderson Creek (Whatcom County) (Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Anderson Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. From September 1 through October 31, selective gear rules and trout: Release all trout.

Armstrong Lake (Snohomish County): Last Saturday in April through October 31 season.

Asotin Creek, mainstem and forks (Asotin County): Closed to fishing for steelhead.

From SR 129 Bridge upstream to the forks: Lawful to fish up to base of Headgate Dam.

North Fork from mouth upstream to USFS boundary: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

North Fork from USFS boundary upstream and all other tributaries: Closed waters.

South Fork and tributaries: Closed waters.

Bacon Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

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Bacus Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

B.C. Mill Pond (Stevens County): Last Saturday in April through October 31 season.

~~((Bachelor Creek (Yakima County): Year around season. Trout: Daily limit five, no minimum length.))~~

Badger Lake (Spokane County): Last Saturday in April through September 30 season.

Bainbridge Island - all streams (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Baker Lake (Whatcom County): Last Saturday in April through October 31 season, except closed waters in an area two hundred feet in radius around the pump discharge at the south end of the lake. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Baker River (Skagit County): Mouth to Highway 20 Bridge: September 1 through October 31 season. Anti-snagging rule and night closure. Trout: Minimum length fourteen inches, except Dolly Varden/Bull Trout. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.

Highway 20 Bridge to Baker River fish barrier dam: Closed waters.

From fish barrier dam to headwaters, including all tributaries and their tributaries except Channel Creek: First Saturday in June

through October 31 season.

Banks Lake (Grant County): Chumming allowed. Perch: Daily limit twenty-five. Crappie: Daily limit 10, minimum size 9 inches in length.

Barnaby Slough (Skagit County): Closed waters.

Battle Ground Lake (Clark County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches or greater in length may be retained.

Bay Lake (Pierce County): Last Saturday in April through October 31 season.

Bayley Lake (Stevens County): Last Saturday in April through July 4 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length fourteen inches. Additional season, July 5 through October 31. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish. Inlet stream: Closed waters.

Bear Creek (Yakima County), tributary to South Fork Tieton River: From the mouth to the falls (approximately 3/4 mile): Closed waters.

Bear Lake (Spokane County): Juveniles, holders of ~~((disability))~~ reduced fee licenses or designated harvester cards, and licensed adults accompanied by a juvenile only.

Bear River (Pacific County): The first Saturday in June through March 31 season. Anti-snagging rule and night closure August 16 through November 30. Single point barbless hooks required August

16 through November 30 downstream from the Lime Quarry Road. All species: Release all fish except salmon and except up to two hatchery steelhead may be retained each day. From the Lime Quarry Road to the Longview Fiber Bridge: Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through March 31. All species: Release all fish, except up to two hatchery steelhead may be retained per day. Salmon: Open only September 1 through November 30 from mouth to Lime Quarry Road. Daily limit 6 fish of which no more than 2 may be adult fish and of these two fish no more than one may be a wild adult coho. Release chum and adult Chinook. Upstream of Longview Fiber Bridge: Closed waters.

Beaver Creek (Pierce County) (South Prairie Creek tributary): First Saturday in June through October 31 season.

Beaver Creek (tributary to Elochoman River) (Wahkiakum County): Closed waters.

Beaver Lake (Clallam County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Maximum size 12 inches in length.

Beaver Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Beaver Lake (King County): Trout: Daily limit 5, no more than 2 over 15 inches in length.

Beda Lake (Grant County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one fish.

Beehive (Lake) Reservoir (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

Bennington Lake (Mill Creek Reservoir) (Walla Walla County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Benson Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Berry Creek (tributary to Nisqually River) (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Bertrand Creek (Whatcom County) (Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties): The first Saturday in June through August 31 season. Juveniles only.

Big Beaver Creek (Whatcom County):

From one-quarter mile upstream of closed water markers on Ross Lake upstream (~~(one-quarter mile: Closed waters.~~

~~From one-quarter mile markers upstream,))~~ including tributary streams, and beaver ponds that are tributary to Big Beaver Creek: July 1 through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion

motor. All species: Release all fish.

Big Beef Creek (Kitsap County) from Seabeck Highway Bridge to Lake Symington: The first Saturday in June through August 31 season. Closed waters August 1 through August 31: Waters within 100 feet of the Seabeck Highway NW Bridge. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From Lake Symington upstream: First Saturday in June through October 31 season. All species: Selective gear rules. Release all trout.

Big Creek (Skagit County) (Suiattle River tributary): From TeePee falls to source: First Saturday in June through October 31 season. Selective gear rules.

Big Four Lake (Columbia County): March 1 through October 31 season. Fly fishing only. Fishing from any floating device prohibited. Trout: Daily limit two.

Big Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches. Salmon: Landlocked salmon rules apply.

Big Meadow Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Big Mission Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Big Quilcene River (Jefferson County): See Quilcene River.

~~((From mouth to upper boundary of Falls View Campground: All game fish: Release all fish. From mouth to Rodgers Street~~

~~selective gear rules the first Saturday in June through August 15 and closed waters August 16 through October 31. Rodgers Street to the Highway 101 Bridge: Selective gear rules the first Saturday in June through August 15, one single point barbless hook August 16 through October 31, and night closure August 16 through October 31. From electric weir to upper boundary of Falls View Campground: Selective gear rules. Salmon: Open only August 16 through October 31 from Rodgers Street to the Highway 101 Bridge. Daily limit 4 coho salmon. Only coho salmon hooked inside the mouth may be retained.~~

~~From Highway 101 Bridge upstream to the electric weir at the Quilecene National Fish Hatchery: Closed waters.))~~

Big River (Clallam County): The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.
Trout: Minimum length fourteen inches.

Big Scandia Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Big Tiffany Lake (Okanogan County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Release all cutthroat.

Big Twin Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Bird Creek (Klickitat County): Trout: Daily limit five.

Blackjack Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Blackbird Island Pond (Chelan County): July 1 through September 30 season. Juveniles only.

Black Lake (Okanogan County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Black Lake (Pacific County): Last Saturday in April through October 31 season.

Black Lake (Stevens County): Last Saturday in April through October 31 season.

Black Lake (Thurston County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Crappie: Daily limit ten, minimum length nine inches.

Black Lake Ditch (Thurston County) from the confluence with Percival Creek upstream to Black Lake: First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

~~((Black River (Thurston County), from mouth to Black Lake and including all tributaries west of Interstate Highway 5, including Waddell Creek, Mima Creek, Dempsey Creek, Beaver Creek, Salmon Creek and Blooms Ditch: Selective gear rules. Trout: Minimum length fourteen inches.))~~ Blackman's Lake (Snohomish County): Trout: Daily limit 3.

Blockhouse Creek (Klickitat County): Trout: Daily limit five.

Bloodgood Creek (Klickitat County): Trout: Daily limit five.

Blue Creek (Lewis County), from mouth to Spencer Road: Closed waters except December 1 through December 31 season from mouth to posted sign at rearing pond outlet. Closed waters: Upstream from cable crossing to posted signs at fence. Anti-snagging rule and night closure. Only anglers who permanently use a wheelchair may fish from posted signs above rearing pond to posted signs approximately 40 feet downstream at fence including the rearing pond outlet. Trout: Daily limit five. Minimum size 12 inches no more than two fish over 20 inches. Release wild cutthroat, wild steelhead and hatchery steelhead with clipped right ventral fin.

Blue Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Blue Lake (Cowlitz County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Blue Lake (Grant County): Last Saturday in April through September 30 season.

Blue Lake (near Sinlahekin) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Blue Lake (near Wannacut Lake) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Bobcat Creek and Ponds (Adams County): April 1 through September 30 season.

Bogachiel River (Clallam County), from mouth to Olympic National Park boundary: The first Saturday in June through April 30 season. The first Saturday in June through November 30, selective gear rules and December 1 through April 30, selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor from Highway 101 to Olympic National Park boundary. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead downstream from Highway 101 Bridge. (~~December 1~~) February 16 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. July 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

Boise Creek (King County) (White River tributary) upstream of Highway 410 crossing: First Saturday in June through October 31 season.

Bonaparte Creek (Okanogan County): Closed Waters from mouth to

falls one mile upstream.

Bonaparte Lake (Okanogan County): Trout: No more than one over twenty inches in length may be retained.

Bosworth Lake (Snohomish County): Last Saturday in April through October 31 season.

Boulder Creek and tributaries (Okanogan County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten, no minimum size. Release all cutthroat.

~~((Boundary Creek (Clallam County): Closed waters.))~~

Boulder Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Boulder River (Snohomish County) (NF Stillaguamish River tributary): Mouth to Boulder Falls. First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

From Boulder Falls upstream: First Saturday in June through October 31 season.

Bowman Creek (Klickitat County): Trout: Daily limit five.

Box Canyon Creek (Kittitas County), from mouth to waterfall approximately 2 miles upstream (including the portion flowing through the dry lakebed): Closed waters. From waterfall approximately 2 miles upstream of mouth to USFS Road #4930 Bridge: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Boxley Creek (North Bend) (King County), from ~~((its mouth to))~~ the falls located at approximately river mile 0.9 upstream: ~~((Closed waters))~~ First Saturday in June through October 31 season.

Boyle Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Boyle Lake are closed waters.

Bradley Lake (Pierce County): Salmon: Landlocked salmon rules apply. May 15 through the last day of Free Fishing Weekend (as defined in WAC 220-55-160): Juveniles only.

Bridges Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Bridges Lake are closed waters.

Brookies Lake (Grant County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one fish.

Browns Creek (Pend Oreille County): Fly fishing only.

Browns Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: No more than one fish greater than 11 inches in length may be retained.

Buck Creek (Skagit County) (Suiattle River tributary): From upstream boundary of Buck Creek campground to source: First Saturday in June through October 31 season. Selective gear rules.

Buck Lake (Kitsap County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches

in length may be retained, except no size restriction for kokanee.

Buckskin Creek and tributaries (Yakima County), from mouth to the west boundary of Suntides Golf Course: Closed waters.

Bumping Lake (Reservoir) (Yakima County): Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Bumping River (Yakima County):

From mouth to Bumping Reservoir: Lawful to fish to base of Bumping Dam. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through October 31. Whitefish: Additional December 1 through March 31 season. Whitefish gear rules apply.

Burbank Slough (Walla Walla County): Fishing from any floating device prohibited.

Burke Lake (Grant County): March 1 through July 31 season.

Burley Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Butter Creek (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Buttermilk Creek, mouth to confluence of East and West Forks (Okanogan County): Closed waters.

Buzzard Lake (Okanogan County): Last Saturday in April through October 31 season. All species: Selective gear rules. Trout:

Daily limit 1.

Cadet Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules.

Cady Lake (Mason County): Fly fishing only. Fishing from a floating device equipped with an internal combustion motor prohibited. All species: Release all fish.

Cain Lake (Whatcom County): Last Saturday in April through October 31 season.

Calawah River (Clallam County), from mouth to forks: The first Saturday in June through April 30 season. December 1 through April 30, selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor from Highway 101 to forks.

Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead from mouth to Highway 101 Bridge. (~~December 1~~) February 16 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. July 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

Calawah River, South Fork (Clallam County) from mouth to Olympic National Park boundary: The first Saturday in June through last day

in February season. (~~December 1~~) First Saturday in June through last day in February, selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor December 1 through last day in February. Trout: Minimum length fourteen inches.

Caldwell Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: Daily limit two, minimum length twelve inches.

Caliche Lakes, Lower, Upper and West (Grant County): March 1 through July 31 season.

California Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules.

Calispell Creek (Calispell River) (Pend Oreille County):

From mouth to Calispell Lake: Year around season.

From Calispell Lake upstream to source: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Calispell Creek and tributaries: Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Calligan Lake (King County): June 1 through October 31 season. All tributary streams, and the upper third of the outlet are closed waters.

Camas Slough: Waters of the Columbia River downstream from the mouth of the Washougal River, north of Lady Island, and downstream of the Highway 14 Bridge at the upstream end of Lady Island. Season: Open when the adjacent mainstem Columbia or Washougal rivers are open to fishing for salmon. Daily limit same as most liberal regulation of either area.

Camp Creek (Snohomish County) (Whitechuck River tributary): First Saturday in June through October 31 season. Selective gear rules.

Campbell Creek (Mason County): ~~((Closed waters-))~~ First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Campbell Lake (Okanogan County): April 1 through August 31: Selective gear rules and all species: Release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

Campbell Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches.

Canyon Creek (Clark County): Trout: Daily limit five.

~~((Canyon River (Mason County and Grays Harbor County): Closed waters-))~~

Canyon Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Canyon Creek (S.F. Stillaguamish River) (Snohomish County), mouth to forks: The first Saturday in June through ~~((last day in))~~ February 15 season. ~~((Trout: Minimum length fourteen inches-))~~

Release all fish except up to two hatchery steelhead may be retained.

Canyon Creek (Whatcom County) (North Fork Nooksack River): ~~((Closed waters: Mouth to))~~ From Canyon Creek Road Bridge upstream: First Saturday in June through October 31 season. Selective gear rules.

Canyon River (Mason County and Grays Harbor County): Closed waters.

Capitol Lake (Thurston County), from its outlet to a point four hundred feet below the lowest Tumwater Falls (Deschutes River) fish ladder: Closed waters: Percival Cove, west of a set of markers on the western shoreline of the south basin of Capitol Lake. ~~((The first Saturday in June through March 31))~~ Year-round season. Selective gear rules except bait and barbless hooks allowed while fishing for salmon September 1 through October 15. Anti-snagging rule and night closure August 1 through November 30. Trout: ((The first Saturday in June through July 31 daily limit five, minimum length eight inches. August 1 through March 31 daily limit two, minimum length fourteen inches)) Release all trout. Salmon: Open only July 1 through October 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Carbon River (Pierce County), from its mouth to Voight Creek: September 1 through last day in February season. Anti-snagging rule, night closure and single point barbless hooks required September 1 through November 30. Trout: Minimum length fourteen inches September 1 through November 30. December 1 through last day of February selective gear rules and release all fish except up to two hatchery steelhead may be retained. Voight Creek to Highway 162 Bridge: ~~((July 1 through August 15 and December))~~ November 1 through

last day in February season: (~~Trout: Minimum length 14 inches~~)
Selective gear rules and release all fish except up to two hatchery steelhead may be retained. Salmon: Open only September 1 through November 30 mouth to Voight Creek. Daily limit 6 fish of which no more than 4 may be adult salmon and of these 4 fish no more than 2 may be adult hatchery Chinook. Release chum and wild adult Chinook salmon.

Carlisle Lake (Lewis County): Last Saturday in April through last day in February season. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carl's Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Carney Lake (Pierce County): Last Saturday in April through June 30 and September 1 through November 30 seasons. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Salmon: Landlocked salmon rules apply.

Carson Lake (Mason County): Last Saturday in April through October 31 season.

Cascade Lake (Grant County): March 1 through July 31 season.

Cascade Lake (San Juan County): Last Saturday in April through October 31 season.

Cascade River (Skagit County):

From the mouth to the Rockport-Cascade Road Bridge: June 1
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through July 15 and September 16 through last day in February season. All species: Anti-snagging rule and night closure June 1 through July 15 and September 16 through November 30. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open June 1 through July 15. Daily limit 4 hatchery Chinook, of which no more than 2 may be adult hatchery Chinook. Open September 16 through November 30. Daily limit 4 coho salmon.

From the Rockport-Cascade Road Bridge upstream: The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

Cases Pond (Pacific County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Cassidy Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Castle Lake (Cowlitz County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one, minimum length sixteen inches.

Cattail Lake (Grant County): April 1 through September 30 season.

Cavanaugh Lake (Skagit County): Chumming permitted.

Cayada Creek (Pierce County)(Carbon River tributary): First Saturday in June through October 31 season.

Cedar Creek (tributary of N.F. Lewis) (Clark County), from mouth to 100 feet upstream of the falls: From the Grist Mill Bridge to 100 feet upstream of the falls: Closed waters. The first Saturday in June through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cedar Creek (Jefferson County): The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

Cedar Creek (Mason County): First Saturday in June through October 31 season.

Cedar Creek (Okanogan County), from mouth to Cedar Falls: Closed waters.

Cedar Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Cedar Lake (Stevens County): Last Saturday in April through October 31 season.

Cedar River (King County), from mouth to Landsburg Road: The first Saturday in June through August 31 season. Selective gear rules and night closure. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

~~((Landsburg Road to Cedar Falls: Closed waters.))~~

Cedar River (Pacific County): Selective gear rules. Unlawful to
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fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Chain Lake (Pend Oreille County): Last Saturday in April through October 31 season. Release kokanee.

Chambers Creek (Pierce County): July 1 through November 15 season. All species: Selective gear rules and night closure. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Chambers Creek (~~(Estuary (downstream))~~) from the mouth to markers 400 feet below the Boise-Cascade Dam (~~(to the Burlington Northern Railroad Bridge)~~) (Pierce County): July 1 through November 15 season. Night closure and anti-snagging rule. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

From Boise-Cascade Dam to Steilacoom Lake: July 1 through October 31 season. Night closure and anti-snagging rule. Selective gear rules. Trout: Minimum size fourteen inches.

Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Channel Creek (Skagit County) (Baker River tributary): First Saturday in June through September 15 season.

Chaplain Lake (Snohomish County): Closed waters.

Chapman Lake (Spokane County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Chehalis River (Grays Harbor County), from Highway 101 Bridge in Aberdeen to high bridge on Weyerhaeuser 1000 line (approximately 400 yards downstream from Roger Creek): The first Saturday in June through April 15 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: From mouth to Porter Bridge: Open September 16 through January 31. September 16 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult salmon, only 1 may be a wild adult coho. Release chum and adult Chinook. October 16 through January 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook. From Porter Bridge to high bridge on Weyerhaeuser 1000 line: Open October 1 through January 31. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult salmon, only 1 may be a wild adult coho. Release chum and adult Chinook. October 16 through January 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook. Sturgeon: Open year-round, and no night closure from mouth to high bridge on Weyerhaeuser 1000 line.

From the High Bridge on Weyerhaeuser 1000 line, upstream, including all forks and tributaries: The first Saturday in June through April 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

All species: Release all fish, except up to two hatchery steelhead

may be retained per day.

Chehalis River, South Fork (Lewis County), from mouth to Highway Bridge at Boistfort School: The first Saturday in June through April 15 season. Trout: Minimum length fourteen inches.

Chehalis River Potholes (adjacent to the Chehalis River south of Highway 12 in Grays Harbor County, this does not include sloughs or beaver ponds): Last Saturday in April through October 31 season.

Chelan Hatchery Creek (Chelan County): Closed waters.

Chelan Lake (Chelan County): Closed waters: Within 400 feet of all tributaries south of a line from Purple Point at Stehekin and Painted Rocks. Trout except kokanee and lake trout: Daily limit 5. Release wild cutthroat. Lake trout not counted in daily trout limit. Lake trout no minimum size, no daily limit. Kokanee not counted in daily trout limit. Kokanee daily limit 10, no minimum length. North of a line between Purple Point at Stehekin and Painted Rocks: April 1 through July 31: All ~~((species))~~ game fish: Release all fish except lake trout. Salmon and lake trout: Open ~~((only May 1 through May 31 south of a line from Purple Point to Painted Rocks))~~ year-round: Salmon daily limit 1, minimum length 15 inches.

Chelan Lake Tributaries (Chelan County), from mouths upstream one mile except Stehekin River: August 1 through September 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release wild cutthroat.

Chelan River (Chelan County): From the railroad bridge to the Chelan P.U.D. safety barrier below the power house: May 15 through August

31 season. Anti-snagging rule. Trout: Release all trout.

Chewuch River (Chewack River) (Okanogan County), from mouth to Eight Mile Creek: The first Saturday in June through August 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Upstream from Eight Mile Creek to Pasayten Wilderness boundary: Closed waters the first Saturday in June through October 31.

From mouth to Pasayten Wilderness boundary: Additional December 1 through March 31 season. Whitefish gear rules apply.

Chikamin Creek (Chelan County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Chiliwack River (Whatcom County) including all tributaries and their tributaries: First Saturday in June through October 31 season.

Chimacum Creek (Jefferson County):

From mouth to Ness's Corner Road: The first Saturday in June through August 31 season. (~~Trout: Minimum length fourteen inches.~~) Selective gear rules and release all fish.

From Ness's Corner Road to headwaters: (~~Trout: Minimum length fourteen inches.~~) First Saturday in June through October 31 season. Selective gear rules and release all fish.

Chiwaukum Creek (Chelan County): Mouth to Fool Hen Creek: Closed waters.

Chiwawa River (Chelan County): Mouth to Buck Creek: Closed waters.

Chopaka Lake (Okanogan County): Last Saturday in April through
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October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Church Creek (Mason County) upstream of bridge on U.S. Forest Service Road #2361: First Saturday in June through October 31 season.

Cispus River (Lewis County), from mouth to North Fork: Trout: Release all cutthroat. Additional season November 1 through the Friday before the first Saturday in June. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year around. Salmon minimum size 8 inches. January 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

Cispus River, North Fork (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: No more than one over twelve inches in length. Release cutthroat.

Clallam River (Clallam County): The first Saturday in June through October 31 season. Selective gear rules and release all fish. Additional November 1 through last day in February season. Trout: Minimum length fourteen inches.

Clara Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Clear Creek (Chelan County): Closed waters.

Clear Creek (Snohomish County) (Sauk River tributary): From
1/20/10 11:10 AM [29] OTS-2728.3

Asbestos Creek Falls to source: First Saturday in June through October 31 season.

Clear Lake (Chelan County): Last Saturday in April through October 31 season. From July 5 through October 31, selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Clear Lake (Pierce County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Salmon: Landlocked salmon rules apply.

Clear Lake (Spokane County): Last Saturday in April through October 31 season.

Clear Lake (Thurston County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Clearwater River (Jefferson County):

From mouth to Snahapish River: The first Saturday in June through April 15 season. Trout: Minimum length fourteen inches. (~~December 1~~) February 16 through April 15, one wild steelhead per day may be retained. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon.

From Snahapish River upstream: Trout, minimum length fourteen inches.

Clearwater River (Pierce County): July 1 through October 31 season.

Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

Cle Elum Lake (Reservoir) (Kittitas County): Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen, no minimum size.

Cle Elum River (Kittitas County), from mouth to Cle Elum Dam: Lawful to fish to base of Cle Elum Dam. Year-round season. Unlawful to fish from a floating device equipped with an internal combustion motor. Selective gear rules, except December 1 through March 31 bait and one single point barbed hook three-sixteenths or smaller point to shank may be used. Trout: Release all trout. Above Cle Elum Lake to outlet of Hvas Lake except Tucquala Lake: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Cliff Lake (Grant County): March 1 through July 31 season.

Cloquallum Creek (Grays Harbor County):

From mouth to second bridge on Cloquallum Road: The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches.

From mouth to Highway 8 Bridge: Additional March 1 through March 31 season. Trout: Minimum length fourteen inches.

~~((Clough Creek (North Bend) (King County): Closed waters.))~~

Clover Creek (Pierce County) upstream of Steilacoom Lake, including all tributaries: July 2 through October 31 season.

Coal Creek (Cowlitz County), from mouth to four hundred feet below
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falls: The first Saturday in June through August 31 and November 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Coal Creek (tributary of Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Coal Creek (near Snoqualmie) (King County), from mouth to Highway I-90: Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

From Highway I-90 upstream. First Saturday in June through October 31 season.

