

# **2019 Grays Harbor Commercial Salmon Regulations for Concise Explanatory Statement**



**Concise Explanatory Statement**  
**Grays Harbor Commercial Salmon Regulations for 2019**

**Introduction**

This Concise Explanatory Statement (CES) relates to the rule being adopted by the Washington Department of Fish and Wildlife (WDFW or Department) to amend Washington Administrative Code (WAC) 220-354-290. The CES contains three principle sections. Section I describes the rule being adopted, the process used in adopting the rule, and the resource management objectives advanced by adoption of the rule. Section II discusses comments received during rulemaking and the agency's analysis and resolution of those comments. Section III discusses other comments received during the North of Falcon process that were germane to the development of the proposed rule noticed in the CR 102.

**I. The Proposed Rule, Rule-making Process, and WDFW's Resource Management Objectives Overview of the Rule Proposed**

The proposed rule provides a schedule to open the 2019 fall commercial gillnet salmon fisheries (Chinook, coho, and chum) in Grays Harbor. Without the proposed rule, 2018 rules and regulations for fall commercial salmon fishing in Grays Harbor would remain in effect, but would be inconsistent with the conservation and allocation objectives associated with 2019 salmon forecasts and other management objectives. Overall, the intention is for the 2019 Grays Harbor commercial rules package, once adopted, to replace and supersede the commercial fishing season established in 2018. Thus the suite of rules encompassed in amended WAC 220-354-290 are a complete rules package for the 2019 fishing season consisting of those portions carried forward from 2018, together with revisions needed to update the fishing season to meet conservation and harvest objectives for 2019 based upon current forecasts of salmon abundance..

***Brief Summary of the Proposed Rule:***

The proposed rule amends the existing permanent rule WAC 220-354-290 that opened the commercial salmon fisheries in Grays Harbor, as defined in WAC 220-301-020. It reflects 2019 conservation and allocation objectives given current year run forecast.

WAC 220-354-290 specifies the permissible commercial gear and methods of harvest that must be utilized. In addition, the rule specifies locations and the duration of the fall commercial salmon season for fisheries occurring between August 16 and December 31 annually. Areas 2A and 2D will open for eight 12-hour days in late October while Area 2C will open for a total of two 12-hour days during late October. Selective fishing gear and techniques are employed to improve the probability of survival among species required to be released.

### ***Fishery mandates and Commission Policy:***

The proposed rule was developed pursuant to the authorities found in RCW Title 77, including those provisions in RCW 77.04.012 establish conservation as the paramount objective - “to conserve the wildlife and food fish, game fish, and shellfish resources in a manner that does not impair the resource.”

In a manner consistent with that conservation objective, the Department must also “seek to maintain the economic well-being and stability of the fishing industry in the state”; “promote orderly fisheries”; and “enhance and improve recreational and commercial fishing in this state.” These are broad state-wide objectives and do not necessarily focus on one region, one fish species, or one segment of harvesters. The term “fishing industry of the state” includes both commercial and recreational interests. While these objectives are ultimately applied on a state-wide basis, the agency considers regional interests, individual fishing sectors, and the interests of varying gear-type groups when undertaking its efforts to promote state-wide management interests. Accordingly, while the agency considered sharing of fishing opportunity for various species and gear groups in Grays Harbor, those evaluations are made against a backdrop of historical Pacific Coast fishing opportunities throughout the year as discussed below.

The proposed rule was also developed to implement policies of the Fish and Wildlife Commission aimed at promoting the conservation and recovery of wild salmon and sustainable fisheries (Hatchery and Fishery Reform – C-3619; 2019-2023 North of Falcon Policy – C-3608; Grays Harbor Basin Salmon Management – C-3621). The proposed rule incorporates recommendations from the North of Falcon (NOF)/Pacific Fishery Management Council (PFMC) process, which included significant public input. WDFW’s objectives for those processes are outlined in the 2019-2023 NOF policy and the Policy Guidelines for PFMC Representation adopted by the Fish and Wildlife Commission (C-3603).

The NOF/PFMC process is the forum in which Washington works with other states, tribal co-managers, federal fishery managers, and stakeholder groups in order to ensure conservation and management objectives are reached or exceeded for salmon stocks throughout the North Pacific. Through that process, the management entities identify the predicted abundance of fish, desired escapement objectives, harvestable surplus, and shares available to state and tribal harvesters. Washington State’s commercial and recreational fishing seasons are ultimately reflected in annual time, place, and manner regulations that implement the 2019 seasons developed in the NOF and associated rule making processes described below.

### ***Development, Implementation, and Overview of the Grays Harbor Basin Salmon Management Policy (C-3621)***

The Washington Fish and Wildlife Commission adopted a new Grays Harbor Basin Salmon Management policy (C-3621) in February of 2014 (effective starting March 1, 2014). This action followed an extensive public process with multiple public comment opportunities. The policy provides management guidance to WDFW in terms of conservation objectives and sharing between the recreational and commercial sectors. While the policy details specific objectives, it also recognizes uncertainty inherent in fishery management, which provides guidance on the

utilization of adaptive management to facilitate appropriate flexibility in the implementation of the policy guidance.

This policy provides a cohesive set of principles and guidance to promote the conservation of wild salmon and steelhead in the Grays Harbor Basin. The Commission recognized management decisions must be informed by fishery monitoring (biological and economic) and that innovation and adaptive management will be necessary to achieve the stated purpose of this policy.

Regulations for the 2019 Grays Harbor commercial salmon fisheries were evaluated with respect to objectives in the policy. These objectives were shared with industry representatives, members of the Grays Harbor Salmon Advisory Group, and the general public during the North of Falcon public process. General or commercial specific pre-season planning objectives were:

1. Fisheries will be managed with the intent of achieving escapement goals for natural-origin salmon.
2. WDFW managed commercial gillnet fisheries in a fishing area or aggregate area (i.e., Area 2A/2B/2D; or Area 2C) will be scheduled, if possible, so that in any given calendar week there are a minimum of three consecutive days when no treaty or state-managed commercial fisheries occur.
3. If it becomes apparent that a scheduled fishery will exceed its preseason catch expectation, and the overage will put at risk the attainment of conservation objectives, the Department is directed to implement in-season management actions that are projected to enhance the effectiveness of fishery management relative to the attainment of the conservation objectives and impact sharing in the preseason fishery plan.
4. The fishery management objectives for fall Chinook salmon:
  - Fisheries will be managed with the intent of achieving escapement goals for natural-origin Chinook. In no case, shall WDFW-managed fisheries result in an impact of more than 5% of the return when the natural-origin adult return exceeds the spawner objective by less than 10% or does not achieve the natural-origin spawner goals in three of the past five years.
  - Achieve spawner goals;
  - Provide meaningful recreational fishing opportunities; and
  - Limit commercial fishery impacts to the incidental harvest of fall Chinook during fisheries directed at other species.
5. WDFW managed commercial fisheries in the Grays Harbor Basin will be managed with the intent of operating within the following impact limits:
  - Areas 2A, 2B, 2D: the impact rate of the state-managed commercial fishery shall be 0.8% or less on natural-origin Chehalis fall Chinook.
  - Area 2C: the impact rate of the state-managed commercial fishery shall be 5.4% or less on natural-origin Humptulips fall Chinook.

6. For Humptulips River natural-origin Chinook and Chehalis River natural-origin coho, fisheries will be managed with the intent of achieving the escapement goal.
7. Humptulips River natural-origin coho will be managed with the intent to limit incidental impacts from WDFW-managed fisheries targeting other stocks to five percent or less as provided in the Fishery and Species-specific Guidance in the Policy. Chehalis River natural-origin coho will be managed to achieve the escapement goal.
8. Fisheries will be managed with the intent of achieving the escapement goal for chum salmon. No fisheries directed at chum salmon shall occur unless the adult coho salmon return exceeds spawner objectives or if coho salmon impacts remain after coho and Chinook salmon fisheries.

***2019 Rule Development Process:***

The CR-101 notice of intended rule-making was filed on January 4, 2019 as WSR 19-03-028. Through this filing, the Department identified the various forums that would be used to gather information and interact with regional fishery managers and constituent groups to develop a draft rule. That filing also identified regional staff who could be contacted by interested constituents seeking information and input on the rule making process and proposed rules that would ultimately be presented in the CR-102 filing for formal public review and comment prior to adoption.

Thereafter, as described below, the Department relied upon several forums to gather information and interact with regional fishery managers and constituent groups in order to develop a draft rule presented in the CR-102 filing for formal public review and comment.