Coffee Pot Lake (Lincoln County): March 1 through September 30 season. Selective gear rules (~~((except internal combustion motors allowed))~~). Trout: Daily limit one, minimum length eighteen inches. Crappie: Daily limit ten, minimum length nine inches.

Coldwater Lake (Cowlitz County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one, minimum length sixteen inches.

Coldwater Lake inlet and outlet streams (Cowlitz County): Closed waters.

Collins Lake (Mason County): Last Saturday in April through October 31 season.

Columbia Basin Hatchery Creek (Grant County): Hatchery outflow to confluence with (~~((mainstem Hatchery Creek))~~) Rocky Coulee Wasteway: April 1 through September 30 season. Juveniles and holders of reduced fee (~~((disability))~~) licenses or designated harvester cards only. Trout: No minimum size, daily limit three (~~((fish. Mainstem~~
1/20/10 11:10 AM [32] OTS-2728.3

~~Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced fee disability licenses only).~~

Columbia Park Pond (Benton County): Juveniles and holders of reduced fee ((~~disability~~)) licenses or designated harvester cards only. All species: Daily limit of five fish combined.

Columbia River, including impoundments and all connecting sloughs, except Wells Ponds: Year-round season unless otherwise provided. General species provisions (unless otherwise provided for in this section): Bass: Below McNary Dam: Daily limit five fish, bass 12 to 17 inches in length may be retained. Up to but not more than three of the daily limit may be over 15 inches. Trout: Daily limit two fish, minimum length 12 inches, except release all Dolly Varden/Bull Trout. Whitefish: Daily limit 15 fish. All other game fish: No daily limit, except release all grass carp. Effective January 1, 2011: Salmon and steelhead - barbless hooks required from mouth to McNary Dam.

In the Columbia River between Washington and Oregon, the license of either state is valid. Anglers must comply with the fishing regulations of the state in which they are fishing. This provision does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington except Camas Slough, where the license of either state is valid when fishing from a floating device.

Anglers fishing the Columbia River are restricted to one daily limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.

From a true north-south line through Buoy 10, upstream to a line

projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank: Trout: Release all trout except hatchery steelhead. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Fishing from the north jetty is allowed during both Area 1 and Buoy 10 salmon season openings, (~~with barbed hooks allowed~~) (barbed hooks allowed through December 31, 2010) and the daily limit is the more liberal if both areas are open. Salmon and steelhead: Open only August 1 through March 31. August 1 through August 31, daily limit 2 salmon or 2 hatchery steelhead or one of each; only 1 may be a Chinook. Release all salmon except Chinook and hatchery coho. Chinook minimum length 24 inches. Coho minimum length 16 inches. September 1 through September 30, daily limit 3 hatchery coho and hatchery steelhead combined, of which no more than 2 may be hatchery steelhead. Coho minimum length 16 inches. October 1 through December 31, daily limit 6 fish, of which no more than 3 may be a combination of adult hatchery coho or hatchery steelhead, and of these 3, only 2 may be hatchery steelhead. Release all salmon except hatchery coho. January 1 through March 31, daily limit 6 fish, of which no more than 2 may be adult hatchery Chinook salmon or hatchery steelhead or one of each. Release all salmon except hatchery Chinook. Fishing from the north jetty for salmon open during both Area 1 and Buoy 10 fishery openings, (~~with barbed hooks allowed~~) (barbed hooks allowed through December 31, 2010) and the daily limit is the more liberal if both areas are open. Sturgeon: Release sturgeon May 1 through May 8, June 29 through July

1, and July 6 through December 31. Minimum size when open to retain sturgeon is 38 inches fork length January 1 through April 30, and 41 inches fork length May 9 through July 5. Bottomfish: Daily limits, seasons, size restrictions and gear restrictions are the same as those in the adjacent portion of Marine Area 1.

From a line projected from Rocky Point on the Washington bank through Red Buoy 44 to the navigation light at Tongue Point on the Oregon bank, upstream to the I-5 Bridge: Trout: Release all trout except hatchery steelhead and hatchery cutthroat. Release all trout April 1 through May 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Salmon and steelhead: Open only May 16 through March 31. May 16 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except jack Chinook and sockeye, except adult Chinook may be retained June 22 through July 5. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each; of the adult salmon, only 1 may be a Chinook. Release all salmon except Chinook and hatchery coho. September 13 through December 31, release Chinook downstream of a line projected from the Warrior Rock Lighthouse, through Red Buoy #4, to the orange marker atop the dolphin on the Washington shore. January 1 through March 31, daily limit 6 fish, of which no more than 2 may be adult Chinook or hatchery steelhead or one of each. Release all salmon except hatchery Chinook. (1) Release sturgeon May 1 through May 8, June 29 through July 1, and July 6 through December 31 downstream

from the Wauna powerlines. Minimum size when open to retain sturgeon is 38 inches fork length January 1 through April 30, and 41 inches fork length May 9 through July 5; (2) I-5 Bridge downstream to Wauna powerlines, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from January 1 through July 31, and October 1 through December 31. Release sturgeon on other days and during other time periods.

From the I-5 Bridge to the Highway 395 Bridge at Pasco: Closed waters: (1) From the upstream line of Bonneville Dam to boundary markers located six hundred feet below the fish ladder, and closed to fishing from a floating device or fishing by any method except hand-casted gear from shore from Bonneville Dam downstream to a line from the Hamilton Island boat ramp to an Oregon boundary marker on Robins Island. (2) Waters from the upstream side of the Interstate Bridge at The Dalles to upper line of The Dalles Dam except that bank fishing is permitted up to the downstream navigation lock wall on the Washington shore. (3) From John Day Dam downstream about three thousand feet except that bank fishing is permitted up to four hundred feet below the fishway entrance on the Washington shore. (4) From McNary Dam downstream to a line across the river from the red and white marker on the Oregon shore on a line that intersects the downstream end of the wing wall of the boat lock near the Washington shore. August 1 through October 15: Salmon and steelhead: Anti-snagging rule from Bonneville Dam to McNary Dam and all species: Night closure from Bonneville Dam to The Dalles Dam. Trout: Release all trout except hatchery steelhead. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater

than eighteen inches in length and one greater than twenty-four inches in length. Snake River Confluence Protection Area: From the first powerline crossing the Columbia upstream of Sacajawea State Park to the railroad bridge between Burbank and Kennewick: All species: Daily limits, seasons, size restrictions and gear restrictions are the same as those in the adjacent portion of the Snake River. Sturgeon: (1) Sturgeon fishing is closed from Bonneville Dam to a line from a boundary marker on the Washington shore approximately 4,000 feet below the fish ladder to the downstream end of Cascade Island to an Oregon angling boundary on Bradford Island (the Cascade Island - Bradford Island line). (2) It is unlawful to fish for sturgeon from May 1 through July 31 from Cascade Island - Bradford Island line downstream to a line from navigation marker 85 on the Washington shore at a right angle to the thread of the river to the Oregon shore, from 400 feet below McNary Dam to the Highway 82 Bridge and from John Day Dam downstream to a line crossing the Columbia at a right angle to the thread of the river from the west end of the grain silo at Rufus, Oregon. (3) Cascade Island - Bradford Island line downstream to I-5 Bridge, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from January 1 through July 31 and October 1 through December 31, except for May 1 - July 31 closure downstream to the navigation marker 85 line (~~and the closure to the Highway 82 Bridge~~). Release sturgeon on other days and during other time periods. (4) Release sturgeon August 1 through December 31 from the upstream line of Bonneville Dam and 400 feet below McNary Dam. (5) From the Hamilton Island boat launch (USACE boat restricted zone boundary) to Bonneville Dam,

anglers must stop fishing for sturgeon once a daily limit has been retained. (6) Release sturgeon from August 1 through January 31 from McNary Dam to Priest Rapids Dam. Closed to fishing for sturgeon from May 1 through July 31 from the trolley cableway 2.5 miles downstream from Priest Rapids Dam to Priest Rapids Dam. Salmon and steelhead: From I-5 Bridge to Bonneville Dam: Open June 16 through December 31 except salmon closed November 1 through December 31 from Beacon Rock to Bonneville Dam. June 16 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except jack Chinook and sockeye, except adult Chinook may be retained June 22 through July 5. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each; of the adult salmon, only 1 may be a Chinook. Release all salmon except Chinook and hatchery coho. Steelhead: Additional season January 1 through March 31. Daily limit 2. From Bonneville Dam to McNary Dam: Open June 16 through December 31. June 16 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except jack Chinook and sockeye, except adult Chinook may be retained July 1 through July 31. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except Chinook and coho. Release wild coho from Bonneville Dam to Hood River Bridge. Steelhead: Additional season January 1 through March 31. Daily limit 2. From McNary Dam to the Highway 395 Bridge at Pasco: Open only June 16 through December 31. June 16 through July 31, daily limit 6 fish, of which no more than

2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except jack Chinook and sockeye, except adult Chinook may be retained July 1 through July 31. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon or hatchery steelhead or one of each. Release all salmon except Chinook and coho. Steelhead: Additional season January 1 through March 31. Daily limit 2.

From the Highway 395 Bridge at Pasco to the old Hanford townsite (wooden towers) powerline crossing, in Sec. 30, T13N, R28E except Ringold Area Bank Fishery waters: Closed waters: Ringold Springs Creek (Hatchery Creek). Trout: Release all trout, except up to two hatchery steelhead having both adipose and ventral fin clips may be retained per day, October 1 through October 31. Release all trout, except up to two hatchery steelhead may be retained per day, November 1 through March 31. Salmon: Open only July 1 through October 22. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release sockeye. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Ringold Area Bank Fishery waters (from WDFW markers 1/4 mile downstream from the Ringold wasteway outlet, to WDFW markers 1/2 mile upstream from Spring Creek): Open only April 1 through April 15, except closed for salmon fishing. Fishing allowed only from the bank and only on the hatchery side of the river. Trout: Release all trout, except hatchery steelhead. Salmon: Open only May 1 through May 31. Fishing allowed only from the bank and only on the hatchery side of the river. Daily limit two hatchery Chinook. Night closure and anti-snagging rule.

From the old Hanford townsite (wooden towers) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24): February 1 through October 22 season. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only July 1 through October 22. Daily limit 6 fish of which no more than 2 fish may be adult salmon. Release sockeye.

From Vernita Bridge (Highway 24) to Priest Rapids Dam: Closed waters: (1) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam downstream to the boundary markers six hundred fifty feet below the fish ladders. (2) Jackson (Moran Creek or Priest Rapids Hatchery outlet) Creek - all waters of the Priest Rapids Hatchery system to the outlet on the Columbia River, extending to midstream Columbia between boundary markers located one hundred feet upstream and four hundred feet downstream of the mouth. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only July 1 through October 22. Daily limit 6 fish of which no more than 2 may be adult salmon. Release sockeye.

From Priest Rapids Dam to Chief Joseph Dam, including up to base of Washburn Pond outlet structure: Closed waters: (1) Wanapum Dam - waters between the upstream line of Wanapum Dam to the boundary markers seven hundred fifty feet downstream of the east fish ladder and five hundred feet downstream of the west fish ladder. (2) Rock Island Dam to boundary markers four hundred feet downstream of the

fish ladders. (3) Rocky Reach Dam - waters between the upstream line of Rocky Reach Dam to boundary markers four hundred feet downstream of the fish ladders. (4) Wells Dam - waters between the upstream line of Wells Dam to boundary markers four hundred feet downstream of the spawning channel discharge (Chelan County) and fish ladder (Douglas County). (5) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device from the boundary marker to the Corps of Engineers safety zone marker. Trout: Release all trout. All species: Anti-snagging rule and night closure from Rocky Reach Dam to the most upriver edge of Turtle Rock. Salmon: Daily limit 6 fish, of which no more than 2 may be adult salmon. Release coho and sockeye. From Priest Rapids Dam to Wells Dam, open only July 1 through October 15. From Wells Dam to Chief Joseph Dam, open only July 1 through July 15 and September 1 through October 15 from Highway 173 Bridge at Brewster to Highway 17 Bridge at Bridgeport, and July 16 through August 31 from Wells Dam to Highway 17 Bridge at Bridgeport. Sturgeon: Release all sturgeon.

Above Chief Joseph Dam: See Lake Roosevelt and Rufus Woods Lake.

Colville River (Stevens County):

From mouth to bridge at Town of Valley: Year-round season. Trout: Daily limit five fish, not more than two of which may be brown trout October 1 through November 30. Walleye: Daily limit 8 fish. No minimum size. Not more than one walleye greater than 22 inches may be retained. Sturgeon: Unlawful to fish for or retain sturgeon.

From bridge at Valley upstream and tributaries: Saturday before Memorial Day through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Conconully Lake (Okanogan County): Last Saturday in April through October 31 season.

Conconully Reservoir (Okanogan County): Last Saturday in April through October 31 season.

Conger Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Connelly Creek and tributaries (Lewis County), from four hundred feet below the city of Morton Dam to its source: Closed waters.

Conner Lake (Okanogan County): Last Saturday in April through October 31 season.

Cooper River (Kittitas County): Mouth to Cooper Lake: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Coot Lake (Grant County): April 1 through September 30 season.

Copalis River (Grays Harbor County): The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through January 31 from mouth to Carlisle Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and adult Chinook.

Corral Canyon Creek (Benton County): Selective gear rules.

Cottage Lake (King County): Last Saturday in April through October

31 season.

Cottonwood Creek (Lincoln County): Year-round season.

Cottonwood Creek (Walla Walla County): Closed waters.

Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): The first Saturday in June through August 31 season.

Cougar Lake (Pasayten Wilderness) (Okanogan County): All species: Selective gear rules.

Cougar Lake (near Winthrop) (Okanogan County): (~~September 1 through March 31 season.~~) April 1 through August 31 - all species: Release all fish.

Coulter Creek (Kitsap/Mason counties): (~~Trout: Minimum length fourteen inches.~~) First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

County Line Ponds (Skagit County): Closed waters.

Coweeman River (Cowlitz County), from mouth to Mulholland Creek: The first Saturday in June through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. From Mulholland Creek upstream: The first Saturday in June through August 31 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cowiche Creek (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County): June 1

through last day in February season. The upstream boundary of the reservoir in the Cowlitz arm is the posted PUD sign on Peters Road. The upstream boundary of the reservoir in the Cispus arm is the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus arms. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Release rainbow trout except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Open only June 1 through last day in February. January 1 through last day in February and June 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

Cowlitz River (Lewis County):

From mouth to Mayfield Dam: Closed waters: (1) From 400 feet or posted markers below Cowlitz salmon hatchery barrier dam to boundary markers near the Cowlitz salmon hatchery water intake approximately 1,700 feet upstream of the Cowlitz salmon hatchery barrier dam. (2) From 400 feet below the Mayfield powerhouse upstream to Mayfield Dam. (3) Within a 100 foot radius of the new Cowlitz Trout Hatchery outfall structure except anglers who permanently use a wheelchair may fish within posted markers when adjacent waters are open. Year-round season except closed to fishing from south bank May 1 through June 15 from Mill Creek to the Cowlitz salmon hatchery barrier dam. Lawful to fish up to four hundred feet or the posted deadline at the Cowlitz salmon hatchery

barrier dam. Lawful to fish up to Tacoma Power safety signs at Onion Rock below Mossyrock Dam. Lawful to fish up to Lewis County P.U.D. safety signs below Cowlitz Falls Dam. From the Cowlitz salmon hatchery barrier dam downstream to a line from the mouth of Mill Creek to a boundary marker on the opposite shore, it is unlawful to fish from any floating device. Anti-snagging rule and night closure April 1 through October 31 from mouth of Mill Creek to the Cowlitz salmon hatchery barrier dam. All game fish: Release all fish except steelhead April 1 through May 31. Trout: Daily limit five, minimum length twelve inches, no more than two over twenty inches. Release wild cutthroat. Release all steelhead missing right ventral fin. Salmon: Open year-round. January 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release all salmon except hatchery Chinook and hatchery coho. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release all salmon except hatchery coho and Chinook. Release wild jack Chinook. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

From posted PUD sign on Peters Road to mouth of Ohanepecosh River and mouth of Muddy Fork: Trout: Release cutthroat. Additional November 1 through Friday before the first Saturday in June season. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year-round from upstream boundary of Lake Scanewa. Salmon minimum size 12 inches. January 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho and wild Chinook. August 1

through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

Cowlitz River, Clear and Muddy Forks (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release cutthroat.

Coyote Creek and Ponds (Adams County): April 1 through September 30 season.

Crab Creek (Adams/Grant counties):

From Highway 26 to Morgan Lake Road in Section 36: April 1 through September 30 season.

From Morgan Lake Road in Section 36 to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed waters.

Crab Creek (Lincoln/Grant counties) and tributaries: Year-round season. In those waters from Grant County Road 7 to the fountain buoy and shoreline markers or 150 feet downstream of the Alder Street fill March 1 through May 31 terminal gear restricted to one single hook measuring 3/4 inch or less point to shank. Year-round: Daily limits and size limits same as Moses Lake. From Moses Lake downstream to the confluence of the outlet streams March 1 through May 31 terminal gear restricted to one single-point hook measuring 3/4 inch or less point to shank. Year-round: Daily limits and size limits same as Potholes Reservoir.

Crabapple Lake (Snohomish County): Last Saturday in April through October 31 season.

Cranberry Creek (Mason County) (~~(7-mouth to Lake Limerick: Closed waters-)~~): First Saturday in June through October 31 season.

Selective gear rules. Trout: Release all trout.

Crawfish Lake (Okanogan County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Crescent Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Crescent Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Crescent Lake (Pierce County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Crocker Lake (Jefferson County): Closed waters.

Crystal Lake (Grant County): March 1 through July 31 season.

Cup Lake (Grant County): March 1 through July 31 season.

Curl Lake (Columbia County): Last Saturday in April through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

~~((Curley Creek (Kitsap County): Trout: Minimum length fourteen inches.))~~

Dakota Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules. Salmon: Open only October 1 through December 31 from mouth to Giles Road Bridge. Daily limit 2 salmon.

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Dalton Lake (Franklin County): Trout: No more than two over 13 inches in length may be retained.

Damon Lake (Grays Harbor County): The first Saturday in June through October 31 season.

Dan's Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Davis Lake (Ferry County): Last Saturday in April through October 31 season.

Davis Lake (Lewis County): Last Saturday in April to last day in February season.

Davis Lake (Okanogan County): April 1 through August 31: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Davis Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dayton Pond (Columbia County): Juveniles, anglers with reduced-fee licenses or designated harvesters only. Trout: No more than 2 trout over 13 inches in length may be retained.

Deadman Lake (Adams County): April 1 through September 30 season.

De Coursey Pond (Pierce County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Deep Creek (Clallam County): December 1 through last day in February

season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained per day.

Deep Creek (tributary to Bumping Lake) (Yakima County): Mouth to second bridge crossing on USFS Rd. 1808 (approximately 3.7 miles from junction of USFS Rds. 1800 and 1808): Closed waters.

Deep Lake (Grant County): Last Saturday in April through September 30 season.

Deep Lake (Stevens County): Last Saturday in April through October 31 season.

Deep Lake (Thurston County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Deep River (Wahkiakum County): Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round only from mouth to town bridge. January 1 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild Chinook and wild coho. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult Chinook. Release chum and wild coho. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Deer Creek (Mason County): ~~((Closed waters.~~

~~Deer Creek and Little Deer Creek (tributaries to North Fork Stillaguamish) (Skagit County): Closed waters.)~~ First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

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Deer Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Deer Lake (Island County): Last Saturday in April through October 31 season.

Deer (Deer Springs) Lake (Lincoln County): Last Saturday in April through September 30 season.

Deer Lake (Mason County): Last Saturday in April through October 31 season.

Deer Lake (Stevens County): March 1 through October 31 season. Trout: No more than two over thirty inches in length may be retained.

De Roux Creek (Kittitas County): Mouth to the USFS Trail #1392 (De Roux Cr. Trail) stream crossing (approximately one river mile): Closed waters. Upstream of USFS Trail #1392 stream crossing: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Deschutes River (Thurston County): (~~Closed waters: From 400 feet below lowest Tumwater Falls fish ladder to Old Highway 99 Bridge.~~) From old U.S. Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park: The first Saturday in June through (~~March 31~~) October 15 season. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through October 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From Henderson Boulevard Bridge upstream: Year-round season. Selective gear rules. (~~All game fish~~) Unlawful to fish from a
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floating device equipped with an internal combustion motor. Trout: Release all ~~((fish except hatchery steelhead))~~ trout. Salmon: Open only July 1 through October 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Devereaux Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Devil's Lake (Jefferson County): Last Saturday in April through October 31 season.

Dewatto River (Mason County): First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Night closure September 16 through October 31 from mouth to Dewatto-Holly Road Bridge. Game fish: Release all fish. Salmon: Open only September 16 through October 31 mouth to Dewatto-Holly Road Bridge. Daily limit two coho. Release all salmon other than coho.

Diamond Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dickey River (Clallam County): The first Saturday in June through April 30 season in mainstem Dickey outside Olympic National Park and East Fork Dickey upstream to D5200 road and the first Saturday in June through March 15 in East Fork Dickey upstream from D5200 road and West Fork Dickey. Trout: Minimum length fourteen inches. ~~((December 1))~~ February 16 through April 30, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30

from mouth to East Fork Dickey. July 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

Dillacort Creek (Klickitat County): Trout: Release all trout.

Diobsud Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Dog Lake (Yakima County): Trout: Daily limit may contain ~~((not))~~ no more than 1 fish over 14 inches in length.

Dogfish Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Donovan Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Dosewallips River (Jefferson County), from mouth to Olympic National Park boundary about three-quarters mile downstream of falls: The first Saturday in June through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Highway 101 Bridge. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through August 31. All species: Release all fish except salmon may be retained November 1 through December 15. Salmon: Open only November 1 through December 15 from mouth to Highway 101 Bridge.

Daily limit 2 chum salmon.

Dot Lake (Grant County): March 1 through July 31 season.

Downey Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Downs Lake (Lincoln/Spokane counties): March 1 through September 30 season. Crappie: Daily limit ten, minimum length nine inches.

Dry Creek (Walla Walla County): Upstream from the middle Waitsburg Road: Closed waters.

Dry Falls Lake (Grant County): April 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Duck Lake (Grays Harbor County): Crappie: Daily limit ten, minimum length nine inches.

Duckabush River (Jefferson County), from mouth to the Olympic National Park Boundary: The first Saturday in June through August 31 season mouth to park boundary and November 1 through December 15 season mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through August 31. All species: Release all fish except salmon may be retained November 1 through December 15. Salmon: Open only November 1 through December 15 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Daily limit 2 chum salmon.

Dune Lake (Grant County): All species: Selective gear rules.

Trout: Daily limit 1.

Dungeness River (Clallam County):

From mouth (~~((to junction of Gray Wolf and Dungeness rivers))~~)
to forks at Dungeness Campground: October 16 through last day in
February season. Trout: Minimum length fourteen inches. Salmon:
Open only October 16 through December 31 from mouth to the hatchery
intake pipe at river mile 11.3. Daily limit 4 coho salmon.