State, federal, and tribal fishery managers gather each year to plan recreational and commercial salmon fisheries. This pre-season planning process is known as the North of Falcon process, which includes a series of meetings with federal, state, tribal, and public entities. The NOF planning process coincides with the March and April meetings of the Pacific Fishery Management Council (PFMC) - the federal authority responsible for setting ocean salmon seasons within the exclusive economic zone (3-200 miles off the Pacific coast). In addition to the two PFMC meetings, Washington, Oregon, and Treaty Tribes sponsor additional meetings to discuss alternative fishing seasons that meet conservation and sharing objectives. In addition to public meetings, WDFW also solicits input from advisory groups who represent a diverse range of user group interests. For this rule making process, the Grays Harbor Salmon Advisory Group was consulted during the rule making process as various fishing season proposals were developed and considered during the NOF process.

The 2019 NOF process began with a public meeting for both Grays Harbor and Willapa Bay on February 26, 2019 at the Montesano City Hall in Montesano, WA. This meeting was designed to present regional forecast returns for local salmon stocks with historical data for each area and salmon species. WDFW then presented the statewide 2019 run forecasts for stocks originating from rivers of Puget Sound, coastal Washington, and the Columbia River on February 27, 2019 at the Lacey Community Center in Lacey, WA. This meeting was followed by regional break-out sessions where WDFW staff further discussed 2019 forecasts and resource utilization implications

in greater detail. During these break-out sessions, WDFW solicited fishery suggestions from those in attendance.

There were two Grays Harbor Salmon Advisory Group meetings. The first meeting was held on March 5, 2019 at the WDFW regional Office in Montesano, WA. The purpose of this meeting was to provide management objectives for the 2019 season, discuss resource utilization implications, and collect input on fishing season structure for commercial and recreational fisheries. During this meeting, WDFW modeled outputs from fishery suggestions received to-date were shared with the advisory group as well as information on the status of the 2019 planning process. The second Grays Harbor Salmon Advisory Group meeting was held on April 8, 2019. The purpose of this meeting was to refine the recreational and commercial fishery options for Grays Harbor in relation to modeled options under consideration via the PFMC process. The meetings were open to the public with opportunity for public testimony. Notice of all NOF public meetings were available on the WDFW website by early February and provided in a news release.

WDFW held a Grays Harbor public NOF meeting on March 26, 2019 in Montesano, WA. During this meeting WDFW provided the public with information on the 2019 season planning process. Information provided included 2019 pre-season forecasts and preliminary Grays Harbor Terminal Area Management Model (TAMM) outputs from fishery suggestions received from the advisory group meeting. WDFW also engaged the public in dialog regarding fisheries, collected input on fishing season structure for commercial and recreational fisheries, and possible rule changes.

Based upon all of the information and outreach generated through these forums, a draft rule was developed for consideration in the public rule-making process that follows the filing of a proposed rule. Accordingly, the CR-102 filed on May 16, 2019 and published as WSR 19-11-076. This CR-102 was the initial rule-making proposal for 2019 Grays Harbor commercial salmon fisheries.

A formal rule making public hearing was held on June 25, 2019. The public comment period was open May 16, 2019 to June 25, 2019 as required by the Administrative Procedures Act. WDFW received two written comments during this period.

WDFW carefully reviewed the information gathered during the rule development process together with all input (verbal and written) from fishing industry representatives, recreational anglers, the Grays Harbor Salmon Advisory Group, and the general public. This includes all information obtained during both the 2019 North of Falcon salmon season process and WDFW's formal rule making process. WDFW relied upon technical and scientific expertise within the agency for NOF and PFMC planning processes. WDFW fishery management experts evaluated pre-season forecast abundance of salmon stocks returning to Grays Harbor in combination with historic harvest data from fisheries occurring in the Grays Harbor watershed. Important characteristics of the Grays Harbor commercial salmon fishery were considered:

- Total number of licensed vessels potentially participating in each fishery.
- Number of vessels which participated in each fishery in recent years.
- Outcomes in terms of target and non-target species catch in recent years.
- Tidal cycles;
- Potential transfer of effort from fisheries in other areas, e.g. Willapa Bay.

- Catch likely to result from the proposed rule and associated conservation impacts.
- Economic value of these commercial fisheries.
- Relationship between treaty commercial, non-treaty commercial, and recreational fisheries.