~~((From junction of Gray Wolf River upstream to Gold
Creek - Closed waters.))~~

From junction of Gold Creek upstream to headwaters: ~~((Trout:
Minimum length fourteen inches.))~~ First Saturday in June through
October 31 season.

Dusty Lake (Grant County): March 1 through November 30 season.
Selective gear rules. Unlawful to fish from a floating device
equipped with an internal combustion motor. Trout: Daily limit one
fish.

Dyes Inlet (Kitsap County) - all streams: First Saturday in June
through October 31 season. Selective gear rules. Trout: Minimum
size fourteen inches.

Eaton Creek (Thurston County) (Lake St. Clair tributary): First
Saturday in June through October 31 season. Selective gear rules.

Early Winters Creek (Okanogan County): Closed waters.

East Little Walla Walla River (Walla Walla County): Closed waters.

East Twin River (Clallam County): ~~((Trout: Minimum length
fourteen inches.))~~ First Saturday in June through October 31 season.

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Selective gear rules and release all fish.

Easton Lake (Kittitas County): Saturday before Memorial Day through October 31 season. Trout: Daily limit five fish of which no more than 2 may be trout other than Eastern brook trout. Minimum length 8 inches.

Ebey Lake (Little Lake) (Snohomish County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length eighteen inches.

Echo Lake (Snohomish County): Last Saturday in April through October 31 season.

Eglon Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Eightmile Lake (Chelan County): Trout: Daily limit five, not more than two mackinaw may be retained.

Elbow Lake (Stevens County): Last Saturday in April through October 31 season.

Elk River (Grays Harbor County), from the Highway 105 Bridge upstream: The first Saturday in June through last day in February season. Single point barbless hooks required August 16 through November 30 downstream of the confluence of the east and middle branches. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from Highway 105 Bridge to the confluence of the East and Middle Branches. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult fish, only 1 may be an adult wild coho. Release adult Chinook, and chum. October 16 through November 30,
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daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

Ell Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Ellen Lake (Ferry County): Last Saturday in April through October 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Elliot Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules.

Elochoman River (Wahkiakum County): Closed waters: Waters from 100 feet above the upper hatchery rack downstream to the Elochoman Hatchery Bridge located 400 feet below the upper hatchery rack; waters from a point 50 feet above to 100 feet below the outlet pipes from the most downstream Elochoman Hatchery rearing pond and extending 30 feet out from the south bank of the river; waters between the department of fish and wildlife temporary rack downstream to Foster (Risk) Road Bridge while rack is installed in the river; mainstem waters from the confluence of the west fork to source.

From mouth to West Fork: The first Saturday in June through March 15 season. Anti-snagging rule and night closure September 1 through October 31. Stationary gear restriction September 1 through October 31. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only from the first

Saturday in June through December 31. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release chum, wild coho, and wild Chinook.

Eloika Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Elwha River (Clallam County): (~~Closed waters: From south spillway on Aldwell Dam downstream two hundred feet.~~) From mouth to two hundred feet below the south spillway on the Aldwell Dam: October 1 through last day in February season. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 15. Daily limit 6 coho salmon of which no more than 4 may be adult coho salmon.

From Lake Aldwell upstream to Olympic National Park boundary, including all tributaries (~~except Indian Creek~~): First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout except Eastern brook trout: Minimum length twelve inches. Eastern brook trout: No minimum size.

Empire Lake (Ferry County): Last Saturday in April through October 31 season.

~~((Enchantment Park Ponds (Chelan County): Juveniles only.))~~

Entiat River (Chelan County), from mouth to Entiat Falls: December 1 through March 31 season. Whitefish gear rules apply. Above Entiat Falls: Selective gear rules. Unlawful to fish from a

floating device equipped with an internal combustion motor. Trout:
Daily limit 5 trout, not more than one of which may be greater than
12 inches in length. Eastern brook trout not included in trout daily
limit. Eastern brook trout daily limit ten. Once the daily limit
of trout other than eastern brook trout has been achieved, the entire
daily limit for trout other than eastern brook trout and eastern brook
trout has been taken.

Ephrata Lake (Grant County): Closed waters.

Erie Lake (Skagit County): Last Saturday in April through October
31 season.

Evans Creek (Pierce County) (Carbon River tributary) from Carbon
River-Fairfax Road upstream: First Saturday in June through October
31 season.

Failor Lake (Grays Harbor County): Last Saturday in April through
October 31 season. Trout: No more than two over 15 inches in length
may be retained per day.

Falls Creek (Snohomish County) (Sauk River tributary): First
Saturday in June through October 31 season. All species: Selective
gear rules.

Fan Lake (Pend Oreille County): Last Saturday in April through
September 30 season. Fishing from a floating device equipped with
an internal combustion motor prohibited.

Fazon Lake (Whatcom County): Fishing from any floating device
prohibited from first Friday in October through January 15. Channel
catfish: Daily and possession limit two.

Fio Rito Lakes (Kittitas County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Fish Lake (Chelan County): Trout: No more than two over fifteen inches in length may be retained. Perch: Daily limit 25.

Fish Lake (Ferry County): Last Saturday in April through October 31 season.

Fish Lake (Okanogan County): Last Saturday in April through October 31 season.

Fish Lake (Spokane County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fisher Slough (Snohomish County): Mouth to I-5 Bridge: First Saturday in June through October 31 season. Trout: Minimum length fourteen inches.

Fishhook Pond (Walla Walla County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Fishtrap Creek (Whatcom County): From Koh Road to Bender Road: First Saturday in June through October 31 season. Juveniles only.

Fishtrap Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season.

Fiske Creek (Pierce County) (Puyallup River tributary) upstream from Fiske Road: First Saturday in June through October 31 season.

Forde Lake (Okanogan County): Last Saturday in April through October 31 season.

Fort Borst Park Pond (Lewis County): Last Saturday in April through last day in February season. Juveniles only.

Fortson Mill Pond # 2 (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Found Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Fourth of July Lake (Adams/Lincoln counties): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than two over fourteen inches in length may be retained.

Fox Creek (Pierce County) (Puyallup River tributary) upstream from Fiske Road: First Saturday in June through October 31 season.

Franz Lake (Skamania County): Closed waters.

Frater Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Frenchman Hills Lake (Grant County): February 1 through September 30 season.

Friday Creek (Whatcom County) (Samish River tributary): First Saturday in June through October 31 season. Selective gear rules.

Fulton Creek (Mason County) from mouth to falls at river mile 0.8: First Saturday in June through October 31 season. Selective gear rules and release all fish.

From falls at river mile 0.8 upstream: First Saturday in June through October 31 season.

Gadwall Lake (Grant County): April 1 through September 30 season.

Gale Creek (Pierce County) (South Prairie Creek tributary) upstream of confluence with Wilkeson Creek: First Saturday in June through October 31 season.

Gamble Creek (Kitsap County): First Saturday in June through October 31 season: Selective gear rules and release all fish.

Garfield Juvenile Pond (Whitman County): Juveniles only.

George Lake (Grant County): March 1 through July 31 season.

Geneva Lake (King County): Last Saturday in April through October 31 season.

Germany Creek (Cowlitz County), from mouth to end of Germany Creek Road (approximately five miles): The first Saturday in June through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Gibbs Lake (Jefferson County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Gillette Lake (Stevens County): Last Saturday in April through October 31 season.

Gissberg Pond, North (Snohomish County): Juveniles only.

Gissberg Ponds (Snohomish County): Channel catfish: Daily limit 2, no minimum size.

Goat Creek (Okanogan County): Closed waters.

Gobar Creek (tributary to Kalama River) (Cowlitz County): The first

Saturday in June through March 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Gold Creek, Gold Creek Pond and Outlet Channel (tributary to Keechelus Lake) (Kittitas County): Closed waters.

Gold Creek (Okanogan County): From mouth to confluence north fork Gold Creek: Closed waters.

Goldsborough Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: (~~Minimum length fourteen inches.~~) Release all trout.

Golf Course Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

Goodell Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Goodman Creek (Jefferson County) outside Olympic National Park: The first Saturday in June through last day in February season. Trout, minimum length fourteen inches.

Goodwin Lake (Snohomish County): Chumming permitted.

Goose Creek (Lincoln County), within the city limits of Wilbur: Year around season. Juveniles and holders of (~~disability~~) reduced fee licenses or designated harvester cards only.

Goose Lake, Lower (Adams County): Crappie: Daily limit ten, minimum length nine inches. Bluegill: Not more than five over six inches in length.

~~((Gorst Creek (Kitsap County): Closed waters: From lower bridge on the old Belfair Highway upstream to source (including tributaries). From mouth upstream to lower bridge: Trout: Minimum length fourteen inches.~~

~~Gosnell Creek and tributaries (tributary to Lake Isabella) (Mason County): Trout: Minimum length fourteen inches.))~~

Goss Lake (Island County): Last Saturday in April through October 31 season.

Grade Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Grande Ronde River (Asotin County):

From mouth to County Road Bridge about two and one-half miles upstream: Year-round season. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor September 1 through May 31. Trout: Minimum length ten inches, maximum length twenty inches. Channel catfish: No daily limit mouth to Oregon state line.

From County Road Bridge upstream to Oregon state line and all tributaries: Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through August 31 and barbless hooks required September 1 through October 31. Additional season November 1 through April 15: Barbless hooks required. All tributaries: Closed waters. All species: Release all fish except whitefish and hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Granite Creek and tributaries (Pend Oreille County): Closed waters.

Granite Lakes (near Marblemount) (Skagit County): Grayling:
Release all grayling.

Grass Lake (Mason County): Last Saturday in April through October
31 season.

Gray Wolf River (Clallam County): (~~From junction with Dungeness
River to bridge at river mile 1.0 - Closed waters.~~) From bridge at
river mile 1.0 upstream ((-)) First Saturday in June through
October 31 season. All species: Selective gear rules(~~(. - Trout:
Minimum length fourteen inches.)~~) and release all fish. Unlawful
to fish from a floating device equipped with an internal combustion
motor.

Grays River (Wahkiakum County), from mouth to Highway 4 Bridge:
First Saturday in June through October 15 and November 15 through
March 15 season; and from Highway 4 Bridge to mouth of South Fork:
First Saturday in June through October 15 and December 1 through March
15 season. Anti-snagging rule, night closure and stationary gear
restriction September 1 through October 15. All game fish: Release
all fish except hatchery steelhead. Salmon: Open only from first
Saturday in June through October 15 from mouth to South Fork. First
Saturday in June through July 31, daily limit 6 hatchery Chinook,
of which no more than 2 may be adults. August 1 through October 15,
daily limit 6 fish, of which no more than 2 may be adult Chinook.
Release chum, wild coho and unmarked Chinook. Unmarked Chinook are
Chinook without either a clipped ventral fin or a clipped adipose
fin.

Grays River, East Fork (Wahkiakum County): Selective gear rules.

Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Grays River, West Fork (Wahkiakum County), downstream from hatchery intake footbridge: The first Saturday in June - October 15 season. All species: Release all fish except up to two hatchery steelhead may be retained per day. Trout: Additional December 1 through March 15 season downstream from hatchery intake footbridge. Release all fish other than hatchery steelhead. Salmon: Open only from first Saturday in June through October 15. September 1 through October 15: Anti-snagging rule, night closure and stationary gear restriction. First Saturday in June through July 31, daily limit 6 hatchery Chinook, of which no more than 2 may be adults. August 1 through October 15, daily limit 6 fish of which not more than 2 may be adult Chinook. Release chum, wild coho and unmarked Chinook. Unmarked Chinook are Chinook without either a clipped ventral fin or a clipped adipose fin.

Green Lake (Okanogan County): April 1 through November 30: Selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Green Lake (Lower) (Okanogan County): April 1 through November 30: Selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Green River (Cowlitz County): Closed waters: All tributaries.

From mouth to 2800 Bridge: The first Saturday in June through November 30 season except closed from 400 feet above to 400 feet below the water intake at the upper end of the hatchery grounds during the period September 1 through November 30 and from 400 feet or posted signs above and below the salmon hatchery rack when the rack is installed in the river. Anti-snagging rule and night closure September 1 through October 31 from mouth to 400 feet below salmon hatchery rack. All species: When anti-snagging rule in effect, only fish hooked inside the mouth may be retained. Trout: Release all trout except hatchery steelhead. Salmon: Open August 1 through November 30. Daily limit 6 fish, of which not more than 2 may be adult Chinook. Release chum, wild coho, and wild jack Chinook October 1 through November 30, release adult Chinook.

From 2800 Bridge to ~~((source))~~ Miner's Creek: Closed waters.

From Miner's Creek upstream: All species: Catch and release and selective gear rules.

Green (Duwamish) River (King County):

From the First Avenue South Bridge to Tukwila International Boulevard/Old Highway 99: The first Saturday in June through July 31 and September 1 through February 15 season. In years ending in odd numbers, additional season August 22 through August 31, night closure, bait prohibited, only 1 single-point hook may be used, and hook must measure less than 1/2 inch from point to shank. Anti-snagging rule and night closure September 16 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. ~~((July 1 through July 31 and when open from August 22 through November 30,~~

~~one wild steelhead per day may be retained.))~~ Salmon: In years ending in odd numbers, open August 22 through December 31. Daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, open September 1 through December 31. Daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From Tukwila International Boulevard/Old Highway 99 to the Interstate 405 Bridge: The first Saturday in June through July 31 and September 1 through February 15 season. Anti-snagging rule and night closure September 1 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. (~~July 1 through July 31 and September 1 through November 30, one wild steelhead per day may be retained.))~~ Salmon: Open only September 1 through December 31. In years ending in odd numbers, daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum, and only 1 may be a Chinook. In years ending in even numbers, daily limit 6 salmon, no more than 3 may be adult salmon, and only 1 may be a Chinook.

From the Interstate 405 Bridge to South 277th Street Bridge in Auburn: Open only the first Saturday in June through July 31 and October 1 through February 15. In years ending in odd numbers, additional season September 1 through September 30, night closure, bait prohibited, only 1 single-point hook may be used, and hook must measure less than 1/2 inch from point to shank. Anti-snagging rule and night closure October 1 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. (~~July 1 through July 31 and when~~

~~open from September 1 through November 30, one wild steelhead per day may be retained.))~~ Salmon: In years ending in odd numbers, open September 1 through December 31. Daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, open October 1 through December 31. Daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From the 277th Street Bridge to Auburn-Black Diamond Road Bridge: Open only the first Saturday in June through August 15 and October 16 through last day in February. In years ending in odd numbers, additional season September 16 through October 15, night closure, bait prohibited, only 1 single-point hook may be used, and hook must measure less than 1/2 inch from point to shank. Anti-snagging rule and night closure October 16 through November 30. Fishing from a floating device prohibited November 1 through last day in February. Trout, minimum length fourteen inches. (~~July 1 through August 15 and when open from September 16 through November 30, one wild steelhead per day may be retained.))~~ Salmon: In years ending in odd numbers, open September 16 through December 31. Daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, open October 16 through December 31. Daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From the Auburn-Black Diamond Road Bridge to the water pipeline walk bridge (1/2 mile downstream of Tacoma Headworks Dam): The first Saturday in June through last day in February season. Anti-snagging rule and night closure August 1 through November 30. Closed waters:

Within 150 feet of the Palmer Pond outlet rack and within 150 feet of the mouth of Keta Creek. Trout: Minimum length 14 inches. (~~July 1 through November 30, one wild steelhead per day may be retained.~~) Salmon: Open only November 1 through December 31. In years ending in odd numbers, daily limit 6 salmon, no more than 3 may be any combination of adult coho and adult chum. Release Chinook. In years ending in even numbers, daily limit 6 salmon, no more than 3 may be adult salmon. Release Chinook.

From Friday Creek upstream, including all tributaries and their tributaries: First Saturday in June through October 31 season.

Greenwater River (King County), from mouth to Greenwater Lakes: (~~July 1 through October~~) November 1 through January 31 season. (~~Selective gear rules. Trout: Minimum length 14 inches.~~) Release all fish except whitefish. Whitefish gear rules.

From Greenwater Lakes upstream: First Saturday in June through October 31 season.

Grimes Lake (Douglas County): June 1 through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Grizzly Lake (Skamania County): Closed waters.

Groves Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Halfmoon Lake (Adams County): April 1 through September 30 season.

Halfmoon Lake (Pend Oreille County): Last Saturday in April through

October 31 season.

Hamilton Creek (Skamania County): Trout: Release all fish except up to two hatchery steelhead may be retained per day. All tributaries downstream from the Highway 14 Bridge: Closed waters.

Hamma Hamma River (Mason County):

From mouth to four hundred feet below falls: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From falls upstream: First Saturday in June through October 31 season.

~~((Hammersley Inlet Freshwater Tributaries (Mason County), except Mill Creek: Closed waters.))~~

Hampton Lakes, Lower and Upper (Grant County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Hancock Lake (King County): Last Saturday in April through October 31 season. All tributary streams and the upper third of the outlet are closed waters.

Hansen Creek (Skagit County) including all tributaries and their tributaries: First Saturday in June through October 31 season. Selective gear rules.

Harris Lake (Grant County): All species: Selective gear rules. Trout: Daily limit 1.

Harvey Creek (tributary to Sullivan Lake) (Pend Oreille County):

From mouth to Bridge 4830 on county road (about one and one-half miles): Closed waters.

From Bridge 4830 upstream: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

~~((Harvey Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.))~~

Hatch Lake (Stevens County): December 1 through March 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Hatchery Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Haven Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Hawk Creek and tributaries (Lincoln County): Year-round season.

Hays Creek and Ponds (Adams County): April 1 through September 30 season.

Headgate Pond (Asotin County): Last Saturday in April through October 31 season. Juveniles, seniors and holders of ~~((disability))~~ reduced fee licenses or designated harvester cards only.

Heart Lake (near Anacortes) (Skagit County): Last Saturday in April through October 31 season.

Heins Lake (Kitsap County): Closed waters.

Hemlock Lake (Trout Creek Reservoir) (Skamania County): Closed waters.

Hen Lake (Grant County): April 1 through September 30 season.

Heritage Lake (Stevens County): Last Saturday in April through October 31 season.

Herman Lake (Adams County): April 1 through September 30 season.

Hicks Lake (Thurston County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Hilt Creek (Skagit County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Hog Canyon Creek (Spokane County): Hog Canyon Dam to Scroggie Road: Year-round season.

Hog Canyon Lake (Spokane County): December 1 through March 31 season. Trout: No more than two over fourteen inches in length may be retained.

Hoh River (Jefferson County), outside of Olympic National Park:

From Olympic National Park boundary upstream to DNR Oxbow Campground Boat Launch: May 16 through April 15 season. May 16 through the Friday before the first Saturday in June, open Wednesday through Sunday only each week, and catch and release, except up to

two hatchery steelhead may be retained on open days. First Saturday in June through April 15, trout: Minimum length fourteen inches. November 1 through February 15, daily limit may include 1 additional hatchery steelhead. (~~December 1~~) February 16 through April 15, one wild steelhead per day may be retained. Salmon: Open May 16 through August 31, Wednesday through Sunday only each week, daily limit 6 fish of which no more than 1 may be an adult salmon, and release wild Chinook. Open September 1 through November 30, daily limit 6 fish of which no more than 2 may be adult salmon.

From DNR Oxbow Campground Boat Launch to Willoughby Creek: May 16 through April 15 season. Selective gear rules (~~(August 1 through October 15 and December 1 through April 15)~~) and unlawful to fish from a floating device equipped with an internal combustion motor. Release all game fish except up to two hatchery steelhead may be retained. May 16 through the Friday before the first Saturday in June, open Wednesday through Sunday only each week (~~(, and catch and release, except up to two hatchery steelhead may be retained on open days. First Saturday in June through April 15, trout: Minimum length fourteen inches)~~). Salmon: Open May 16 through August 31, Wednesday through Sunday only each week, daily limit 6 fish of which no more than 1 may be an adult salmon, and release wild Chinook. Open October 16 through November 30, daily limit 6 fish of which no more than 2 may be adult salmon.

From Willoughby Creek to Morgan's Crossing boat launch site: First Saturday in June through April 15 season. Selective gear rules (~~(first Saturday in June through October 15 and December 1 through April 15. Trout: Minimum length fourteen inches)~~) and unlawful to

fish from a floating device equipped with an internal combustion motor. Release all game fish except up to two hatchery steelhead may be retained. Salmon: Open October 16 through November 30, daily limit 6 fish of which no more than 2 may be adult salmon.

From Morgan's Crossing boat launch site upstream to Olympic National Park boundary below mouth of South Fork Hoh River: First Saturday in June through April 15 season. Selective gear rules. (~~Trout: Minimum length fourteen inches.~~) Unlawful to fish from a floating device equipped with an internal combustion motor. Release all fish except up to two hatchery steelhead may be retained.

Hoh River South Fork (Jefferson County), outside Olympic National Park: The first Saturday in June through April 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

Hoko River (Clallam County): From mouth to upper Hoko Bridge: First Saturday in June through March 15 season. Fly fishing only September 1 through October 31. (~~Additional November 1 through March 15 season.~~) Trout: Minimum length fourteen inches. (~~December 1 through March 15, one wild steelhead per day may be retained.~~)

From upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5): The first Saturday in June through March 31 season. Fly fishing only. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Homestead Lake (Grant County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion

motor. Trout: Daily limit one fish.

Hoquiam River, including all forks (Grays Harbor County): The first Saturday in June through last day of February season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to bridge on Dekay Road on mainstem and East Fork mouth to mouth of Berryman Creek. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

Horseshoe Lake (Clark/Cowlitz counties): Trout: No more than 2 trout 20 inches or greater in length may be retained. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Jefferson County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit 1.

Horseshoe Lake (Kitsap County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Horseshoe Lake (Pend Oreille County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Horsethief Lake (Klickitat County): Last Saturday in April through October 31 season.

Hourglass Lake (Grant County): April 1 through September 30 season.
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Howard Lake (Snohomish County): Last Saturday in April through October 31 season.

Howe Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Howell Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Hozomeen Lake (Whatcom County): July 1 through October 31 season.

Huff Lake (Pend Oreille County): Closed waters.

Humptulips River (Grays Harbor County): From mouth to Ocean Beach Road: The first Saturday in June through March 31 season, except closed September 1 through September 30. Night closure and single-point barbless hooks required August 16 through August 31 and October 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open October 1 through January 31. Daily limit of 6 salmon, of which no more than two may be adult salmon, and of the 2 adult salmon, only one may be an adult Chinook. Release chum and wild coho. From Ocean Beach Road to Highway 101: The first Saturday in June through March 31 season, except closed September 1 through September 15. Night closure and single-point barbless hooks required August 16 through August 31 and September 16 through November 30. All species: Bait prohibited September 16 through September 30. Trout: Minimum length fourteen inches. Salmon: Open September 16 through January 31. Daily limit of 6 salmon, of which no more than two may be adult salmon, and of the 2 adult salmon, only one may be an adult Chinook. Release chum and wild coho. From

Highway 101 Bridge to forks: The first Saturday in June through last day in February season. Night closure and single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Additional season March 1 through March 31. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained.

Humptulips River, East Fork (Grays Harbor County), from mouth to concrete bridge on Forest Service Road between Humptulips Guard Station and Grisdale: Anti-snagging rule and night closure August 16 through October 31. Trout: Minimum length fourteen inches.

Humptulips River, West Fork (Grays Harbor County), from mouth to Donkey Creek: The first Saturday in June through last day in February season. Anti-snagging rule and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Additional season March 1 through March 31. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained.