Based upon this outreach and rule development process, WDFW concludes the final proposed 2019 Grays Harbor commercial fishing regulations are consistent the Department’s statutory management mandates, and with identified agency management objectives based upon the following rationale:

1. Fisheries will be managed with the intent of achieving escapement goals for natural origin salmon.

Fisheries modeled in Grays Harbor are expected to result in reaching or exceeding escapement goals:

- Chehalis River natural-origin Chinook and natural-origin coho
- Humptulips River natural-origin Chinook
- Grays Harbor chum

Neither the Chehalis River natural-origin Chinook nor the Humptulips River natural-origin coho have achieved the escapement goal in three of the past five years, which limits WDFW managed fisheries to not exceed an impact rate of 5% according to policy C-3621. Therefore, the proposed rules do not allow any directed fisheries on either stock.

Table 1: Presents objective criteria and expected modeled results of all WDFW managed fisheries.

Stock	Objective Type	Objective Criteria	Expected Modeled Results
Chehalis Natural-origin fall Chinook	Harvest Impact Rate	≤ 5.0%	4.48%
Humptulips Natural-origin Coho	Harvest Impact Rate	< 5%	4.44%

Table 2: Shows objective criteria and expected modeled results of non-treaty WDFW managed fisheries and harvest from treaty fisheries.

Stock	Objective Type	Objective Criteria	Expected Modeled Results
Chehalis Natural-origin Coho	Escapement Goal	28,506	38,189
Humptulips Natural-origin Chinook	Escapement Goal	3,573	3,406
Grays Harbor Chum	Escapement Goal	21,000	33,367

2. WDFW managed commercial gillnet fisheries in a fishing area or aggregate area (i.e., Area 2A/2B/2D; or Area 2C) shall be scheduled, if possible, so that in any given calendar week there

are a minimum of three consecutive days when no treaty or state-managed commercial fisheries occur.

WDFW managed commercial fisheries in the proposed rule are planned so in any calendar week there are a minimum of three consecutive days when neither treaty nor state-managed commercial fisheries are scheduled to be prosecuted.

3. If it becomes apparent that a scheduled fishery will exceed its preseason catch expectation, and the overage will put at risk the attainment of conservation objectives, the Department shall implement in-season management actions that are projected to enhance the effectiveness of fishery management relative to the attainment of the conservation objectives and impact sharing in the preseason fishery plan.

Commercial fisheries in the proposed rule will be monitored using a combination of on-board observation, daily fish ticket evaluation, and sampling landed catch. These data will be used to compare actual catch to the preseason predictions in the Grays Harbor Terminal Area Management Model (TAMM or pre-season planning model). In-season management actions will be initiated, if necessary, in an effort to attain management and conservation objectives identified in the 2019 NOF process.

4. The fishery management objectives for fall Chinook salmon:

- Fisheries will be managed with the intent of achieving escapement goals for wild Chinook. In no case shall WDFW-managed fisheries result in an impact of more than 5% of the return when the natural-origin adult return exceeds the spawner objective by less than 10% or does not achieve the natural-origin spawner goals in three of the past five years.
  - The scheduled fisheries in the proposed rule are expected to result in a total impact of 126 Humptulips River natural-origin Chinook.
  - Chehalis River natural-origin fall Chinook have not achieved the escapement goal three of the past five years. Therefore, the scheduled fisheries in the proposed rule are expected to have 1.13% impact on the forecasted abundance of Chehalis River natural-origin fall Chinook.
- Achieve spawner goals;
- Provide meaningful recreational fishing opportunities;
  - In a manner that is consistent with identified conservation objectives and other complementary fishery policy objectives, recreational fishing opportunities have been provided for Humptulips River Chinook in both the marine area and the Humptulips River.
- Limit commercial fishery impacts to the incidental harvest of fall Chinook during fisheries directed at other species.



- There are no Chinook directed commercial fisheries in the proposed rule. All commercial fisheries occur after the Chinook management period. The predicted encounters of Chinook is less than the predicted catch of the target species in all weeks of fishing.

5. WDFW managed commercial fisheries in the Grays Harbor Basin shall have the following impact limits:

- Areas 2A, 2B, 2D: the impact rate of the state-managed commercial fishery shall be 0.8% or less on natural-origin Chehalis fall Chinook.
  - The predicted impact on Chehalis River natural-origin fall Chinook in the proposed rule is 0.65%.
- Area 2C: the impact rate of the state-managed commercial fishery shall be 5.4% or less on natural-origin Humptulips fall Chinook when abundance reaches 3,779.
  - The predicted impact on Humptulips River natural-origin fall Chinook in WDFW managed commercial fisheries is 2.75%.

6. For Humptulips River natural-origin fall Chinook, the WDFW managed fisheries will be managed with the intent of achieving the escapement goal.

The forecasted terminal escapement of Humptulips natural-origin Chinook is 4,427. The scheduled fisheries in the proposed rule are expected to result in a total impact of 126 Humptulips natural-origin Chinook.

7. Humptulips River natural-origin coho will be managed with the intent to limit incidental impacts from WDFW-managed fisheries targeting other stocks to 5% or less as provided in the Fishery and Species-specific Guidance in the Policy. Chehalis River natural-origin coho will be managed to achieve the escapement goal.

- The expected impact of the proposed rule on Humptulips natural-origin coho will be 1.37%.
- The expected escapement of Chehalis natural-origin coho after all proposed 2019 terminal fisheries (WDFW managed recreational and commercial plus treaty fisheries) will be 38,189.

8. Fisheries will be managed with the intent of achieving the escapement goal for chum salmon. No fisheries directed at chum salmon shall occur unless the adult coho salmon return exceeds spawner objectives, or if coho salmon impacts remain after coho and Chinook salmon fisheries.

The scheduled fisheries in the proposed rule are expected to result in a harvest of 12,972 Grays Harbor chum. The forecasted runsize of Grays Harbor chum is 71,959. The expected escapement resulting from treaty and non-treaty fisheries is 33,367 compared to the goal of 21,000. There are remaining coho impacts which allow directed chum fisheries to occur based on Policy C-3621.

## **II. Responses to Public Comments received during Rulemaking Process after the CR 102 identified a proposed rule.**

A CR-102 (WSR 19-11-076) was filed May 16, 2019. A formal rule making public hearing was held on June 25, 2019 as part the rules making process for WSR 19-11-076. This hearing provided the public the opportunity to comment on the proposed rule published in WSR 19-11-076. The public hearing was attended by three members of the public; no verbal testimony was provided. One written comment pertaining to the proposed rule was received during the public comment period, May 16, 2019 through June 25, 2019.

Comment 1: Commenter would like the retention of all Chinook jacks under 24 inches for the non-treaty commercial fishers. Suggests this would make the non-treaty commercial fishers consistent with sport regulations.

WDFW will continue the mandatory release of natural-origin, early sexually maturing, male Chinook “jacks” in the commercial fishery for the 2019 fishing season because the putative effects on conservation and fisheries management are largely unknown.

Many organisms including salmon exhibit alternative life history mating strategies which can interact with fisheries management when populations are exploited for harvest [1]. One heritable alternative life history strategy among Chinook salmon is described by early returning sexually mature jacks [2, 3]. Among Chinook salmon, most males compete aggressively on the spawning grounds for mating opportunities [4]. Jacks, on the other hand, are substantially smaller and exhibit weaker secondary sexually selected characteristics than their older and larger counterparts and as such, rarely acquire mates through aggressive behavior or female courtship [5]. Instead, jacks achieve mating success through inherited specialized behavior and morphology by “sneaking” where they exhibit higher gonadosomatic index, enhanced sperm performance and a muted coloration relative to adult males [2, 6].

The Chinook fishery in Grays Harbor is sensitive to harvest strategies and a fishery explicitly targeting Chinook jacks may negatively influence conservation objectives. While there is significant evidence suggesting that fisheries which harvest fish evenly across all ages, all sizes, and sex benefit from such practices; the risk associated with the implementation of a targeted jack fishery is considered to be high in Grays Harbor because both the Chinook fishery frequently escapes fewer fish than anticipated and because few studies have investigated influence of a targeted jack fishery on common metrics of fish population health such as escapement, shifts in sex ratios, predator-prey dynamics, and food web dynamics.

## **III. Public Comment Received during North of Falcon as part of rule development (i.e. after filing of the CR 101, but before the CR 102) and WDFW’s Response**

The Department provided significant opportunity for the public to provide input on recreational and commercial fishing seasons in Grays Harbor through public and advisory meetings. Several comments were heard during meetings worth noting.

Comment 1: Commenter stated at multiple meetings to open non-treaty commercial fishery in catch area 2B to access available chum.

Area 2B fishery options were modeled and determined the encounter rates for natural-origin Chehalis fall Chinook and Humptulips coho increased. The increased rates would restrict commercial and recreational opportunities in order to meet conservation and sharing principles in Policy C-3621. Additionally there was no consensus among commercial fishers for this fishery.