Hutchinson Creek (Whatcom County) (SF Nooksack tributary): First Saturday in June through October 31 season. All species: Selective gear rules. Trout: Minimum size fourteen inches.

Hutchinson Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

I-82 Ponds, 1 through 7 (Yakima County): Fishing from vessels

equipped with internal combustion motors prohibited.

Icehouse Lake (Skamania County): Trout: No more than 2 trout 20 inches or greater in length may be retained.

Icicle River (Creek) (Chelan County):

From mouth to four hundred feet below Leavenworth National Fish Hatchery rack: Closed waters. From Leavenworth National Fish Hatchery rack upstream to Leland Creek: First Saturday in June through September 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Illabot Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Illahsee Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

~~((Indian Creek (tributary to Elwha River) (Clallam County), from mouth upstream to first Highway 101 crossing: Selective gear rules. Trout: Minimum length twelve inches.))~~

Indian Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Indian Creek (Yakima County): From mouth to waterfall approximately six miles upstream (including the portion of the creek that flows

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through the dry lakebed): Closed waters. Upstream of waterfall:
Eastern brook trout do not count as part of trout daily limit.
Eastern brook trout: No minimum size and no daily limit.

Indian Heaven Wilderness Lakes (Skamania County): Trout: Daily
limit three.

Ingall's Creek (Chelan County): Mouth to Wilderness boundary:
Closed waters.

Isabella Lake (Mason County): Trout: Daily limit 5, no more than
two over 14 inches in length may be retained, except no size
restriction for kokanee.

Island Lake (Kitsap County): Trout: Daily limit 5, no more than
two over 14 inches in length may be retained, except no size
restriction for kokanee.

Island Lake (Mason County): Trout: Daily limit 5, no more than two
over 14 inches in length may be retained, except no size restriction
for kokanee.

Issaquah Creek (King County): The first Saturday in June through
August 31 season. Juveniles only.

Jackman Creek (Skagit County): First Saturday in June through
October 31 season. Selective gear rules.

Jackson Lake (Pierce County): Last Saturday in April through
October 31 season.

Jameson Lake (Douglas County): Last Saturday in April through July
4 and October 1 through October 31 seasons.

Jasmine Creek (Okanogan County): Year-round season. Juveniles

only.

Jefferson Creek (Mason County): First Saturday in June through October 31 season.

Jefferson Park Pond (Walla Walla County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Jennings Park Pond (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Jewitt Creek (Klickitat County): Juveniles only. Trout: Daily limit five, no minimum length.

Jimmy-Come-Lately Creek (Clallam County) mouth to confluence with East Fork: The first Saturday in June through August 31 season. (~~Trout: Minimum length fourteen inches~~) Selective gear rules and release all fish.

From confluence with East Fork upstream, including East Fork: First Saturday in June through October 31 season.

Joe Creek (Grays Harbor County): Upstream from State Highway 109 Bridge to Ocean Beach Road Bridge: The first Saturday in June through November 30 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release adult Chinook, and chum.

Johns Creek (Mason County): (~~Closed waters.~~) First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Johns River (Grays Harbor County): Mouth to Ballon Creek: The first Saturday in June through last day in February season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult salmon, only 1 may be an adult wild coho. Release chum and adult Chinook. October 16 through November 30, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

Ballon Creek upstream, including North and South Forks: The first Saturday in June through September 30 and December 1 through last day in February season. Trout: Minimum length 14 inches.

Johnson Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Johnson Creek (Whatcom County), from Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: First Saturday in June through October 31 season. Juveniles only.

Jones Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Jordan Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. Selective gear rules.

Jorsted Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Jump-Off Joe Lake (Stevens County): Last Saturday in April through October 31 season.

Kachess Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Kachess River (Kittitas County): Lawful to fish to base of Kachess Dam. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. From Kachess Lake (Reservoir) upstream to waterfall approximately one-half mile above Mineral Creek: Closed waters.

Kalaloch Creek (Jefferson County), outside Olympic National Park: Closed waters: Those waters within the section posted as the Olympic National Park water supply the first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

Kalama River (Cowlitz County): Release wild cutthroat.

From mouth upstream to one thousand feet below fishway at upper salmon hatchery: Year-round season except during the period the temporary fish rack is installed. Waters from Modrow Bridge downstream to one thousand five hundred feet below the rack are closed waters when the rack is installed. Anti-snagging rule and night closure April 1 through October 31 from the mouth to the intake at the lower salmon hatchery. Stationary gear restriction September 1 through October 31 from mouth to the natural gas pipeline at

Mahaffey's Campground. All species: When anti-snagging rule in effect only fish hooked inside the mouth may be retained. Fishing from a floating device equipped with an internal combustion motor prohibited upstream of Modrow Bridge. September 1 through October 31: Fly fishing only from the pipeline crossing to the posted deadline at the intake to the lower salmon hatchery. All game fish: Release all fish year-round except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31, daily limit 6 hatchery Chinook of which no more than 1 may be an adult salmon. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult Chinook. Release chum, wild Chinook, and wild coho.

From one thousand feet below to one thousand feet above the fishway at upper salmon hatchery: Closed waters.

From one thousand feet above the fishway at the upper salmon hatchery to Summers Creek: Year-round season. Fishing from a floating device equipped with a motor prohibited. Selective gear rules. All species: Release all fish.

From Summers Creek upstream to the 6420 Road at about one mile above the gate at the end of the county road: The first Saturday in June through March 31 season. Fishing from a floating device equipped with a motor prohibited. Fly fishing only. All species: Release all fish.

From 6420 Road to Kalama Falls: Closed waters.

Kalispell Creek and tributaries (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal

combustion motor.

Kapowsin Lake (Pierce County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Keechelus Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches, additionally up to sixteen kokanee may be retained.

Kelsey Creek (tributary of Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Kendall Creek (Whatcom County) (NF Nooksack tributary) above the hatchery grounds: First Saturday in June through October 31 season.
Selective gear rules.

Kennedy Creek (Thurston County), from mouth to four hundred feet below falls: The first Saturday in June through last day in February season. Selective gear rules. Anti-snagging rule and night closure October 1 through December 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to northbound Highway 101 Bridge. Barbless hooks required. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

From falls upstream: First Saturday in June through October 31 season. Selective gear rules.

Kennedy Creek Pond (Thurston County): Last Saturday in April through October 31 season.

Kettle River (Stevens County):

The Saturday before Memorial Day through October 31 season.
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All species: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length 12 inches. Sturgeon: Unlawful to fish for or retain sturgeon.

Additional season: November 1 through May 31. Whitefish gear rules apply.

Ki Lake (Snohomish County): Last Saturday in April through October 31 season.

Kidney Lake (Skamania County): Last Saturday in April through last day in February season.

Kimball Creek (near Snoqualmie) (King County): Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Kindy Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

King's Creek (Pierce County) (Puyallup River tributary): First Saturday in June through October 31 season.

Kings Lake and tributaries (Pend Oreille County): Closed waters.

Kings Lake Bog (King County): Closed waters.

Kitsap Lake (Kitsap County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Kiwanis Pond (Kittitas County): Juveniles and holders of ((~~disability~~)) reduced fee licenses or designated harvester cards

only.

Klaus Lake (King County): Last Saturday in April through October 31 season. Closed waters: The inlet and outlet to first Weyerhaeuser spur.

Klickitat River (Klickitat County):

From mouth to Fisher Hill Bridge: April 1 through January 31 season. Anti-snagging rule and night closure May 1 through May 31. Anti-snagging rule August 1 through January 31. Game fish: Closed December 1 through January 31. Release game fish other than steelhead April 1 through May 31. Trout: Minimum length twelve inches. Steelhead and salmon: Open April 1 through May 31 on Sundays, Mondays, Wednesdays and Saturdays only; daily limit 1 hatchery steelhead or 1 salmon. Release wild Chinook. Salmon: Open June 1 through January 31. June 1 through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild Chinook. August 1 through January 31, daily limit 6 fish of which no more than 2 may be adult Chinook.

From Fisher Hill Bridge to four hundred feet above # 5 fishway: Closed waters.

From four hundred feet above # 5 fishway to the Yakama Indian Reservation boundary: June 1 through November 30 season, except waters from boundary markers above Klickitat salmon hatchery to boundary markers below hatchery are closed waters. Trout: Minimum length twelve inches. Additional December 1 through March 31 season. Whitefish gear rules apply. Salmon: Open only June 1 through November 30 from 400 feet above No. 5 Fishway to boundary markers below Klickitat Salmon Hatchery. June 1 through July 31,

daily limit 6 salmon. Release adult salmon and release wild Chinook. August 1 through October 31, daily limit 6 fish of which no more than 2 may be adult Chinook. November 1 through November 30, daily limit 6 fish. Release Chinook.

From the Yakama Indian Reservation boundary upstream to source, including all tributaries: Closed waters.

Klineline Ponds (Clark County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Koeneman Lake (Fern Lake) (Kitsap County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Kokanee Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Kress Lake (Cowlitz County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches in length or greater may be retained. Salmon: Landlocked salmon rules apply.

Lacamas Creek (Clark County): Lawful to fish upstream to the base of Lacamas Lake Dam.

Lacamas Creek, tributary of Cowlitz River (Lewis County): Trout: Release all trout except up to two hatchery steelhead may be retained per day.

Ladder Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release
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all fish except up to two hatchery steelhead may be retained.

Lake Creek (Okanogan County): Mouth to Black Lake: Closed waters.

Black Lake to Three Prong Creek: Closed waters.

Langlois Lake (King County): Last Saturday in April through October 31 season.

Latah (Hangman) Creek (Spokane County): Year-round season.

Lawrence Lake (Thurston County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Leader Lake (Okanogan County): Last Saturday in April through September 30 season.

LeBar Creek (Mason County) from the falls at river mile one upstream: First Saturday in June through October 31 season.

Le Clerc Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Ledbetter Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Ledking Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Leech Lake (White Pass area) (Yakima County): Fly fishing only. Fishing prohibited from floating devices equipped with motors.

Trout: No more than one over 14 inches in length.

Leland Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Leland Lake (Jefferson County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Lemna Lake (Grant County): April 1 through September 30 season.

Lena Creek (Mason County): First Saturday in June through October 31 season.

Lenice Lake (Grant County): March 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Lena Lake, Lower (Jefferson County): Closed waters: Inlet stream from mouth upstream to footbridge (about one hundred feet).

Lenore Lake (Grant County): Closed waters: Area within two hundred yard radius of trash rack leading to the irrigation pumping station (south end of lake) and area approximately one hundred yards beyond the mouth of inlet stream to State Highway 17. March 1 through May 31 season: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. Additional season the first Saturday in June through November 30: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Leo Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Lewis River (Clark County), from mouth to forks: Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31, daily limit six hatchery Chinook of which not more than 1 may be an adult salmon. August 1 through September 30, daily limit 6 hatchery salmon, of which no more than 2 may be adult hatchery Chinook. Release all salmon except hatchery Chinook and hatchery coho. October 1 through December 31, daily limit 6 hatchery coho. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Lewis River, East Fork (Clark/Skamania counties): Closed waters: From the posted markers at the lower end of Big Eddy to one hundred feet above Lucia Falls; from four hundred feet below to four hundred feet above Molton Falls; from four hundred feet below Horseshoe Falls upstream including all tributaries above Horseshoe Falls.

Mouth to 400 feet below Horseshoe Falls: The first Saturday in June through March 15 season. Trout: Release all trout except up to two hatchery steelhead per day may be retained. Mouth to top boat ramp at Lewisville Park: Additional April 16 through the Friday before the first Saturday in June season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Release all fish except up to two hatchery steelhead may be retained per day.

Lewis River, North Fork (Clark/Skamania counties):

From mouth to Colvin Creek: Year-round season except those
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waters shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder are closed waters. Anti-snagging rule and night closure April 1 through November 30 from Johnson Creek to Colvin Creek. When anti-snagging rule is in effect, only fish hooked inside the mouth may be retained. October 1 through December 15, fishing from any floating device prohibited from Johnson Creek to Colvin Creek. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31, daily limit 6 hatchery Chinook of which only 1 may be an adult salmon. August 1 through September 30, daily limit 6 hatchery salmon, of which no more than 2 may be adult hatchery Chinook. Release all salmon except hatchery Chinook and hatchery coho. October 1 through December 31, daily limit 6 hatchery coho. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in waters of mainstem Columbia River adjacent to mouth of Lewis River.

From mouth of Colvin Creek to overhead powerlines at Merwin Dam: May 1 through September 30 and December 16 through April 30 season. Anti-snagging rule and night closure April 1 through September 30. When anti-snagging rule is in effect, only fish hooked inside the mouth may be retained. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only January 1 through September 30 and December 16 through December 31. January 1 through July 31, daily limit 6 hatchery Chinook of which only 1 may be an adult salmon. August 1 through September 30, daily limit 6 hatchery salmon, of which no more than 2 may be adult hatchery Chinook. Release all salmon except hatchery Chinook and hatchery

coho. December 16 through December 31, daily limit 6 hatchery coho.
Sturgeon: Seasons, days of the week, daily limits, and size limits same as in waters of mainstem Columbia River adjacent to mouth of Lewis River.

From overhead powerlines at Merwin Dam to Merwin Dam: Closed waters.

From the cable crossing 1,300 feet below Yale Dam to Yale Dam: Closed waters.

Within Lewis River Power Canal: From the fishing pier to the access road at Swift Dam: Last Saturday in April through October 31 season. Fishing from a floating device prohibited. Trout: No minimum size, daily limit 5.

From Eagle Cliff Bridge to lower falls including all tributaries: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Liberty Lake (Spokane County): March 1 through October 31 season.

Lilliwaup River (Mason County): Mouth to 200 feet below falls: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From falls upstream: First Saturday in June through October 31 season.

Lilly Lake (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Lime Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Limerick Lake (Mason County): Last Saturday in April through October 31 season.

Lincoln Pond (Clallam County): Juveniles only.

Lions Park Pond (Walla Walla County): Juveniles only. Trout: No more than 2 trout over 13 inches in length may be retained.

Little Ash Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties): The first Saturday in June through August 31 season. Juveniles only.

Little Hoko River (Clallam County): First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Little Klickitat River (Klickitat County), within Goldendale city limits: Last Saturday in April through October 31 season. Juveniles only. Trout: Daily limit five, no minimum length.

Little Lost Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Little Mission Creek (Mason County) from falls upstream: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Little Naches River (Yakima County): Selective gear rules.
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Unlawful to fish from a floating device equipped with an internal combustion motor.

Little Nisqually River (Lewis County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length ten inches.

Little Pend Oreille River (Stevens County) from the Little Pend Oreille wildlife refuge boundary about 1 mile downstream from the refuge headquarters office to Crystal Falls: Saturday before Memorial Day through October 31 season. Selective gear rules, and unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to five Eastern brook trout may be retained.

Little Quilcene River (Jefferson County), from mouth to the Little Quilcene River Bridge on Penny Creek Road: First Saturday in June through October 31 season. All species: Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish. Closed waters: Mouth to Highway 101 Bridge September 1 through October 31.

From Little Quilcene River Bridge on Penny Creek Road upstream: First Saturday in June through October 31 season.

Little Scandia Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size fourteen inches.

Little Spokane River (Spokane County):

From mouth to SR 291 Bridge: Year-round season.

From SR 291 Bridge upstream to the West Branch: Last Saturday

in April through October 31 season. Additional December 1 through March 31 season. Whitefish gear rules apply.

Upstream from bridge at Frideger Road: Closed waters: From the inlet to Chain Lake upstream one-quarter mile to the railroad crossing culvert. Trout: Release kokanee taken upstream from bridge.

Little Twin Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Little Twin Lake (Stevens County): Last Saturday in April through October 31.

Little Wenatchee River (Chelan County): From Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground: Closed waters.

Little White Salmon River (Skamania County): Closed waters: From the orange fishing boundary markers at Drano Lake upstream to the intake near the Little White Salmon National Fish Hatchery north boundary. Trout: Daily limit five. Drano Lake (waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery): May 1 through March 31 season, except for hatchery steelhead and Chinook season in April, and except closed Wednesdays beginning the second Wednesday in April through May 31 and from 6 p.m. Tuesday through 6 p.m. Wednesday, October 1 through October 31. (~~Anti-snagging rule and~~) Night closure (~~May 1~~) March 16 through June 30. The area west of a line projected from

the easternmost pillar of the Highway 14 Bridge to a posted marker on the north shore - open only to bank fishing from April 16 through June 30. Anti-snagging rule August 1 through December 31. March 16 through June 30 daily limit of two fish, of which one or both may be hatchery steelhead or one or both may be Chinook salmon. Release wild Chinook. Trout and salmon: May 1 through June 30 release all fish except hatchery steelhead and Chinook salmon. Trout: July 1 through March 15 release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only August 1 through December 31. Daily limit six fish of which no more than two may be adult salmon. Release wild coho and wild jack Chinook.

Lone Lake (Island County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Trout: Daily limit one, minimum length 18 inches.

Long Lake (Ferry County): Last Saturday in April through October 31 season. Fly fishing only. Unlawful to fish from floating devices equipped with motors.

Long Lake (Okanogan County): Last Saturday in April through September 30 season.

Long Lake (Thurston County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Long's Pond (Thurston County): Juveniles only.

Loomis Lake (Pacific County): Last Saturday in April through October 31 season.

Loomis Pond (Grays Harbor County): Closed waters.

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Loon Lake (Stevens County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five, except no more than two over twenty inches in length may be retained. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Lost Lake (Kittitas County): Trout: Not more than 1 fish over 14 inches in length.

Lost Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Lost Lake (Okanogan County): Unlawful to fish from a floating device equipped with an internal combustion engine.

Lost River (Okanogan County):

From mouth to mouth of Monument Creek: Closed waters.

From mouth of Monument Creek to outlet of Cougar Lake: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit. Dolly Varden/Bull Trout daily limit two, minimum length fourteen inches.

Love Lake (Clark County): Closed waters.

Lucky Duck Pond (Stevens County): Juveniles only.

Ludlow Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Ludlow Lake (Jefferson County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for

kokanee.

Lyle Lake (Adams County): April 1 through September 30 season.

Lyle Creek (King County) (White River tributary): First Saturday in June through October 31 season.

Lyre River (Clallam County):

From mouth to falls near river mile 3: The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches.

From falls to source: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Mad River (Chelan County), from mouth upstream to Jimmy Creek: Closed waters.

Maggie Lake (Mason County): Last Saturday in April through November 30 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Salmon: Landlocked salmon rules apply.

Maple Creek (Whatcom County) (NF Nooksack tributary): First Saturday in June through October 31 season. Selective gear rules.

Marble Creek (Skagit County) (Cascade River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Malaney Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all

trout.

Margaret Lake (King County): Last Saturday in April through October 31 season.

Marshal Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Martha Lake (Grant County): March 1 through July 31 season.

Martha Lake (Snohomish County): Last Saturday in April through October 31 season.

~~((Mashel River (Pierce County): July 1 through October 31 season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.))~~

Mattoon Lake (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

May Creek (tributary of Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Mayfield Lake (Reservoir) (Lewis County): Mayfield Dam to 400 feet below Mossyrock Dam: Closed waters: Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Release rainbow trout except rainbow trout with a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

McAllister Creek (Thurston County): ~~((Anti-snagging rule and night closure August 1 through November 30.))~~ First Saturday in June

through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches. ((Salmon: Open only July 1 through November 30 from mouth to Olympia - Steilacoom Road Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon.))

McCabe Pond (Kittitas County): Fishing from any floating device prohibited. All species: Five fish daily limit for all species combined.

McDonald Creek (Clallam County): ~~((Trout: Minimum length fourteen inches.))~~ First Saturday in June through October 31 season. Selective gear rules and release all fish.

McDowell Lake (Stevens County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

McIntosh Lake (Thurston County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

McLane Creek (Thurston County): ~~((Anti-snagging rule and))~~ First Saturday in June through October 31 season. Selective gear rules. Night closure August 1 through October 31. Trout: Minimum length fourteen inches.

McLane Creek Ponds (Thurston County): Last Saturday in April through October 31 season.

McManaman Lake (Adams County): April 1 through September 30 season.

McMurray Lake (Skagit County): Last Saturday in April through October 31. Salmon: Landlocked salmon rules apply.

Medical Lake (Spokane County): March 1 through October 31 season. Selective gear rules (~~(except)~~). Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two, minimum length fourteen inches.

Medical Lake, West (Spokane County): Last Saturday in April through September 30 season.

~~((Melaney Creek (Mason County): Closed waters.))~~

Melbourne Lake (Mason County): Last Saturday in April through October 31 season.

Mercer Creek (Kittitas County), that portion within Ellensburg city limits: Juveniles only.

Mercer Slough (tributary of Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Merrill Lake (Cowlitz County): All species: Fly fishing only and release all fish. Unlawful to fish from a floating device equipped with an internal combustion engine. (~~((Trout: Daily limit two, maximum length twelve inches.))~~)

Merritt Lake (Chelan County): Trout: Daily limit sixteen.

Merry Lake (Grant County): March 1 through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Merwin Lake (Reservoir) (Clark/Cowlitz County): Salmon:

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Landlocked salmon rules apply.

Methow River (Okanogan County):

Mouth to County Road 1535 (Burma Road) Bridge: Closed waters.
County Road 1535 (Burma Road) Bridge to (~~Foghorn Dam~~) McFarland Creek: The first Saturday in June through September (~~30~~) 15 season: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. McFarland Creek to Foghorn Dam: The first Saturday in June through September 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. Foghorn Dam to Weeman Bridge: The first Saturday in June through August 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. Upstream from Weeman Bridge to the falls above Brush Creek: Closed waters the first Saturday in June through October 31. Additional season Gold Creek to falls above Brush Creek: December 1 through March 31. Whitefish gear rules apply.

Methow River tributaries not otherwise provided for: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Maximum length twenty inches.

Middle Nemah Pond (Pacific County): The first Saturday in June through October 31 season.

Milk Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Mill Creek (Chelan County): Closed waters.

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Mill Creek (Cowlitz County): The first Saturday in June through August 31 and November 1 through March 15 seasons. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Mill Creek (Lewis County): Additional season December 1 through December 31, mouth to hatchery road crossing culvert. Anti-snagging rule and night closure. All species: Release all fish except that up to two hatchery steelhead with intact ventral fins may be retained per day.

Mill Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Mill Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Mill Creek (Walla Walla County):

~~From mouth to ((Gose St. Bridge: The first Saturday in June through March 31 season. All species: Barbless hooks required and release all fish except hatchery steelhead September 1 through March 31. Trout: Daily limit three hatchery steelhead.~~

~~From Gose St. Bridge to Roosevelt St. Bridge, within city limits of Walla Walla)) Bennington Dam: Closed waters.~~

~~From ((Roosevelt St. Bridge)) Bennington Dam upstream((~~including all tributaries))~~: All tributaries: Closed waters. Selective gear rules. Unlawful to fish from a floating device~~

equipped with an internal combustion motor. Trout: (~~Maximum length twenty inches.~~) Release all steelhead.

Mill Creek Pond (Grays Harbor County): Juveniles only.

Mill Pond (Auburn) (King County): Last Saturday in April through October 31 season. Juveniles only except open to all ages during Free Fishing Weekend (as defined in WAC 220-56-160).

Mill Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Mineral Creek (tributary to upper Kachess River) (Kittitas County), from mouth to Wilderness Boundary: Closed waters.

Mineral Creek (tributary to Nisqually River), and Mineral Creek, North Fork (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Trout: Minimum length twelve inches.

Mineral Lake (Lewis County): Last Saturday in April through September 30 season.

Minter Creek (Pierce/Kitsap counties): (~~Closed waters: Area from department intake dam downstream to mouth the first Saturday in June through October 31. Trout: Minimum length fourteen inches.~~)

Salmon: Open only November 1 through December 31 from mouth to 50 feet downstream of the hatchery rack. Night closure. Daily limit 4 chum.

Mirror Lake (Grant County): Last Saturday in April through September 30 season.

Mission Lake (Kitsap County): Last Saturday in April through

October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Moclips River (Grays Harbor County), from mouth to the Quinault Indian Reservation: The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches.

Molson Lake (Okanogan County): Fishing from a floating device equipped with an internal combustion engine prohibited.

Monte ((~~Christo~~ [Cristo])) Cristo Lake (Snohomish County): The first Saturday in June through ((~~October~~)) August 31 season. All species: Selective gear rules and catch and release except up to two hatchery steelhead may be retained. Unlawful to fish from a floating device equipped with an internal combustion motor.

Mooses Pond (Pacific County): The first Saturday in June through October 31 season.

Moran Slough (including inlet and outlet streams) (Grant County): Closed waters.

Morgan Lake (Adams County): April 1 through September 30 season.

Morse Creek (Clallam County), from mouth to Port Angeles Dam: December 1 through last day in February season. Trout: Minimum length fourteen inches.

From Port Angeles Dam upstream: First Saturday in June through October 31 season.

Moses Lake (Grant County): Crappie: Daily limit ten, only crappie more than nine inches in length may be retained. Bluegill: Daily

limit five, only bluegill more than eight inches in length may be retained. Walleye: Daily limit 8 walleye. Minimum length twelve inches. No more than one walleye over 22 inches in length may be retained. Yellow perch: Daily limit 25 yellow perch.

Mosquito Creek (Jefferson County), outside Olympic National Park: The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

Mountain Lake (San Juan County): Trout: Daily limit may not contain more than one trout over 18 inches in length.

~~((Muck Creek and tributaries (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Trout: Release all trout.))~~

Mud Lake (Mason County): Last Saturday in April through October 31 season.

Mud Lake (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Mudget Lake (Stevens County): Last Saturday in April through October 31 season.

Munn Lake (Thurston County): ~~((Last Saturday in April through October 31 season. Additional season March 1 through the Friday before the last Saturday in April.))~~ All species: Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish.

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Muskegon Lake (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit two.

~~((Murray Creek (Pierce County): Closed waters.))~~

Myron Lake (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

Mystic Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Naches River (Yakima/Kittitas counties):

From the mouth to Little Naches River: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches, maximum length twenty inches. Release trout the first Saturday in June through October 31 from confluence with Tieton River to mouth of Rattle Snake Creek. Additional December 1 through March 31 season. Whitefish gear rules apply.

Naneum Creek (Kittitas County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Nahwatzel Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Naneum Pond (Kittitas County): Juveniles only.

Napeequa River (Chelan County): Mouth to Twin Lakes Creek: Closed waters.

Naselle River (Pacific/Wahkiakum counties), from Highway 101 Bridge upstream including all forks: Closed waters: Area from four hundred feet below falls in Sec. 6, T10N, R8W (Wahkiakum County) to falls. Waters from the North Valley Road Bridge (Big Hill Bridge) to Highway 4 closed August 16 through October 15.

Mainstem: The first Saturday in June through April 15 season, except sturgeon. Single point barbless hooks required August 16 through November 30 upstream from Highway 4 Bridge to Crown Main Line (Salme) Bridge. Anti-snagging rule and night closure August 16 through November 30 downstream from North Fork. Stationary gear restrictions above mouth of South Fork August 16 through November 30. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor March 1 through April 15 above mouth of South Fork. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31 from Highway 101 Bridge to Highway 4 Bridge and October 16 through January 31 from the Highway 4 Bridge to the Crown Main Line Bridge. Daily limit 6 fish, of which no more than 3 may be adult salmon and of these 3 adult fish, no more than 2 may be adult Chinook and no more than 1 may be a wild adult coho. Release chum.

Sturgeon: Open year-round from mouth to Highway 4 Bridge.

From mouth of North Fork to source: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two

hatchery steelhead per day may be retained.

South Fork, from mouth to Bean Creek: The first Saturday in June through last day in February season, except sturgeon. Anti-snagging rule and night closure August 16 through November 30. Game fish: Release game fish except up to two hatchery steelhead per day may be retained. Sturgeon: Open year-round.

Nason Creek (Chelan County): From the mouth upstream to Smith Brook: Closed waters.

From Smith Brook to Stevens Creek: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Negro Creek (Lincoln County): Year-round season from mouth at Sprague Lake to the fish barrier dam at Fishtrap Lake.

Negro Creek (Whitman County): Last Saturday in April through July 15 season.

Nemah River, North, Middle, and South: The first Saturday in June through March 31 season, except closed August 1 through September 30 on North Nemah from Highway 101 Bridge upstream to Nemah Hatchery. Single point barbless hooks required on North Nemah upstream to the lower bridge on dead end lower Nemah Road October 1 through November 30, on Middle Nemah upstream to the Department of Natural Resources Bridge on Middle Nemah A-line Road August 16 through November 30, and on South Nemah upstream to confluence with Middle Nemah August 16 through November 30. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor on Middle Nemah above DNR Bridge and South Nemah above confluence

with Middle Nemah. Night closure August 16 through November 30 on South Nemah to the confluence with Middle Nemah and Middle Nemah and October 1 through November 30 on North Nemah. Anti-snagging rule on North Nemah upstream from bridge on dead end lower Nemah Road and the Middle Nemah from the DNR Bridge on A-line Road upstream August 16 through November 30. On the North Nemah from the mouth to the lower bridge on dead end lower Nemah Road, stationary gear restriction during the period August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31 on Middle Nemah from mouth to DNR Bridge and South Nemah from mouth to confluence with Middle Nemah, and open October 1 through January 31 on North Nemah from mouth to the lower bridge on dead end Lower Nemah Road. Middle and South Nemah: Daily limit 6 fish, of which no more than 2 may be adult salmon and of the two adult fish, no more than one may be a wild adult coho. Release chum. North Nemah: Daily limit 6 salmon of which no more than 3 may be adult salmon, and of the 3 adult fish, no more than one may be a wild adult coho and no more than two may be adult Chinook. Release chum.

~~((Newhalem Ponds (Whatcom County): Closed waters.))~~

Newaukum River, main river and South Fork upstream to Highway 508 Bridge near Kearny Creek (Lewis County): The first Saturday in June through March 31 season. Night closure and single point barbless hooks required August 16 through November 30 from mouth to Leonard Road. Trout: Minimum length fourteen inches from mouth to Highway 508 Bridge near Kearny Creek. Salmon: Open only October 16 through last day in February from mouth to Leonard Road. Daily limit 6 fish,

of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

Newaukum River, Middle Fork, mouth to Taucher Road Bridge (Lewis County): The first Saturday in June to March 31 season. Trout: Minimum length fourteen inches.

Newaukum River, North Fork (Lewis County):

From mouth to four hundred feet below Chehalis city water intake: The first Saturday in June through March 31 season. Trout: Minimum length fourteen inches.

From 400 feet below Chehalis city water intake upstream: Closed waters.

Newhalem Creek (Skagit County): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Newhalem Ponds (Whatcom County): Closed waters.

New Pond Creek (Pierce County) (South Prairie Creek tributary): First Saturday in June through October 31 season.

Niawiakum River (Pacific County): From Highway 101 Bridge to the South Bend/Palix Road Bridge: Night closure and single point barbless hooks required August 16 through November 30. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from Highway 101 Bridge to South Bend/Palix Road Bridge. Daily limit 6 fish, of which no more than 2 may be adult salmon and of the 2 adult fish, only one may be a wild adult coho. Release chum and adult Chinook.

Nile Lake (Pend Oreille County): Last Saturday in April through 1/20/10 11:10 AM [111] OTS-2728.3

October 31 season.

Nisqually River (Pierce County), from mouth to Military Tank Crossing Bridge: July 1 through January 31 season. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches. All species: Release all species except salmon December 1 through January 31. Salmon: Open only July 1 through January 31 from mouth to Military Tank Crossing Bridge. Daily limit 6 fish of which no more than 3 may be adult salmon, and of the adult salmon only 2 may be any combination of pink, chum and coho. Release wild adult Chinook.

From Military Tank Crossing Bridge to four hundred feet below LaGrande (~~(Falls)~~) Powerhouse: July 1 through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From Alder Reservoir upstream: July 1 through October 31 season. Selective gear rules.

Nookachamps Creek (Skagit County) including all tributaries and their tributaries: First Saturday in June through October 31 season. Selective gear rules.

Nooksack River (Whatcom County), from mouth to forks(~~(, Middle Fork to Dam and North Fork to Nooksack Falls)~~): The first Saturday in June through (~~(last day in)~~) February 15 season except closed the first Saturday in June through September 30 (~~(in mainstem)~~) from yellow marker at the FFA High School barn at Deming to confluence of the North and South Forks. (~~(Fishing from floating devices equipped with motors prohibited on the North and Middle Forks~~)

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~~November 1 through last day in February.))~~ Anti-snagging rule and night closure the first Saturday in June through November 30 (~~on mainstem and North Fork to Maple Creek~~). Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 (~~in mainstem~~) from Lummi Indian Reservation boundary to yellow marker at the FFA High School barn in Deming. Open only October 16 through December 31 (~~in mainstem~~) from the FFA barn to the confluence of the North and South Forks(~~, and October 1 through October 31 on the North Fork from confluence to Maple Creek~~). Daily limit 2 salmon, except release wild coho, release wild Chinook from mouth to FFA barn, and release Chinook from FFA barn to forks (~~and in North Fork~~). In years ending in odd numbers, release pink salmon.

Nooksack River, North Fork (Whatcom County): From mouth to Nooksack Falls: First Saturday in June through February 15 season. November 1 through February 15 - unlawful to fish from a floating device equipped with a motor. First Saturday in June through November 30 night closure and anti-snagging rule from mouth to Maple Creek. Salmon: Open only October 1 through October 31 from mouth to Maple Creek. Minimum size twelve inches, daily limit 2. Release Chinook and wild coho. In years ending in odd numbers, release pink salmon. From Maple Creek to Nooksack Falls: Selective gear rules.

Above Nooksack Falls including all tributaries and their tributaries: First Saturday in June through October 31 season.

Nooksack River, Middle Fork (Whatcom County) mouth to city of Bellingham diversion dam: First Saturday in June through February 15 season. Selective gear rules. Trout minimum size 14 inches.

November 1 through February 15 - motors prohibited.

Above diversion dam, including all tributaries and their tributaries: First Saturday in June through October 31 season.

Nooksack River, South Fork (Skagit/Whatcom counties): From mouth to Skookum Creek: The first Saturday in June through ~~((last day in))~~ February 15 season. Selective gear rules. Release all game fish except up to two hatchery steelhead may be retained. Unlawful to fish from a floating device equipped with an internal combustion motor. Night closure the first Saturday in June through November 30. ~~((Trout: Minimum length fourteen inches.))~~ Salmon: Open only October 16 through December 31. Daily limit 2 salmon, except release Chinook and wild coho. In years ending in odd numbers, release pink salmon.

~~((From Skookum Creek upstream: Closed waters.))~~

No Name Lake (Pend Oreille County): Last Saturday in April through October 31 season.

North Creek (Okanogan County): From mouth to falls at river mile 0.8: Closed waters.

North Creek (tributary of Sammamish River) (Snohomish/King counties): The first Saturday in June through August 31 season. Juveniles only.

North Elton Ponds (Yakima County): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit two.

North Lake (King County): Last Saturday in April through October 31 season.

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North Potholes Reserve Ponds (Grant County): February 1 through the day before opening of waterfowl season. Fishing from any floating device prohibited, except float tubes permitted.

North River (Grays Harbor/Pacific counties), from Highway 105 Bridge upstream to Falls River: The first Saturday in June through last day in February season, except sturgeon. Night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 upstream to Salmon Creek. Anti-snagging rule and night closure from Salmon Creek to Falls River August 16 through November 30. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from Highway 105 Bridge to Salmon Creek. Daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult fish, only one may be a wild adult coho. Release chum and adult Chinook. Sturgeon: Open year-round from Highway 105 Bridge to Salmon Creek.

Upstream from Falls River: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Northern State Hospital Pond (Skagit County): Last Saturday in April through October 31 season. Juveniles only.

Northwestern Reservoir (Klickitat/Skamania counties): Last Saturday in April through last day in February season.

Nunnally Lake (Grant County): March 1 through November 30 season. Closed waters: Outlet stream of Nunnally Lake. Selective gear

rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit one.

~~((Oakland Bay freshwater tributaries (Mason County), except Goldsborough Creek (including Shelton Creek, Canyon Creek, Uncle John Creek, Campbell Creek, Melaney Creek, Deer Creek, John's Creek, and Cranberry Creek to Lake Limerick): Closed waters.))~~

Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Ohop Creek (Pierce County): July 1 through October 31 season. All species: Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish except up to two hatchery steelhead per day may be retained.

Ohop Lake (Pierce County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Okanogan River (Okanogan County):

From the mouth to the highway bridge at Malott: Year-round season. Trout: Release all trout. Upstream from the highway bridge at Malott: The first Saturday in June through August 31 season. Trout: Release all trout. Salmon: Open only July 1 through October 15 from mouth to Highway 97 Bridge immediately upstream of mouth. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho and sockeye. All species: Anti-snagging rule and night closure July 1 through October 15.

Closed waters: From Zosel Dam downstream to first Highway 97 Bridge.

Olalla Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Old Fishing Hole Pond (Kent) (King County): Last Saturday in April through October 31 season. Juveniles only.

Old Mill Stream (Chelan County): Closed waters.

Olequa Creek (Lewis County): Trout: Release all trout except up to two hatchery steelhead may be retained per day.

Olson Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Osborne Lake (Mason County): Last Saturday in April through October 31 season.

Outlet Creek (Klickitat County): Trout: Daily limit five.

Owens Pond (Pacific County): The first Saturday in June through October 31 season.

Owl Creek (Snohomish County) (Whitechuck River tributary): First Saturday in June through October 31 season. Selective gear rules.

Packwood Lake (Lewis County): Closed waters: All inlet streams and outlet from log boom to dam. Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit five, minimum length ten inches.

Padden Lake (Whatcom County): Last Saturday in April through 1/20/10 11:10 AM [117] OTS-2728.3

October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Palix River, including all forks (Pacific County): The first Saturday in June through March 31 season, except sturgeon. Single point barbless hooks and night closure August 16 through November 30 upstream to the confluence of the South and Middle Forks. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Above the confluence of the South and Middle Forks: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Anti-snagging rule and night closure August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from the Highway 101 Bridge to the confluence of the South and Middle Forks. Daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult salmon, only one may be a wild adult coho. Release chum and adult Chinook. Sturgeon: Open year-round from the Highway 101 Bridge to the confluence of the South and Middle Forks.

Palouse River and tributaries, except Rock Creek (Whitman County): Year-round season. Mainstem from mouth to base of Palouse Falls. Trout: Daily limit 6 fish, minimum length 10 inches, no more than 3 trout over 20 inches may be retained, except release all trout April 1 through June 15 and release steelhead June 16 through August 31. Barbless hooks required when fishing for steelhead. Walleye: Daily limit 10 fish, no minimum size. No more than 5 walleye over 18 inches in length may be retained, and no more than 1 walleye over 24 inches in length may be retained. Channel catfish: No daily

limit.

Palouse River mainstem above Palouse Falls and tributaries except Rock Creek: Year-round season.

Pampa Pond (Whitman County): March 1 through September 30 season. Fishing from any floating device prohibited. Trout: No more than two over 13 inches in length may be retained.

Panhandle Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Panther Creek (Chelan County): Closed waters.

Panther Creek (tributary to Wind River) (Skamania County): Closed waters.

Panther Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Para-Juvenile Lake (Adams/Grant counties): April 1 through September 30 season. Juveniles only.

Park Lake (Grant County): Last Saturday in April through September 30 season.

Parker Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Pass Lake (Skagit County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species:

Release all fish.

Pataha Creek (Garfield County):

Within the city limits of Pomeroy: Juveniles only.

From city limits of Pomeroy upstream: Selective gear rules.
Unlawful to fish from a floating device equipped with an internal
combustion motor.

Pattison Lake (Thurston County): Last Saturday in April through
October 31 season. Trout: Daily limit 5, no more than two over 14
inches in length may be retained, except no size restriction for
kokanee.

Peabody Creek (Clallam County): First Saturday in June through
October 31 season. Juveniles only.

Penny Creek (Jefferson County): First Saturday in June through
October 31 season.

Perry Creek (Thurston County) from mouth to falls: First Saturday
in June through October 31 season. Selective gear rules. Trout:
Minimum size 14 inches.

Pearrygin Lake (Okanogan County): Last Saturday in April through
September 30 season.

Pend Oreille River (Pend Oreille County): Year-round season. All
sloughs within the boundaries of the Kalispell Reservation except
Calispell Slough: Closed waters.

Perch Lake (Grant County): Last Saturday in April through September
30 season.

Percival Creek (Thurston County): First Saturday in June through

October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Peshastin Creek (Chelan County): Mouth to Ruby Creek: Closed waters.

Petit Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Phalon Lake (Stevens County): Closed waters.

Pheasant Lake (Jefferson County): Last Saturday in April to October 31 season.

Phelps Creek (Chelan County): From mouth to falls at river mile 1: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

~~((Phillippa Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.))~~

Phillips Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Phillips Lake (Stevens County): Last Saturday in April through October 31 season.

Pilchuck Creek (Snohomish County), mouth to Highway 9 Bridge: The first Saturday in June through ~~((November 30))~~ February 15 season. Trout: Minimum length 14 inches. Selective gear rules ~~((Trout: Minimum length fourteen inches. Additional December 1 through last~~

~~day in February season. Trout: Minimum length fourteen inches.))~~
and unlawful to fish from a floating device equipped with an internal
combustion motor the first Saturday in June through November 30.

From Highway 9 Bridge to Pilchuck Falls: First Saturday in June
through October 31 season. Selective gear rules. Trout minimum
size 14 inches.

From Pilchuck Falls upstream, including all tributaries and
their tributaries and all tributaries to Lake Cavanaugh: First
Saturday in June through October 31 season.

Pilchuck River (Snohomish County)

From its mouth to five hundred feet downstream from the
Snohomish City diversion dam: December 1 through ~~((last day in))~~
February 15 season. Fishing from any floating device prohibited.
Trout: Minimum length fourteen inches.

~~((From 500 feet below diversion dam upstream: Closed waters.))~~

Pillar Lake (Grant County): April 1 through September 30 season.

Pine Creek (Mason County): First Saturday in June through October
31 season.

Pine Lake (King County): Last Saturday in April through October 31
season.

Pine Lake (Mason County): Last Saturday in April through October
31 season.

Ping Pond (Grant County): Third Saturday in April through Labor Day
season. Juveniles and holders of reduced fee ~~((disability))~~
licenses or designated harvester cards only. Game fish: Daily
limit of five fish in the aggregate. No minimum or maximum size for

any species.

Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County):
Closed waters.

~~((Pipers (Carkeek) Creek (King County), from its mouth to its source,
including tributaries: Closed waters.))~~

Pit Lake (Douglas County): Juveniles only.

Pleasant Lake (Clallam County): Trout: Kokanee minimum length
eight inches, maximum length twenty inches.

Plummer Lake (Lewis County): Last Saturday in April through last
day in February season.

Poacher Lake (Grant County): April 1 through September 30 season.

~~((Portage Creek (tributary to Stillaguamish River) (Snohomish
County): Closed waters.))~~

Potholes Reservoir (Grant County): Crappie: Minimum length nine
inches. Crappie and bluegill: Combined daily limit twenty-five
fish. Perch: Daily limit twenty-five fish. Walleye: Minimum
size 12 inches in length. Daily limit 8 walleye, not more than 1
of which may be greater than 22 inches in length.

Potter's Pond (Stevens County): Last Saturday in April through
October 31 season.

Powerline Lake (Franklin County): Trout: Daily limit 2.

Pratt River (tributary to Middle Fork Snoqualmie) (King County):
First Saturday in June through October 31 season. Selective gear
rules. Unlawful to fish from a floating device equipped with an
internal combustion motor. All species: Release all fish.

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Prices Lake (Mason County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

All species: Release all fish.

Promised Land Pond (Grays Harbor County): The first Saturday in June through October 31 season.

~~((Purdy Creek (Mason County): The first Saturday in June through July 31 season. Selective gear rules. All species: Release all fish.))~~ Pugh Creek (Snohomish County) (Whitechuck River tributary): First Saturday in June through October 31 season. Selective gear rules.

Puyallup River (Pierce County):

From mouth to the Electron power plant outlet: ~~((July 1 through last day in February season, except closed August 23 from mouth to city of Puyallup outfall structure near junction of Freeman Road and North Levee Road.))~~ Game fish season is open only when salmon fishing is open. Single-point barbless hooks, anti-snagging rule and night closure August 1 through November 30 from the mouth to the Carbon River. Trout: Minimum length fourteen inches. Salmon: Open only August 16 through December 31 from mouth to Carbon River, except closed August 23 from mouth to city of Puyallup outfall structure near junction of Freeman Road and North Levee Road. In years ending in even numbers, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild adult Chinook. In years ending in odd numbers, daily limit 6 fish, of which no more than 4 may be adult salmon, and of the adult salmon, no more than 2 may be any combination of Chinook, coho, and chum. Release wild adult Chinook.

~~((From Electron power plant outlet upstream: July 1 through October 31 season. Selective gear rules. All species: Release all fish.))~~ From Carbon River upstream: September 1 through last day of February season. Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Pyramid Creek (King County) upstream of Forest Service Road 7000: First Saturday in June through October 31 season.

Pysht River (Clallam County): The first Saturday in June through October 31 season. Selective gear rules and release all fish. Additional November 1 through last day in February season. Trout: Minimum length fourteen inches. ~~((December 1 through last day in February, one wild steelhead per day may be retained.~~

~~Pysht River South Fork (Clallam County): Trout: Minimum length fourteen inches.))~~

Quail Lake (Adams County): Fly fishing only. Fishing from any floating device equipped with a motor prohibited. All species: Release all fish.

Quarry Pond (Walla Walla County): Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Quigg Lake (Grays Harbor County): The first Saturday in June through April 15 season. Trout: Daily limit 2. Minimum length fourteen inches. Salmon: Open only October 1 through January 31. Daily limit 6 hatchery coho salmon of which no more than 4 may be adult hatchery coho.

Quilcene River (Jefferson County):

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From mouth to Rodgers Street: First Saturday in June through August 15 season. Selective gear rules and release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

From Rodgers Street to Highway 101 Bridge: First Saturday in June through October 31 season. Release all game fish. First Saturday in June through August 15. Selective gear rules. Salmon: Open only August 16 through October 31 from Rodgers Street to the Highway 101 Bridge. Night closure and only one single point barbless hook may be used. Daily limit 4 coho salmon. Only coho salmon hooked inside the mouth may be retained.

From electric weir at Quilcene National Fish Hatchery to upper boundary of Falls View Campground: First Saturday in June through October 31 season. Selective gear rules and release all fish. Unlawful to fish from a floating device equipped with an internal combustion motor.

From upper boundary of Falls View Campground upstream: First Saturday in June through October 31 season.

Quillayute River (Clallam County): Open year-round outside of Olympic National Park only. May 1 through the Friday before the first Saturday in June release all game fish except up to two hatchery steelhead per day may be retained. Trout: Minimum length fourteen inches. November 1 through last day in February, daily limit three steelhead. ((~~December 1~~)) February 16 through April 30, one wild steelhead per day may be retained. Salmon: Open only February 1 through November 30. February 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult

Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

Quinault River, Upper (Jefferson County), from mouth at upper end of Quinault Lake to the National Park boundary: The first Saturday in June through April 15 season. Trout: Minimum length fourteen inches. (~~December 1~~) February 16 through April 15, one wild steelhead per day may be retained. Salmon: Open only July 1 through October 31. Daily limit 6 fish, of which no more than 2 may be adult salmon.

Quincy Lake (Grant County): March 1 through July 31 season.

Racehorse Creek (Whatcom County) (NF Nooksack tributary): First Saturday in June through October 31 season. Selective gear rules.

Radar Ponds (Pacific County): Salmon: Landlocked salmon rules apply.

Raging River (King County), from its mouth to the Highway 18 Bridge: The first Saturday in June through (~~last day in~~) February 15 season. Trout: Minimum length fourteen inches.

From Highway 18 Bridge upstream: First Saturday in June through October 31 season.

Rainbow Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Rapjohn Lake (Pierce County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14
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inches in length may be retained, except no size restriction for kokanee.

Rat Lake (Okanogan County): April 1 through November 30: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Rattlesnake Creek (Yakima County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Rattlesnake Lake (King County): (~~Last Saturday in April through October 31 season.~~) Selective gear rules and catch and release. Unlawful to fish from a floating device equipped with an internal combustion motor.

Ravensdale Lake (King County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit two, minimum length twelve inches.

Red Creek (King County) (White River tributary): First Saturday in June through October 31 season.

Reflection Pond (Okanogan County): Last Saturday in April through October 31 season.

Rendsland Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Renner Lake (Ferry County): Last Saturday in April through October 31 season.

Riffe Lake (Reservoir) (Lewis County): Mossyrock Dam to 400 feet

below Cowlitz Falls Dam. Closed waters: Lewis County PUD safety signs approximately 800 feet below Cowlitz Falls Dam to Dam. Lawful to fish up to the base of Swofford Pond Dam. Salmon: Landlocked salmon rules apply.

Rigley Lake (Stevens County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit two, minimum length twelve inches.

Riley Lake (Snohomish County): Last Saturday in April through October 31 season.

Rimrock Lake (Reservoir) (Yakima County): Chumming permitted. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Ringold Springs Creek (Hatchery Creek) (Franklin County): Closed waters.

Ripley Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Robbins Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Rock Creek (Adams/Whitman counties): Mouth to Endicott Road year-round season.

Endicott Road to bridge on George Knott Road at Revere: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

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Upstream from bridge on George Knott Road: Year-round season.

Rock Creek (Chelan County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

~~((Rock Creek (Cedar River tributary below Landsburg Dam) (King County): Closed waters.))~~

Rock Creek (Klickitat County): Mouth to the Army Corps of Engineers Park: Year-round season. Daily limits, size restrictions and gear restrictions are the same as those in the adjacent portion of the Columbia River.

Rock Creek (Skamania County): Mouth to falls. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Above falls, additional November 1 through March 15 season.

Rocky Brook Creek (Jefferson County)(Dosewallips River tributary): From falls 1000 feet upstream of mouth upstream: First Saturday in June through October 31 season.

Rocky Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Rocky Creek (Skagit County): First Saturday in June through October 31 season. Selective gear rules.

Rocky Ford Creek and Ponds (Grant County): Fly fishing only. Fishing from bank only (no wading). All species: Release all fish.

Rocky Lake (Stevens County): Last Saturday in April through October 31 season. June 1 through October 31 selective gear rules ~~((and))~~. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Roesiger Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Roosevelt Lake (Ferry/Lincoln/Stevens counties): All species:
Closed waters: (1) March 1 through the Friday immediately preceding Memorial Day weekend from the Little Dalles power line crossing upstream approximately one mile to marked rock point, and from Northport power line crossing upstream to most upstream point of Steamboat Rock; (2) January 1 through May 31 in San Poil arm upstream from outlet of French Johns Lake; and (3) April 1 through Friday before Memorial Day in Kettle arm upstream to Barstow Bridge. Trout except kokanee: Daily limit five. No more than two over twenty inches in length. Kokanee daily limit six, no more than two with intact adipose fins. Walleye: No minimum size. Daily limit 8 fish not more than one of which may be longer than 22 inches. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon from Roosevelt Lake and tributaries. Carp: Unlawful to fish for carp with bow and arrow.

Rose Lake (Mason County): Last Saturday in April through October 31 season.

Ross Lake (Reservoir) (Whatcom County): July 1 through October 31 season. Selective gear rules(~~(, except fishing from a floating device equipped with an internal combustion motor allowed)~~). Trout: Daily limit three, possession limit six, minimum length thirteen inches.

Ross Lake tributary streams (Whatcom County), except Big Beaver Creek and Ruby Creek: (~~Closed waters: From closed water markers near~~

~~mouth upstream for))~~ From one mile ~~((. Above closed water marker in tributaries not listed as closed))~~ above their mouths to headwaters:
July 1 through October 31 season.

Round Lake (Okanogan County): Last Saturday in April through September 30 season.

Rowland Lakes (Klickitat County): Last Saturday in April through last day in February season.

Royal Lake (Adams County): Closed waters.

Royal Slough (including Marsh Unit IV impoundments) (Adams County): Closed waters.

~~((Ruby Creek (tributary to Ross Lake) (Whatcom County): Closed waters.))~~

Ruby Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Rufus Woods Lake (Douglas County): Chumming allowed. Trout: Daily limit two. ~~((Kokanee not included in daily trout limit. Kokanee daily limit 2.))~~ Only uninjured trout caught using artificial lures or flies with single barbless hooks may be released. Sturgeon: Unlawful to fish for or retain sturgeon from Rufus Woods Lake and tributaries.

Sacheen Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Saddle Mountain Lake (Grant County): Closed waters.

Sago Lake (Grant County): April 1 through September 30 season.

Saint Clair Lake (Thurston County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Salmon Creek (Clark County), from mouth to 72nd Avenue N.E.: The first Saturday in June through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

~~((Salmon Creek, including all forks (Jefferson County): Closed waters.))~~

Salmon Creek, mainstem (Okanogan County): Closed waters.

Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Salmon Creek (tributary of Naselle River) (Pacific County): The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Salmon River (Jefferson County) outside of Olympic National Park and Quinault Indian Reservation: The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches. Hatchery steelhead in this river are steelhead with a dorsal fin height of less than 2-1/8 inches or with an adipose or ventral fin clip. Salmon: Open only September 1 through November 30.

Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult Chinook salmon.

Salmonberry Creek (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum size 14 inches.

Salt Creek (Clallam County): ~~((Trout: Minimum length fourteen inches.))~~ From mouth to bridge on Highway 112: ~~((Additional November 1))~~ First Saturday in June through last day in February season. ((Trout: Minimum length fourteen inches.)) Selective gear rules. Release all fish except November 1 through the last day in February up to 2 hatchery steelhead may be retained.

Samish Lake (Whatcom County): Trout: Cutthroat trout daily limit two, minimum length fourteen inches.

Samish River (Whatcom County):

From its mouth to the ~~((Hickson))~~ I-5 Bridge: The first Saturday in June through ((March 15)) December 31 season. ((From Highway 99 Bridge to department salmon rack: Closed waters.)) Stationary gear restriction ((from mouth to Interstate 5 Bridge August 1 through December 31.)), anti-snagging rule, and night closure August 1 through December 31. Additional season January 1 through March 31. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

~~((Trout: Minimum length fourteen inches.~~

~~Salmon: Open only July 1 through December 31 from mouth to Thomas Road Bridge and October 1 through December 31 from Thomas Road Bridge to I-5 Bridge. Daily limit two salmon, release wild coho.))~~

From the I-5 Bridge to the Hickson Bridge: Closed waters from the old Highway 99 Bridge to the WDFW salmon rack. First Saturday in June through March 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

From Hickson Bridge upstream: First Saturday in June through October 31 season. Selective gear rules.

Sammamish Lake (King County): Closed to fishing within 100 yards of the mouth of Issaquah Creek August 16 through November 30. Trout: Release all kokanee. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. December 1 through June 30: Release all steelhead and rainbow trout over twenty inches in length. Salmon: Open only August 16 through November 30. Daily limit four salmon, of which only two may be Chinook. Release sockeye.

Sammamish River (Slough) (King County), from the 68th Avenue N.E. Bridge to Lake Sammamish: January 1 through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Sandyshore Lake (Jefferson County): Last Saturday in April to October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

San Poil River (Ferry County): Unlawful to fish for or retain sturgeon.

Sarge Hubbard Park Pond (Yakima County): Juveniles and holders of (~~disability~~) reduced fee licenses or designated harvester cards only.

Satsop Lakes (Grays Harbor County): Last Saturday in April through October 31 season.

Satsop River (Grays Harbor County): Trout: Minimum length 14 inches in mainstem and all forks. Mainstem and East Fork, single point barbless hooks and night closure August 16 through November 30 except only August 16 through October 31 on East Fork upstream from bridge at Schafer State Park. Middle and West forks downstream from Cougar Smith Road anti-snagging rule and night closure August 16 through November 30. Middle and West Forks upstream from Cougar Smith Road anti-snagging rule and night closure August 16 through October 31.

From mouth to bridge at Schafer Park: The first Saturday in June through March 31 season. Salmon: Open only October 1 through January 31. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult salmon, only 1 may be an adult wild coho. Release chum and adult Chinook. October 16 through January 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

Middle Fork (Turnow Branch), from mouth to Cougar Smith Road: The first Saturday in June through last day in February season.

West Fork, from mouth to Cougar Smith Road: The first Saturday in June through last day in February season.

Sauk River (Skagit/Snohomish counties):
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From mouth to the mouth of the White Chuck River: The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From mouth to the Darrington Bridge: Additional March 1 through April 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

From the mouth of the White Chuck River to headwaters, including North Fork and South Fork upstream to Elliot Creek: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

South Fork upstream from Elliot Creek: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead may be retained per day.

~~((From mouth to the Darrington Bridge: Additional March 1 through April 30 season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained per day.))~~

Sawyer, Lake (King County): Chumming permitted. Crappie: Daily limit ten, minimum length nine inches.

Scatter Creek (King County) (White River tributary): First Saturday in June through October 31 season.

Schaefer Lake (Chelan County): Trout: Daily limit sixteen.

Schneider Creek (Thurston County) from mouth to falls: First Saturday in June through October 31 season. Selective gear rules.
Trout: Minimum size 14 inches.

Scootenev Reservoir (Franklin County): Walleye: Minimum size 12 inches.

Sedge Lake (Grant County): All species: Selective gear rules.
Trout: Daily limit 1.

Sekiu River (Clallam County): (~~(All open periods: Trout: Minimum length fourteen inches.)~~)

From mouth to forks: First Saturday in June through October 31 season. Selective gear rules and release all fish. Additional November 1 through last day in February season. Trout minimum length 14 inches.

From forks upstream: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Serene Lake (Snohomish County): Last Saturday in April through October 31 season.

Shady Lake (King County): June 1 through October 31 season. Trout: No more than one over fourteen inches in length.

Shannon, Lake (Skagit County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Shellneck Creek (Yakima County): Closed waters.

Shelton Creek (Mason County): (~~Closed waters.~~) First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Sherman Creek (Ferry County):

From the mouth at Lake Roosevelt upstream to four hundred feet above the water diversion dam for the hatchery: Closed waters, except (~~December 1 through August 31~~) first Saturday in June through October 31 season from the mouth upstream to the hatchery boat dock.

Sherry Lake (Stevens County): Last Saturday in April through October 31 season.

Sherwood Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: (~~Minimum length fourteen inches.~~) Release all trout.

Sherwood Creek Mill Pond (Mason County): The first Saturday in June through October 31 season. Trout: Minimum length 14 inches, daily limit 2 fish.

Shine Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Shiner Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Shoe Lake (Mason County): Last Saturday in April through October 31 season.

Shoveler Lake (Grant County): April 1 through September 30 season.

Shye Lake (Grays Harbor County): The first Saturday in June through October 31 season.

Sidley Lake (Okanogan County): Trout: Daily limit two.

Siebert Creek (Clallam County): Trout: (~~(-Minimum length fourteen inches-)~~) First Saturday in June through October 31 season.
Selective gear rules and release all fish.

Silent Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Silesia Creek (Chiliwack River tributary) (Whatcom County): First Saturday in June through October 31 season.

Silvas Creek (Klickitat County): Trout: Release all trout.

Silver Creek (tributary to Cowlitz River) (Lewis County), mouth to USFS Road 4778: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Silver Creek (Skagit County) (Samish River tributary): First Saturday in June through October 31 season. Selective gear rules.

Silver Creek (Whatcom County)(Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Silver Lake (Cowlitz County): Crappie: Daily limit ten crappie. Minimum size nine inches in length.

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Silver Lake (Pierce County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Silver Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Silver Lake, North (Spokane County): March 1 through September 30 and November 1 through December 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. March 1 through September 30: Trout: Daily limit 2 fish, minimum length 14 inches, except release fish with clipped adipose fin. November 1 through December 31: All species: Release all fish.

Silver Lake (Whatcom County): Last Saturday in April through October 31 season.

Silver Nail Lake (Okanogan County): Juveniles only.

Similkameen River (Okanogan County):

From mouth to Enloe Dam: December 1 through March 31 season. Whitefish gear rules apply.

From Enloe Dam to Canadian border: Additional December 1 through March 31 season. Whitefish gear rules apply.

Sinlahekin Creek (Okanogan County), from Palmer Lake to Cecile Creek bridge: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Additional December 1 through March 31 season. Whitefish gear rules apply.

Sixteen Lake (Skagit County): Last Saturday in April through
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October 31 season.

Skagit River (Skagit/Whatcom counties):

From mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon): Year-round season. Selective gear rules (~~(March 1)~~) February 15 through May 31 (~~((except lawful to fish from a floating device equipped with an internal combustion motor))~~). Night closure July 9 through August 9. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open July 9 through August 9, open 12:01 p.m. Thursday through Sunday only each week. Daily limit 2 Chinook salmon, only one of which may be an adult Chinook. In years ending in even numbers, open September 1 through December 31. Daily limit 2 salmon. Release Chinook and chum. In years ending in odd numbers, open August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook and chum.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek: June 1 through (~~(March)~~) February 15 season. Night closure rule July 1 through November 30. Anti-snagging rule August 16 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Additional February 16 through March 15 season. All species: Release all fish except up to 2 hatchery steelhead may be retained. Selective gear rules. Unlawful to fish from a floating device while under power. Salmon: Open July 9 through August 9, open 12:01 p.m. Thursday through Sunday only each

week. Daily limit 2 Chinook salmon, only one of which may be an adult Chinook. In years ending in even numbers, open September 1 through December 31. Daily limit 2 salmon. Release Chinook and chum. In years ending in odd numbers, open August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook and chum.

From Gilligan Creek to the Dalles Bridge at Concrete: June 1 through (~~March~~) February 15 season. Anti-snagging rule and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit; minimum length twenty inches. Salmon: In years ending in even numbers, open September 16 through December 31. Daily limit 2 salmon. Release Chinook and chum. In years ending in odd numbers, open August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook and chum. Additional season February 16 through March 15. All species: Release all fish except up to 2 hatchery steelhead may be retained. Selective gear rules. Unlawful to fish from a floating device while under power.

From the Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport: June 1 through (~~March~~) February 15 season, except closed June 1 through August 31, between a line 200 feet above the east bank of the Baker River to a line 200 feet below the west bank of the Baker River. Anti-snagging rule and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit; minimum length twenty inches.

Salmon open September 16 through December 31. In years ending in even numbers, daily limit 2 salmon. Release Chinook and chum. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook and chum. Additional season: (~~March~~) February 16 through April 30. Selective gear rules (~~(except lawful to fish from a floating device equipped with an internal combustion motor)~~). Unlawful to fish from a floating device while under power. All species: Release all fish except up to two hatchery steelhead may be retained.

From the Highway 530 Bridge at Rockport to the Cascade River: June 1 through (~~March~~) February 15 season. Anti-snagging rule and night closure June 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit; minimum length twenty inches. Salmon open June 1 through July 15. Daily limit four hatchery Chinook salmon, of which only two may be adult hatchery Chinook. Salmon open September 16 through December 31. In years ending in even numbers, daily limit 2 salmon. Release Chinook and chum. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook and chum. Additional season: (~~March~~) February 16 through April 30. Selective gear rules(~~(, except a person can fish from a floating device equipped with an internal combustion motor)~~). Unlawful to fish from a floating device while under power. All species: Release all fish except up to two hatchery steelhead may be retained.

From Cascade River to Gorge Powerhouse: June 1 through March 15 season. Selective gear rules. Unlawful to fish from a floating

device equipped with an internal combustion motor. All species:
Release all fish except up to two hatchery steelhead may be retained
per day.

From (~~(the Gorge Powerhouse to)~~) Gorge Dam to Ross Dam and all
tributaries to this section except Stetattle Creek: (~~(Closed~~
~~waters.)~~) First Saturday in June through October 31 season.

Skamokawa Creek (Wahkiakum County), mouth to forks just below
Oatfield and Middle Valley Road: June 1 through October 31 season.
Trout: Release all trout except up to two hatchery steelhead may
be retained.

Skate Creek (tributary to Cowlitz River) (Lewis County): Trout:
Daily limit five, no more than one over twelve inches in length.
Release cutthroat. Release rainbow trout except rainbow trout
having a clipped adipose fin and a healed scar at the site of the
clipped fin.

Skokomish River (Mason County), mouth to (~~(forks)~~) Highway 101
Bridge: Night closure, anti-snagging rule and single point barbless
hooks required August 1 through November 30 (~~(mouth to Highway 101)~~).
The first Saturday in June through July 31 and October 31 through
December 15 season (~~(from mouth to Highway 101 Bridge. The first~~
~~Saturday in June through October 31 season from Highway 101 Bridge~~
~~to forks)~~). All game fish: Release all fish. (~~(Selective gear~~
~~rules from Highway 101 Bridge to forks.)~~) Salmon: Open only August
1 through December 15(~~(, mouth to Highway 101 Bridge)~~). Terminal
gear restricted to no closer than 25 feet of a tribal gill net. Daily
limit 1 salmon August 1 through September 30. Release chum salmon.
Daily limit 6 salmon October 1 through December 15, except daily limit
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may contain no more than 4 adult fish and release Chinook. October 1 through October 15 release chum salmon.

From Highway 101 Bridge to forks: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Skokomish River, North Fork (Mason County):

From mouth to lower dam: The first Saturday in June through October 31 season. All species: Release all fish. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Above Lake Cushman, mouth to Olympic National Park boundary: The first Saturday in June through August 31 season. Selective gear rules. (~~Trout~~) Unlawful to fish from a floating device equipped with an internal combustion motor. Release all fish.

Skokomish River, South Fork (Mason County):

From mouth to mouth of (~~Church~~) LeBar Creek: First Saturday in June through October 31 season. All species: Release all fish. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

~~((From mouth of Church Creek to mouth of Rule Creek: Closed waters.))~~

From mouth of Rule Creek to headwaters: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.
Trout: Minimum length twelve inches.

Skookum Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules. Trout: (~~Minimum length~~)
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~~fourteen inches.~~) Release all trout.

Skookum Lake(~~(S)~~), North (~~(and South)~~) (Pend Oreille County): Last Saturday in April through October 31 season.

Skookumchuck Creek (Klickitat County): Trout: Release all trout.

Skookumchuck Reservoir (Thurston County): The first Saturday in June through October 31 season. Trout: Daily limit two, minimum length twelve inches.

Skookumchuck River (Thurston County):

From mouth to four hundred feet below the outlet of the PP&L/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam: The first Saturday in June through April 30 season. Single point barbless hooks and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through last day in February. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

From Skookumchuck Reservoir upstream and all tributaries: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Skykomish River (Snohomish County):

From mouth to mouth of Wallace River: June 1 through (~~last day in~~) February 15 season. Anti-snagging rule and night closure August 1 through November 30 mouth to Lewis Street Bridge in Monroe and June 1 through November 30 from Lewis Street Bridge in Monroe to Wallace River. Fishing from any floating device prohibited

November 1 through (~~last day in~~) February 15 from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open June 1 through July 31 Lewis Street Bridge in Monroe to Wallace River. Daily limit 2 hatchery Chinook. In years ending in even numbers, open September 1 through December 31 mouth to Wallace River. Daily limit 2 salmon. Release Chinook and pink. In years ending in odd numbers, open August 16 through December 31 mouth to Lewis Street Bridge in Monroe and open September 1 through December 31 Lewis Street Bridge to Wallace River. Daily limit 2 salmon plus 2 additional pink. Release Chinook.

From the mouth of the Wallace River to the forks: June 1 through (~~last day in~~) February 15 season, except closed June 1 to 8:00 a.m. August 1 in those waters one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds. Anti-snagging rule and night closure August 1 through November 30. Fishing from any floating device prohibited in the area one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds August 1 through (~~last day in~~) February 15. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through December 31. In years ending in even numbers, daily limit 2 salmon. Release Chinook and pink. In years ending in odd numbers, daily limit 2 salmon plus 2 additional

pink. Release Chinook.

Skykomish River, North Fork (Snohomish County):

From mouth to one thousand feet downstream from Bear Creek Falls: The first Saturday in June through (~~last day in~~) February 15 season. (~~Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches.~~

~~From one thousand feet below Bear Creek Falls to Deer Falls: Closed waters.))~~ Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

From Deer Falls (about 1/4 mile upstream of Goblin Creek) upstream: First Saturday in June through October 31 season.

Skykomish River, South Fork (King/Snohomish counties):

From mouth to six hundred feet downstream from the Sunset Falls Fishway: The first Saturday in June through (~~last day in~~) February 15 season. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

~~((From a point six hundred feet downstream of the Sunset Falls Fishway to the Sunset Falls Fishway: Closed waters.))~~

From Sunset Falls to source including all tributaries and their tributaries: The first Saturday in June through November 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches. Whitefish: Additional December 1 through last day in February season. Release all fish other than whitefish. All tributaries: Closed waters.

Slate Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout
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daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Sloan Creek (Snohomish County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

Smith Creek (near North River) (Pacific County): The first Saturday in June through last day in February season, except sturgeon. Single point barbless hooks, and night closure August 16 through November 30 upstream to the Highway 101 Bridge. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be an adult wild coho. Release chum and adult Chinook. Sturgeon: Open year-round from mouth to Highway 101 Bridge.

Smith Creek (Whatcom County)(Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Snake River: Year-round season. Closed to the taking of all trout April 1 through June 15. All species: April 24 through June 15 from Texas Rapids boat launch upstream to the Corps of Engineers boat launch approximately 1 mile upstream of Little Goose Dam: Night closure, barbless hooks only, and hooks must measure 5/8 inch or less from point to shank. Trout: Daily limit six, minimum length ten inches, no more than three over twenty inches. Release all steelhead June 16 through August 31. Barbless hooks required when fishing for

steelhead. Sturgeon: Release all sturgeon from August 1 through January 31 from the mouth to Ice Harbor Dam. Closed to fishing for sturgeon from May 1 through July 31 from the downstream end of Goose Island to Ice Harbor Dam. Unlawful to retain sturgeon in mainstem and tributaries upstream from Lower Granite Dam. Walleye: Daily limit 10 fish. No minimum size. No more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Channel catfish: No daily limit. Salmon: Open only April 24 through June 15 from Texas Rapids boat launch upstream to the Corps of Engineers boat launch approximately 1 mile upstream of Little Goose Dam. Daily limit 1 hatchery Chinook.

Closed waters: Within four hundred feet of the base of any dam and within a four hundred foot radius around the fish ladder entrance at Lyons Ferry Hatchery, within a two hundred foot radius upstream of the fish ladder exit above Lower Granite Dam, and within an area one thousand two hundred feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and one hundred feet out into the river from said river bank.

Snipe Lake (Grant County): April 1 through September 30 season.

Snipes Creek (Benton County): Selective gear rules.

Snohomish River (Snohomish County), including all channels, sloughs, and interconnected waterways, but excluding all tributaries: The first Saturday in June through (~~last day in~~) February 15 season, except sturgeon. Anti-snagging rule and night closure August 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

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Salmon: In years ending in even numbers, open only September 1 through December 31. Daily limit 2 salmon. Release Chinook and pink. In years ending in odd numbers: Open only August 16 through December 31. Daily limit 2 salmon plus 2 additional pink. Release Chinook. Sturgeon: Open year-round from mouth to Highway 2 Bridge. Snoqualmie River (King County):

From mouth to the falls: The first Saturday in June through last day in February season, except the first Saturday in June through February 15 from the mouth to the boat launch at Plumb. Waters within the Puget Power tunnel at the falls and within fifty feet of any point on Puget Power's lower Plant # 2 building (north bank) are closed waters. The first Saturday in June through November 30 selective gear rules(~~(, except fishing from a floating device equipped with an internal combustion motor allowed)~~). Fishing from any floating device prohibited November 1 through last day in February from the mouth of Tokul Creek downstream to the boat ramp at Plumb access, about one-quarter mile. Night closure September 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. Daily limit 2 fish. Release Chinook and pink.

From Snoqualmie Falls upstream, including the North and South Forks: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches. Additional November 1 through (~~May 31~~) the Friday before the first Saturday in June season. Selective gear rules. All species: Release all fish. All tributaries except Tate, Sunday and Phillapa

creeks: First Saturday in June through October 31 season.

Snoqualmie Middle Fork from mouth to source including all tributaries except Pratt and Taylor rivers: Year-round season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

~~((Snow Creek (Jefferson County), including all tributaries: Closed waters.))~~

Snyder Creek (Klickitat County): Trout: Release all trout.

Sol Duc River (Clallam County):

From mouth to concrete pump station at the Sol Duc Hatchery: Open year-round. May 1 through the Friday before the first Saturday in June, release all game fish except up to two hatchery steelhead per day may be retained. First Saturday in June through April 30, trout: Minimum length fourteen inches. November 1 through last day in February, daily limit may include 1 additional hatchery steelhead. ~~((December 1))~~ February 16 through April 30, one wild steelhead per day may be retained. Salmon: Open only February 1 through November 30. February 1 through August 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult Chinook and wild adult coho. September 1 through November 30, daily limit 6 fish of which no more than 4 may be adult salmon, and of the 4 adult salmon, no more than 2 may be any combination of Chinook, wild coho, pink, sockeye, and chum salmon.

From concrete pump station at Sol Duc Hatchery to Highway 101 Bridge downstream of Snider Creek: First Saturday in June through April 30 season. Trout: Minimum length fourteen inches. November 1/20/10 11:10 AM [153] OTS-2728.3

1 through April 30: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

From Highway 101 Bridge downstream of Snider Creek to Olympic National Park boundary: Selective gear rules. ~~((Trout: Minimum length fourteen inches.))~~ Unlawful to fish from a floating device equipped with an internal combustion motor. Release all fish except up to two hatchery steelhead may be retained.

Sooes River (Suez River) (Clallam County): The first Saturday in June through last day in February season. Trout: Minimum length fourteen inches.

Soos Creek (King County), from mouth to ~~((bridge near))~~ hatchery ~~((residence))~~ rack: The first Saturday in June through August 31 season ~~((except salmon))~~. Trout: Minimum length fourteen inches.

~~((Bridge near hatchery residence to Salmon hatchery rack: The first Saturday in June through August 31 season. Trout: Minimum length fourteen inches.))~~

South Bend Mill Pond (Pacific County): Juveniles only.

South Prairie Creek (Pierce County), ~~((mouth to Page Creek: Closed waters.))~~ from city of Buckley diversion dam upstream: First Saturday in June through October 31 season.

Spada Lake (Reservoir) (Snohomish County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Maximum length twelve inches.

Spada Lake (Reservoir) tributaries (Snohomish County): Closed waters.

Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County): Year-round season.

Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Spearfish Lake (Klickitat County): Last Saturday in April through last day in February season.

Spectacle Lake (Okanogan County): April 1 through September 30 season.

Spencer Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Spirit Lake (Skamania County): Closed waters.

Spokane River (Spokane County):

From SR 25 Bridge upstream to the upstream boundary at Plese Flats Day Use Area (Riverside State Park), except Long Lake, formed by Long Lake Dam (see also Long Lake): Year-round season except walleye. Trout: Daily limit five, no more than two over twenty inches in length. Walleye: Daily limit eight, no minimum length, no more than one over twenty-two inches in length. April 1 through May 31 release all walleye. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon.

From the upstream boundary at Plese Flats Day Use Area (Riverside State Park) upstream to the Monroe Street Dam: June 1 through March 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Trout: Daily limit one. Release wild trout. Salmon: Landlocked

salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon.

From Monroe Street Dam upstream to Upriver Dam: Year-round season. Salmon: Landlocked salmon rules apply.

From Upriver Dam upstream to the Idaho/Washington state line: The first Saturday in June through March 15 season. Selective gear rules(~~(, except fishing from a floating device equipped with an internal combustion motor permitted)~~). All species: Release all fish.

Sprague Lake (Adams/Lincoln counties): Closed waters: Waters (~~(south of the lakeside edge of the reeds and waters of Cow Creek south))~~ of Cow Creek, the marsh at the southwest end of the lake from the lakeside edge of the reeds to Danekas Road (~~(July 1 through September 15 season.)~~), the small bay at the southeast end of the lake, and those waters within 50 feet of Harper Island. All other waters southwest of the southwest tip of Harper Island: Closed waters from ~~September-October~~ 1 through April 31 ~~3130~~ and unlawful to fish from a floating device equipped with an internal combustion motor May 1 through August 31. Trout: No more than two over twenty inches in length may be retained. Crappie and bluegill: Combined daily limit twenty-five fish. Crappie: Minimum length nine inches.

Spring Creek (Benton County): Selective gear rules.

Spring Creek (Klickitat County): Trout: Daily limit five.

Spring Hill Reservoir (Black Lake, Lower Wheeler Reservoir) (Chelan County): Last Saturday in April through October 31 season. July

5 through October 31, selective gear rules(~~(, and)~~). Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Spring Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Spring Lakes (Grant County): March 1 through July 31 season.

Squalicum Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules.

Squalicum Lake (Whatcom County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two.

Squire Creek (Snohomish County) (NF Stillaguamish River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Stan Coffin Lake (Grant County): Bass: Release all bass.

Starvation Lake (Stevens County): Last Saturday in April through May 31 season. Additional June 1 through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Steel Lake (King County): Last Saturday in April through October 31 season.

Stehekin River (Chelan County), from the mouth to Agnes Creek: July

1 through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fifteen inches. Release cutthroat. Additional March 1 through June 30 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Steilacoom Lake (Pierce County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Stetattle Creek (Whatcom County) ~~((, from its mouth to))~~ above the mouth of Bucket Creek (one and one-half miles upstream): ~~((Closed waters.))~~ First Saturday in June through October 31 season.

Stevens Creek (Grays Harbor County), mouth to Highway 101 Bridge: The first Saturday in June through September 30 and December 1 through last day in February season. Trout: Minimum length fourteen inches.

Stevens, Lake (Snohomish County): Chumming permitted. Kokanee: Kokanee not included in trout daily limit. Kokanee daily limit ten fish.

Steves Lake (Mason County): Last Saturday in April through October 31 season.

Stickney Lake (Snohomish County): Last Saturday in April through October 31 season.

Stillaguamish River (Snohomish County):

From mouth to Marine Drive, including all sloughs: Year-round season. Anti-snagging rule and night closure August 1 through 1/20/10 11:10 AM [158] OTS-2728.3

November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. In years ending in even numbers, daily limit 2 salmon. Release Chinook and pink salmon. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

From Marine Drive to the forks, except from the barrier dam (downstream of I-5) downstream two hundred feet which is closed waters: The first Saturday in June through (~~last day in~~) February 15 season. Night closure August 1 through November 30. Selective gear rules the first Saturday in June through November 30 (~~except fishing from a floating device equipped with an internal combustion motor allowed~~). Game fish: The first Saturday in June through November 30 release all fish except up to two hatchery steelhead per day may be retained. Trout: Minimum length fourteen inches December 1 through last day in February. Salmon: Open only September 1 through December 31. In years ending in even numbers, daily limit 2 salmon. Release Chinook and pink salmon. In years ending in odd numbers, daily limit 2 salmon plus 2 additional pink. Release Chinook.

Stillaguamish River, North Fork (Snohomish County), from mouth to Swede Heaven Bridge: The first Saturday in June through (~~last day in~~) February 15 season. Anti-snagging rule and night closure August 1 through November 30. Fishing from any floating device prohibited upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge). Fishing from any floating device equipped with a motor prohibited downstream from the Highway 530 Bridge. The first Saturday in June through November 30: All species: Release all

fish except hatchery steelhead. The first Saturday in June through November 30 fly fishing only. December 1 through (~~last day in~~) February 15: Trout: Minimum length fourteen inches.

From Swede Heaven Bridge to falls approximately one mile upstream of Cascade Creek: First Saturday in June through October 31 season. All species: Selective gear rules and release all fish except up to two hatchery steelhead may be retained.

Upstream of falls: First Saturday in June through October 31 season.

Stillaguamish River, South Fork (Snohomish County):

From mouth to four hundred feet downstream of the outlet to fishway at Granite Falls: The first Saturday in June through (~~last day in~~) February 15 season. Anti-snagging rule and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

~~((From four hundred feet below the outlet of the end of the fishway to Mt. Loop Highway bridge above Granite Falls: Closed waters.~~

~~From Mt. Loop Highway Bridge above Granite Falls to source: The first Saturday in June through November 30 season. Anti-snagging rule and night closure August 1 through November 30.)~~

Stimson Creek (Mason County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Storm Lake (Snohomish County): Last Saturday in April through October 31 season.

Straight Creek (Snohomish County) (Suiattle River tributary):

First Saturday in June through October 31 season. Selective gear rules.

Stratford/Brook Lake (Grant County): February 1 through September 30 season.

Stump Lake (Mason County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout daily limit 5, no more than 2 over 15 inches in length.

Suiattle River (Skagit County): First Saturday in June through October 31 season. Selective gear rules. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sullivan Creek (Pend Oreille County), from Mill Pond upstream and tributaries: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been taken.

Sullivan Lake (Pend Oreille County): Trout: Daily limit 2 trout, except kokanee not counted in daily trout limit. Kokanee daily limit ten.

Sulphur Creek (Snohomish County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Sultan River (Snohomish County), from its mouth to a point four

hundred feet downstream from the diversion dam at river mile 9.7:
The first Saturday in June through (~~(last day in)~~) February 15 season.
Trout except Dolly Varden/Bull Trout: Minimum length fourteen
inches. Legal to retain Dolly Varden/Bull Trout as part of trout
daily limit, minimum length twenty inches.

~~((Sultan River, North and South Forks (Snohomish County): Closed
waters.))~~

Upstream of the diversion dam to Culmback Dam: First Saturday
in June through October 31 season.

Sumas River (Whatcom County) including all tributaries except
Johnson Creek: First Saturday in June through October 31 season.

Summit Lake (Stevens County): Last Saturday in April through
October 31 season.

Summit Lake (Thurston County): Last Saturday in April through
October 31 season. Trout: Daily limit 5, no more than two over 14
inches in length may be retained, except no size restriction for
kokanee.

~~((Sunday Creek (tributary to N.F. Snoqualmie River) (King County):
Closed waters.))~~

Susan Lake (Thurston County): Selective gear rules and release all
fish.

Sutherland Lake (Clallam County): Chumming permitted.

Swale Creek (Klickitat County): Trout: Release all trout.

Swamp Creek (tributary to Sammamish River) (Snohomish/King
counties): The first Saturday in June through August 31 season.

Juveniles only.

Swan Lake (Ferry County): Last Saturday in April through October 31 season.

Swan's Mill Pond (Stossel Creek) (King County): The first Saturday in June through October 31 season.

Swauk Creek (Kittitas County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Swift Reservoir (Skamania County): Last Saturday in April through ~~((October 31))~~ November 30 season. From posted markers below Eagle Cliff Bridge to Bridge: Selective gear rules ~~((except fishing from a floating device equipped with an internal combustion motor allowed))~~. Salmon: Landlocked salmon rules apply.

Swofford Pond (Lewis County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Sylvia Lake (Grays Harbor County): Trout: No more than two over 15 inches in length may be retained per day.

Symington Lake (Kitsap County): First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Tacoma Creek and tributaries (Pend Oreille County): Trout: Eastern brook trout not counted in daily trout limit. Eastern brook trout daily limit ten. Once the daily limit of trout other than eastern brook trout has been achieved, the entire daily limit for trout other than eastern brook trout and eastern brook trout has been

taken.

Tahuya River (Mason County) from mouth to marker approximately 1 mile upstream of North Shore Road Bridge: First Saturday in June through October 31 season. Selective gear rules, unlawful to fish from a floating device equipped with an internal combustion motor, and release all fish except salmon. Night closure September 16 through October 31. Salmon: Open only September 16 through October 31 (~~mouth to marker one mile above North Shore Road Bridge~~). Daily limit 2 coho salmon.

From marker approximately one mile upstream of North Shore Road Bridge upstream: First Saturday in June through October 31 season. Selective gear rules and release all fish.

Taneum Creek (Kittitas County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Tanwax Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Tanwax Lake (Pierce County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee. Crappie: Daily limit ten, minimum length nine inches.

Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin: Year-round season.

Tarboo Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Tarboo Lake (Jefferson County): Last Saturday in April through ~~((November 30))~~ October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. ~~((Salmon: Landlocked salmon rules apply.~~

~~Tate Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.))~~ Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Taylor River (tributary to the Middle Fork Snoqualmie) (King County): First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Teal Lakes (North and South) (Grant County): April 1 through September 30 season.

Teal Lake (Jefferson County): Fishing from a floating device equipped with an internal combustion engine prohibited. Selective gear rules. Trout daily limit one fish.

Teanaway River (Kittitas County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout.

Teanaway River, North Fork (Kittitas County): Mouth to Beverly Creek including all tributaries: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout. Beverly Creek to impassable waterfall at the end of USFS Road 9737 (about 8 river miles): Closed waters.

Tee Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Tenas Creek (Skagit County) (Suiattle River tributary): First Saturday in June through October 31 season. Selective gear rules.

Tenas Lake (Mason County): Last Saturday in April through October 31 season.

Ten Mile Creek (Whatcom County)(Nooksack River tributary): First Saturday in June through October 31 season. Selective gear rules.

Tennant Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15.

Tern Lake (Grant County): All species: Selective gear rules.

Trout: Daily limit 1.

Terrell Creek (Whatcom County): First Saturday in June through October 31 season. Selective gear rules.

Terrell, Lake (Whatcom County): Fishing from any floating device prohibited the first Saturday after Labor Day through the following Friday and from October 1 through January 31 except fishing from floating dock permitted.

Thomas Creek (Skagit County) (Samish River tributary): First Saturday in June through October 31 season. Selective gear rules.

Thomas Lake (Stevens County): Last Saturday in April through October 31 season.

Thorndyke Creek (Jefferson County): First Saturday in June through October 31 season. Selective gear rules and release all fish.

Thornton Creek (tributary to Lake Washington) (King County): The first Saturday in June through August 31 season. Juveniles only.

Thorton Creek (Skagit County): First Saturday in June through October 31 season. All species: Release all fish except up to two hatchery steelhead may be retained.

Thread Lake (Adams County): April 1 through September 30 season.

Tibbetts Creek (tributary to Lake Sammamish) (King County): The first Saturday in June through August 31 season. Juveniles only.

Tieton River (Yakima County): Lawful to fish to base of Tieton (Rimrock) Dam. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through October 31. Additional December 1 through March 31 season: Whitefish gear rules apply.

Tieton River, North Fork (Yakima County): Closed waters: Clear Lake spillway channel and the river within 400' of Clear Lake Dam. Entire river, including that portion of the river that flows through the dry lakebed of Rimrock Reservoir: The first Saturday in June through August 15 season.

Tieton River, South Fork (Yakima County): From the bridge on USFS Road 1200 to bridge on USFS Rd. 1070 (approximately 12.5 miles): Closed waters.

Tiger Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Tilton River (Lewis County), from mouth to West Fork: The first Saturday in June through March 31 season. Trout: Daily limit five, no more than one over twelve inches in length. Release cutthroat. Release rainbow trout except rainbow trout having a clipped adipose fin and a healed scar at the site of the clipped fin. Salmon: Open only first Saturday in June through December 31. Minimum length eight inches. First Saturday in June through July 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release wild coho. August 1 through December 31, daily limit 6 fish, of which no more than 2 may be adult Chinook. Release wild coho.

Tilton River, East, North, South and West Forks (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Toad Lake (Whatcom County): Last Saturday in April through October 31 season.

Tokul Creek (King County):

From mouth to the Fish Hatchery Road Bridge: December 1 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Anti-snagging rule. Trout: Minimum length fourteen inches.

From Fish Hatchery Road Bridge to posted cable boundary marker located approximately four hundred feet downstream of the hatchery intake: January 15 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Anti-snagging rule. Trout: Minimum length 14 inches.

From the posted cable boundary marker located approximately four hundred feet downstream of the hatchery intake to the railroad

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trestle: Closed waters.

Tolt River (King County):

From mouth to the USGS trolley cable near the confluence of the North and South Forks: The first Saturday in June through (~~last day in~~) February 15 season. The first Saturday in June through November 30, selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length fourteen inches.

~~((From the USGS trolley cable to the falls in Sec. 21, Twp 26N., R 8 E. on the North Fork, and to the dam on the South Fork: Closed waters.))~~

From falls upstream on North Fork: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

From dam upstream on South Fork: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Touchet River (Columbia/Walla Walla counties):

From confluence of north and south forks upstream, including Robinson and Wolf Forks: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all steelhead. Tributaries other than North Fork, South Fork, Robinson Fork, and Wolf Fork: Closed waters.

North Fork: Upstream of Spangler Creek the first Saturday in June through August 31 season.

South Fork: Upstream from Griffin Creek the first Saturday in June through August 31 season.

Wolf Fork: Upstream from Coates Creek the first Saturday in June through August 31 season.

From mouth to confluence of north and south forks: Additional season: November 1 through March 31. Barbless hooks required. All species: Release all fish except hatchery steelhead and brown trout. Trout: Daily limit three fish.

Toutle River (Cowlitz County):

From mouth to forks, and North Fork from the mouth to the posted deadline below the fish collection facility: The first Saturday in June through November 30 season. Anti-snagging rule and night closure September 1 through October 15 on North Fork from confluence with South Fork to mouth of Green River. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult Chinook. Release chum, wild coho, and wild jack Chinook. October 1 through November 30, release Chinook from Kidd Valley Bridge near Hwy. 504 upstream.

From the posted deadline below the fish collection facility upstream to the headwaters, including all tributaries, but excepting Castle and Coldwater Lakes: Closed waters.

Toutle River, South Fork (Cowlitz County), mouth to source: Closed waters: All tributaries. The first Saturday in June through November 30 season. All species: Release all fish except hatchery steelhead. Trout: Minimum length twenty inches. Mouth to 4100 Road Bridge: Additional December 1 through March 31 season.

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Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except hatchery steelhead.

Trail's End Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Trapper Lake (Chelan County): Trout: Daily limit two.

Trout Creek (tributary to Wind River) (Skamania County): Closed waters.

Trout Lake (Ferry County): Last Saturday in April through October 31 season.

Trout Lake (tributary to Big White Salmon River) (Klickitat County): The first Saturday in June through October 31 season.

Tucannon River (Columbia/Walla Walla counties): Closed waters: All tributaries.

From the mouth upstream to Turner Road Bridge: Additional November 1 through March 31 season. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Turner Road Bridge upstream to the Tucannon Hatchery Bridge: Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through October 31. Additional season November 1 through March 31. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Tucannon Hatchery Bridge upstream to 500 feet above the Rainbow Lake intake: Closed waters.

From 500 feet above the Rainbow Lake intake to the Cow Camp Bridge: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Release steelhead.

From Cow Camp Bridge upstream: Closed waters.

Tucquala Lake (Kittitas County): The first Saturday in June through October 31 season.

Tunnel Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Twin Lake (Jefferson County): Last Saturday in April through October 31 season.

Twin Lake (Mason County): Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River: Closed waters.

Twisp River (Okanogan County), from mouth to War Creek: The first Saturday in June through August 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish. War Creek to South Fork Twisp River: Closed waters.

Tye River (King County): Foss River to Alpine Falls the first Saturday in June through October 31 season: All species: Selective gear rules. Unlawful to fish from a floating device equipped with
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an internal combustion motor. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through last day in February season. Release all fish other than whitefish. All tributaries to this section and their tributaries: First Saturday in June through October 31 season.

From Alpine falls upstream including all tributaries: ((~~Trout: Minimum size ten inches.~~)) First Saturday in June through October 31 season.

U Lake (Mason County): Last Saturday in April through October 31 season.

Umtanum Creek (Kittitas County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Uncle John Creek (Mason County): ((~~Closed waters.~~)) First Saturday in June through October 31 season. Selective gear rules. Trout: Release all trout.

Union Creek (Yakima County): From mouth upstream to falls (approximately 1/4 mile): Closed waters.

Union River (Mason County)((÷)) Mouth to North Shore Road Bridge((-)) First Saturday in June through August 15 season. All species: Release all fish ((~~except sturgeon~~)).

From North Shore Road Bridge to lower bridge on Old Belfair Highway: The first Saturday in June through August 15 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish ((~~except sturgeon~~)).

From lower bridge on Old Belfair Highway upstream to watershed boundary: First Saturday in June through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish (~~(except sturgeon)~~).

~~((From watershed boundary to source, including all tributaries: Closed waters.))~~

Upper Wheeler Reservoir (Chelan County): Closed waters.

Valley Creek (Clallam County): First Saturday in June through October 31 season. Juveniles only.

~~((Vance Creek (Mason County): Trout: Minimum length fourteen inches.))~~

Vance Creek/Elma Ponds (Grays Harbor County): Pond One: Last Saturday in April through November 30 season. Juveniles, holders of a senior license and holders of a department ~~((disability))~~ reduced fee license or a designated harvester card only. Trout: No more than two over 15 inches in length may be retained per day. Salmon: Landlocked salmon rules apply. Pond Two: Last Saturday in April through November 30 season. Trout: No more than two over 15 inches in length may be retained per day. Salmon: Landlocked salmon rules apply.

Vancouver Lake and all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County): Closed waters: April 1 through May 30 the Vancouver Lake flushing channel is closed and it is closed to fishing from the lake shoreline within 400 feet east and west of

the channel exit. Chumming permitted. Trout: Daily limit two, minimum length twelve inches. Sturgeon: Seasons, days of the week, daily limits, and size limits same as in adjacent waters of mainstem Columbia River.

Vanes Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Van Winkle Creek (Grays Harbor County): Mouth to 400 feet below outlet of Lake Aberdeen Hatchery: All species: Anti-snagging rule and night closure August 16 through November 30. Game fish: Minimum length 14 inches. Salmon: Open only September 1 through January 31. Daily limit 6 fish, of which no more than 2 may be adult fish. Release chum, adult Chinook and wild adult coho.

Vic Meyers (Rainbow) Lake (Grant County): Last Saturday in April through September 30 season.

Vogler Lake (Skagit County): Last Saturday in April through October 31 season. Fly fishing only. All species: Release all fish.

Voight Creek (Pierce County): ~~From ((mouth to Highway 162 Bridge: Closed waters))~~ falls under powerline upstream: First Saturday in June through October 31 season.

Wagners Lake (Snohomish County): Last Saturday in April through October 31 season.

Wahkiacus Creek (Klickitat County): Trout: Release all trout.

Waitts Lake (Stevens County): Last Saturday in April through last day in February season.

Walker Lake (King County): Last Saturday in April through October

31 season.

Wallace River (Snohomish County):

From its mouth to 200 feet upstream of the water intake of the salmon hatchery: The first Saturday in June through last day in February season. Closed waters: From 363rd Avenue S.E./Reece Road to a point two hundred feet upstream of the water intake of the salmon hatchery during the period the first Saturday in June through August 31. Fishing from any floating device prohibited November 1 through last day in February. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through November 30. Daily limit 2 coho.

From 200 feet upstream of the water intake of the salmon hatchery to (~~mouth of Olney Creek~~) Wallace Falls: November 1 through last day in February season. Fishing from any floating device prohibited. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

From Wallace Falls upstream: First Saturday in June through October 31 season.

Walla Walla River (Walla Walla County):

From mouth to the Touchet River: Year-round season. Trout: Barbless hooks required when fishing for steelhead. Trout: Release trout April 1 through May 31. Daily limit three hatchery steelhead. Channel catfish: No daily limit.

From the Touchet River upstream to state line: Trout: All

tributaries except Mill Creek, maximum length twenty inches.
Channel catfish: No daily limit. Additional season November 1 through March 31. All species: Barbless hooks required and release all fish except hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Walupt Lake (Lewis County): Closed waters: All inlet streams. Last Saturday in April through October 31 season. Selective gear rules (~~((except fishing from a floating device equipped with an internal combustion motor allowed))~~). Trout: Minimum length ten inches.

Wannacut Lake (Okanogan County): Last Saturday in April through October 31 season.

Wapato Lake (Chelan County): Last Saturday in April through October 31 season. From August 1 through October 31: Selective gear rules (~~((except fishing from a device equipped with an internal combustion motor permitted))~~). Trout: Release all trout.

Wapato Lake (Pierce County): Juveniles only.

Ward Lake (Ferry County): Last Saturday in April through October 31 season.

Ward Lake (Thurston County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Warden Lake and Warden Lake, South (Grant County): Last Saturday in April through September 30 season.

Washburn Island Pond (Okanogan County): April 1 through September

30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Washburn Lake (Okanogan County): Last Saturday in April through October 31 season. Trout: Daily limit two.

Washington Creek (Mason County): First Saturday in June through October 31 season.

Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King County): Fishing from floating device prohibited one hundred yards either side of the floating bridges. Chumming permitted. Trout: December 1 through last day in February, daily limit 5, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit 5, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. Kokanee/sockeye (~~under~~) less than fifteen inches in length are kokanee while those fifteen inches and over in length are sockeye salmon. Salmon: Open only September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge. Daily limit four coho salmon.

Washington, Lake, Ship Canal (King County) (waters east of a north-south line 400 feet west of the fish ladder at the Chittenden Locks and west of a north-south line at the eastern ends of the concrete abutments east of the Montlake Bridge): West of Fremont Bridge: Fishing from floating device prohibited. East of Fremont Bridge: Chumming permitted.

From west boundary to a north-south line 400 feet east of the

eastern end of the northern wing wall of Chittenden Locks: Closed waters.

From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary: Open year-round. Trout: December 1 through last day in February daily limit five, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit five, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. July 1 through November 30, daily limit five, no minimum length. Kokanee/sockeye less than fifteen inches in length are kokanee and fifteen inches and over in length are sockeye salmon. Washougal River (Clark County): Night closure year-round.

From mouth to bridge at Salmon Falls: The first Saturday in June through March 15 season. Anti-snagging rule and stationary gear restriction July 1 through October 31. When anti-snagging rule is in effect, only fish hooked inside the mouth may be retained. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained. Salmon: Open only August 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult Chinook. Release chum, wild coho, and wild jack Chinook. Upstream of Little Washougal River, release adult Chinook October 1 through November 30.

From mouth to Mt. Norway Bridge: Additional April 16 through the Friday before the first Saturday in June season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

From bridge at Salmon Falls to its source, including tributaries: Closed waters.

Washougal River, West (North) Fork (Clark/Skamania counties):

From mouth to the water intake at the department hatchery: Closed waters.

From intake at department hatchery to source: The first Saturday in June through March 15 season. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

Watson Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited. Trout: No more than 2 trout over 13 inches in length may be retained.

Waughop Lake (Pierce County): Salmon: Landlocked salmon rules apply.

~~((Wenas Lake (Yakima County): Trout: Daily limit five, of which not more than two may be brown trout.))~~

Wenaha River tributaries within Washington: The first Saturday in June through August 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Release all steelhead.

Wenatchee Lake (Chelan County): Selective gear rules (~~except fishing from a floating device equipped with an internal combustion motor allowed~~). Trout except kokanee: Daily limit two, minimum length twelve inches. Release kokanee. Kokanee/sockeye under sixteen inches will be considered kokanee while those sixteen inches and over will be considered sockeye salmon.

Wenatchee River, including Lake Jolanda (Chelan County): December 1/20/10 11:10 AM [180] OTS-2728.3

1 through March 31 season, from mouth to Highway 2 Bridge at Leavenworth only. Whitefish gear rules apply.

Wentworth Lake (Clallam County): Unlawful to fish from a floating device equipped with an internal combustion engine.

West Evans Pond (Asotin County): Trout: No more than 2 trout over 13 inches in length may be retained.

West Twin River (Clallam County): ~~((Trout: Minimum length fourteen inches.))~~ First Saturday in June through October 31 season. Selective gear rules and release all fish.

Whatcom Creek (Whatcom County):

From mouth to stone bridge at Whatcom Falls Park: The first Saturday in June through last day in February season. Anti-snagging rule and night closure August 1 through December 31. Closed waters: Woburn Street Bridge upstream to the stone bridge. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31 from mouth to markers below Dupont Street. Daily limit 6 fish of which not more than 2 may be adult salmon. Anglers fishing lawfully, within 50 yards of the Bellingham Technical College Hatchery Collection Tube, and on the hatchery side of the creek, that hook and land chum salmon, may remove those chum salmon from the water and immediately place them unharmed into the Hatchery Collection Tube.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Last Saturday in April through October 31 season. Juveniles only. Anti-snagging rule and night closure August 1 through October 31. Trout: No minimum length.

Whatcom, Lake (Whatcom County): Last Saturday in April through October 31 season, except those waters between the Electric Avenue Bridge and the outlet dam are closed waters: Trout: Release cutthroat trout.

Whatcom, Lake, tributaries (Whatcom County): Closed waters.

Wheeler Creek (Klickitat County): Trout: Release all trout.

White Creek (Skagit County) (Sauk River tributary): First Saturday in June through October 31 season. All species: Selective gear rules and release all fish.

White River (Chelan County), from mouth upstream to White River Falls: Closed waters.

White (Stuck) River (Pierce County):

From mouth to R Street Bridge in Auburn: October 1 through last day in February season: October 1 through October 31 all species: Fly fishing only and release all fish. November 1 through last day in February. Selective gear rules. Trout: Minimum length fourteen inches. Anti-snagging rule and night closure (~~November~~) October 1 through November 30.

From R Street Bridge to Highway 410 Bridge at Buckley: October 1 through October 31 season. Closed waters: Puget Power canal, including the screen bypass channel, above the screen at Dingle Basin. Anti-snagging rule and night closure. Trout: 14 inch minimum size.

From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) to its source: July 1 through October 31 season. Anti-snagging rule and night closure October 1 through October 31. Selective gear rules

and unlawful to fish from a floating device equipped with an internal combustion motor July 1 through October 31. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through January 31 season. Whitefish gear rules apply.

Whitechuck River (Snohomish County): First Saturday in June through October 31 season. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

White Salmon River (Klickitat/Skamania counties):

From mouth to powerhouse: Open year-round. Bank fishing only downstream from the Highway 14 Bridge. August 1 through December 31: Anti-snagging rule. Trout: Minimum length fourteen inches. Salmon and steelhead: Open April 1 through June 30, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead. Release wild Chinook. Salmon: Open July 1 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho and wild jack Chinook. October 1 through December 31, release adult Chinook upstream of posted markers 0.5 miles upstream of Highway 14 Bridge.

From powerhouse to within four hundred feet of Northwestern Dam: November 16 to April 30 season except salmon and steelhead. Trout: Minimum length fourteen inches. Release trout April 1 through April 30. Salmon: Open November 16 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho and wild jack Chinook. November 16 through December 31, release adult Chinook. Salmon and steelhead: Open April 1 through June 15, daily limit two fish, one or both of which may be salmon or hatchery

steelhead. Release all fish except salmon or hatchery steelhead. Release wild Chinook.

From gas pipeline crossing above Northwestern Lake to Gilmer Creek: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length twelve inches.

Wide Hollow Creek (Yakima County): (~~Trout: Daily limit five, no minimum length.~~) Juveniles only.

Widgeon Lake (Grant County): April 1 through September 30 season.

Wildberry Lake (Mason County): Last Saturday in April through October 31 season.

Wildcat Lake (Kitsap County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Wilderness Lake (King County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Wilkeson Creek (Pierce County) (South Prairie Creek tributary) upstream of confluence with Gale Creek: First Saturday in June through October 31 season.

Willame Lake (Lewis County): Last Saturday in April through October 31 season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Daily limit two, minimum length fifteen inches.

Willapa River (Pacific County): Mouth to Highway 6 Bridge: The

first Saturday in June through March 31 season. All game fish: Release all game fish except that up to two hatchery steelhead may be retained per day. All species: August 16 through November 30 night closure and single point barbless hooks required. August 16 through November 30 above the WDFW access at the mouth of Ward/Wilson Creek stationary gear restriction. Highway 6 Bridge to Fork Creek: The first Saturday in June through July 15 and October 16 through March 31 season. Night closure, single point barbless hooks, and stationary gear restriction October 16 through November 30. All game fish: Release all fish except that up to two hatchery steelhead may be retained. Salmon: Open only August 1 through January 31 from mouth to Highway 6 Bridge approximately 2 miles below mouth of Trap Creek and open October 16 through January 31 from Highway 6 Bridge to Fork Creek. Daily limit 6 fish, of which no more than 3 may be adult salmon, and of the 3 adult salmon, only one may be a wild adult coho and no more than two may be adult Chinook. Release chum.

Sturgeon: Open year-round from mouth to Highway 6 Bridge.

Upstream from Fork Creek: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. August 16 through October 31, anti-snagging rule and night closure. All species: Release all fish except up to two hatchery steelhead per day may be retained.

South Fork: The first Saturday in June through last day in February season. Selective gear rules and unlawful to fish from a floating device equipped with an internal combustion motor the first Saturday in June through October 31. Anti-snagging rule and night closure August 16 through November 30. All species: Release all

fish except up to two hatchery steelhead may be retained.

Williams Creek (Pacific County): The first Saturday in June through last day in February season. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Williams Lake (Spokane County): Last Saturday in April through September 30 season.

Williams Lake (Stevens County): December 1 through March 31 season. All species: Catch and release except up to five rainbow trout may be retained.

Wilson Creek (two branches within Ellensburg city limits) (Kittitas County): Juveniles only.

Winchester Wasteway (Grant County): Within Winchester Game Reserve: February 1 through September 30 season.

Wind River (Skamania County):

Mouth to four hundred feet below Shipherd Falls: July 1 through March 15 season, except salmon and steelhead. (~~May 1 through June 30: Anti snagging rule and~~) Night closure March 16 through June 30. August 1 through October 31: Anti-snagging rule and night closure. When anti-snagging rule is in effect, only fish hooked in the mouth may be retained. Salmon and steelhead: Open March 16 through June 30 daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Release wild Chinook. Trout: Minimum length fourteen inches. Salmon: Open August 1 through October 31. Daily

limit 6 fish of which no more than 2 may be adult salmon. Release wild coho and wild jack Chinook. Release adult Chinook from Burlington-Northern Railroad Bridge upstream.

From four hundred feet below to one hundred feet above Shipherd Falls fish ladder: Closed waters.

From one hundred feet above Shipherd Falls to source, including all tributaries: May 1 through June 30 season. Closed waters: From 400 feet below to 100 feet above the Coffey Dam and from a boundary marker approximately 800 yards downstream from Carson National Fish Hatchery upstream, including all tributaries. Anti-snagging rule and night closure. When anti-snagging rule is in effect, only fish hooked in the mouth may be retained. Salmon and steelhead: Daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Additional season September 16 through November 30. Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. All species: Release all fish.

Winston Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Trout: Minimum length ten inches.

Wishkah River (Grays Harbor County), including all forks: Closed waters: From weir at Wishkah Rearing Ponds, downstream 200 feet. Trout: Minimum length fourteen inches. Mouth to mouth of the West Fork: The first Saturday in June through March 31 season. Single point barbless hooks required August 16 through November 30.

Selective gear and all species: Release all fish, except up to two hatchery steelhead may be retained per day, March 1 through March 31. Salmon: Open October 1 through December 31. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the 2 adult salmon, only 1 may be an adult wild coho. Release chum and adult Chinook. October 16 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

From the mouth of the West Fork to two hundred feet below the weir at the Wishkah Rearing Ponds: The first Saturday in June through March 31 season. All species: March 1 through March 31, release all fish, except up to two hatchery steelhead may be retained per day, and selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor. Salmon: Open October 1 through December 31. October 1 through October 15, daily limit 6 fish, of which no more than 2 may be adult salmon, and of the adult salmon, only 1 may be an adult wild coho. Release chum and adult Chinook. October 16 through December 31, daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

From the weir at the Wishkah Rearing Ponds upstream: Trout: Minimum length fourteen inches.

Wolf Creek, mouth to mouth of south fork (Okanogan County): Closed waters.

Woodard Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length 14 inches.

Wood Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Woodland Creek (Thurston County): First Saturday in June through October 31 season. Selective gear rules. Trout: Minimum length fourteen inches.

Wooten Lake (Mason County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Wye Lake (Kitsap County): Last Saturday in April through October 31 season. Trout: Daily limit 5, no more than two over 14 inches in length may be retained, except no size restriction for kokanee.

Wynoochee River (Grays Harbor County): Trout: Minimum length fourteen inches. Mouth to 7400 line bridge above mouth of Schafer Creek: The first Saturday in June through March 31 season. Single point barbless hooks required August 16 through November 30. Salmon: Open only October 1 through January 31. Daily limit 6 fish, of which no more than 2 may be adult salmon. Release chum, wild coho, and adult Chinook.

7400 line bridge upstream: Additional December 1 through March 31 season. Selective gear rules. Fishing from a floating device prohibited. All species: Release all fish except up to two hatchery steelhead may be retained per day.

Wynoochee Reservoir (Grays Harbor County): The first Saturday in June through October 31 season. Trout: Daily limit two, minimum length twelve inches. Salmon: Landlocked salmon rules apply.

Yakima River (Yakima County): Release all steelhead in mainstem and tributaries. Channel catfish: No daily limit.

From mouth to 400 feet below Prosser Dam: March 1 through October 22 season. Closed waters: From the WDFW white markers 200 feet downstream of the USBR Chandler Powerhouse/Pumping Station spillway chute to the powerline crossing immediately upstream of the powerhouse September 1 through October 22. Chumming permitted. Trout: Release all trout. Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. All species: Anti-snagging rule and night closure September 1 through October 22.

From Prosser Dam to Highway 223 Bridge: May 1 through October 31 season. Trout: Release all trout.

From mouth to Highway 223 Bridge: Bass: Bass 12 to 17 inches in length may be retained. No daily limit for bass, but not more than 3 bass greater than 15 inches in length may be retained.

From Highway 223 Bridge to 400 feet below Sunnyside Dam: Trout: Minimum length twelve inches and maximum length twenty inches. Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. All species: Anti-snagging rule and night closure September 1 through October 22. Additional season December 1 through last day in February - Whitefish gear rules apply.

From Sunnyside Dam to thirty-five hundred feet below Roza Dam: Closed waters: From Yakima Avenue-Terrace Heights Bridge upstream 400 feet. All species: Selective gear rules. Unlawful to fish from a floating device equipped with an internal combustion motor.

Trout: Minimum length twelve inches and maximum length twenty inches. Additional season December 1 through last day in February - Whitefish gear rules apply.

From thirty-five hundred feet below Roza Dam to Roza Dam December 1 through last day in February season. Whitefish gear rules apply.

From Roza Dam to four hundred feet below Easton Dam and from Lake Easton to the base of Keechelus Dam: Year-round season. Fishing from floating devices equipped with motors allowed only from the U.S. Bureau of Reclamation restricted area signs at Roza Dam upstream to the boat launch ramp on the Roza Access Area (approximately one-half mile). Selective gear rules except bait and one single point barbed hook three-sixteenths or smaller point to shank may be used December 1 through last day in February. Unlawful to fish from a floating device equipped with an internal combustion motor December 1 through the last day of February. Trout: From Roza

Dam to 400 feet below Easton Dam: Release all trout. Lake Easton to the base of Keechelus Dam. Release all trout except eastern brook trout. Eastern brook trout: No daily limit and no minimum size.

Yakima Sportsmen's Park Ponds (Yakima County): Juveniles only.

Yale Reservoir (Cowlitz County): Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen. Landlocked salmon rules.

Yellowhawk Creek (Walla Walla County): Closed waters.

Yellowjacket Creek (tributary to Cispus River) (Lewis County): Selective gear rules. Unlawful to fish from a floating device

equipped with an internal combustion motor. Trout: Minimum length twelve inches.

((~~Yokum~~)) Yocum Lake (Pend Oreille County): Last Saturday in April through October 31 season.

[Statutory Authority: RCW 77.12.047 and 77.04.020. 09-15-035 (Order 09-133), § 232-28-619, filed 7/8/09, effective 8/8/09. Statutory Authority: RCW 77.12.047. 09-06-042 (Order 09-27), § 232-28-619, filed 2/25/09, effective 5/1/09. Statutory Authority: RCW 77.12.047 and 77.04.020. 08-15-002 (Order 08-165), § 232-28-619, filed 7/3/08, effective 8/3/08. Statutory Authority: RCW 77.12.047. 08-07-003, § 232-28-619, filed 3/5/08, effective 4/5/08. Statutory Authority: RCW 77.12.047 and 77.04.020. 07-16-056, § 232-28-619, filed 7/26/07, effective 8/26/07. Statutory Authority: RCW 77.12.047. 07-05-051 (Order 07-22), § 232-28-619, filed 2/16/07, effective 3/19/07; 06-16-096 (Order 06-174), § 232-28-619, filed 7/31/06, effective 8/31/06; 06-09-021 (Order 06-67), § 232-28-619, filed 4/11/06, effective 5/12/06; 06-05-085 (Order 06-23), § 232-28-619, filed 2/14/06, effective 5/1/06; 05-17-007 (Order 05-168), § 232-28-619, filed 8/3/05, effective 9/3/05; 05-05-035 (Order 05-15), § 232-28-619, filed 2/10/05, effective 5/1/05; 05-03-005 (Order 05-03), § 232-28-619, filed 1/5/05, effective 2/5/05; 04-19-012 (Order 04-242), § 232-28-619, filed 9/2/04, effective 10/3/04; 04-16-046 (Order 04-189), § 232-28-619, filed 7/28/04, effective 8/28/04; 04-07-009 (Order 04-39), § 232-28-619, filed 3/4/04, effective 5/1/04; 03-16-110 (Order 03-181), § 232-28-619, filed 8/6/03, effective 1/20/10 11:10 AM [192] OTS-2728.3

9/6/03; 03-05-057 (Order 03-24), § 232-28-619, filed 2/14/03, effective 5/1/03; 02-20-082 (Order 02-249), § 232-28-619, filed 9/30/02, effective 10/31/02; 02-15-097 (Order 02-158), § 232-28-619, filed 7/16/02, effective 8/16/02; 02-08-048 (Order 02-53), § 232-28-619, filed 3/29/02, effective 5/1/02; 01-14-001 (Order 01-107), § 232-28-619, filed 6/21/01, effective 7/22/01; 01-06-036 (Order 01-24), § 232-28-619, filed 3/5/01, effective 5/1/01. Statutory Authority: 2000 c 107 § 7. 00-16-091 (Order 00-134), § 232-28-619, filed 7/31/00, effective 8/31/00. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 232-28-619, filed 3/29/00, effective 5/1/00; 99-15-081 (Order 99-102), § 232-28-619, filed 7/20/99, effective 8/20/99; 99-08-029 (Order 99-13), § 232-28-619, filed 3/30/99, effective 5/1/99; 98-15-081 (Order 98-122), § 232-28-619, filed 7/15/98, effective 8/15/98; 98-06-031, § 232-28-619, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 232-28-619, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 77.12.040. 97-07-076 (Order 97-50), § 232-28-619, filed 3/19/97, effective 5/1/97; 96-11-079 (Order 96-45), § 232-28-619, filed 5/13/96, effective 6/13/96; 95-19-011 (Order 95-114), § 232-28-619, filed 9/7/95, effective 10/8/95; 95-10-027, § 232-28-619, filed 4/26/95, effective 5/27/95; 95-05-008 (Order 95-11), § 232-28-619, filed 2/1/95, effective 5/1/95. Statutory Authority: RCW 77.04.055 and 77.12.040. 93-21-070 (Order 617), § 232-28-619, filed 10/20/93, effective 4/16/94; 92-01-084 (Order 524), § 232-28-619, filed 12/16/91, effective 4/16/92.]