Comment 2: Commenter expressed concern that salmon mortality caused by pinnipeds was not being considered in the proposed rule, and the proposed rule “could not be justified if the significant pinniped losses were properly accounted”.

WDFW understands pinniped depredation occurs during fisheries in marine waters; correspondingly, an additional “drop-out” mortality rate of 3% for Chinook and 2% for coho were added to the harvest rates during the development of the proposed rule. In a recommendation by the Pacific Salmon Commission (PSC) in 1997 estimated mortality rates were applied to account for non-harvest mortalities incurred, such as pinniped depredation, by the prosecution of commercial fisheries [7]. Additionally, the estimated mortality rate of pinniped derived mortality in the PSC recommendation may be overestimated within Grays Harbor because research has shown a positive correlation between soak-time and drop-out rates; thus, short soak-time ( $\leq 45$  min) as practiced in Grays Harbor may overestimate the influence of depredation when using PSC recommendations [8]. On the other hand, WDFW understands pinniped derived mortality rates predicated upon the PSC recommendation rely upon the assumption that pinniped depredation is independent of pinniped population density. Without additional data associated with pinniped abundance coupled with an estimate of the probability of pinniped depredation as a function of pinniped abundance, WDFW will consider the PSC recommendations as the best available science.

Comment 3: Commenter disputed the sentence removal in Grays Harbor WAC 220-354-290 under Gear: “The lead line must not rest on the bottom in such a manner as to prevent the net from drifting.”

The following sentence located in WAC 220-354-290 sections (2)(b)(iv) and (2)(c)(iv); “The lead line must not rest on the bottom in such a manner as to prevent the net from drifting.” was removed from the proposed rule because gear restriction language is clearly defined in WACs 220-350-060 and 220-350-160.

Two relevant Washington Administrative Codes (WAC) provide definitions for commercial gear for Grays Harbor. WAC 220-350-060 states, “Drift gillnet or drift net gear shall be defined as a gillnet of single web construction, not anchored, tied, staked, placed, or weighted in such a manner that it cannot drift”. Additionally, WAC 220-350-160 states, “Set net shall be defined as a gillnet which is anchored, tied, staked, laid in part on shore or whose lead line is so heavily weighted that it cannot drift”. These two WAC’s clearly state the definitions of drift net gear and set net gear and they are easy to understand, effective and enforceable; thus a change in language is not warranted.

The WAC (220-354-290) filed in the proposed rules states, “It is unlawful to use set net gear”. The inclusion of additional language or definitions in WAC 220-354-290 would be redundant, unnecessary, and have the potential to result in unintended consequences with regard to

enforceability should a citation be challenged in court. The WAC filed in the adopt rules define the season and configuration of legal gear for Grays Harbor commercial salmon fisheries.

The Department agrees it is important the rules and regulations adopted and translated into WAC 220-354-290 are easy to understand and are enforceable. After consultation with regional enforcement officers, the Department has determined the definition presented above is clear, easy to understand, and is enforceable. The enforcement of current rules provides deterrence for commercial fishers deploying a net in a manner which prevents it from drifting. The Department's enforcement officers and staff are committed to having orderly fisheries.

Comment 4: Commenter disputes the requirement to use live boxes in the 2C fishery for steelhead.

Recovery boxes are a conservation measure used to increase the probability a fish will survive capture and handling encounter. For example, recovery boxes reduce physical damage, fatigue, and stress by forcing oxygenated water through the gills [8, 9]. The proposed rule requires the release of all steelhead; thus increasing the probability of survival upon release is critical. WDFW is committed to ensure released fish are in the best condition as possible.

## **Conclusion**

The agency carefully reviewed input from all sectors during the North of Falcon public and advisory group meetings during the Department's rule making process, which included analysis of significant comments associated with commercial fisheries planning such as live box use, fishing opportunity in area 2B, pinniped depredation, and a proposed change in drift net rule language. In addition, because the commercial and recreational fisheries interact, the recreational fishery planning was also considered including comments focusing on bag limits in Marine Area 2.2 North Bay, the interplay between bag limit and season length, and a risk assessment of an August opening for part of Marine Area 2.2 East Bay. The proposed rules are a result of integrating public, advisory, and North of Falcon comments, meeting the primary conservation objectives identified in policy C-3621, while also maximizing ex-vessel value. The agency's 2019 Grays Harbor commercial salmon fishing regulations comply with its statutory mandate and are consistent with WDFW's management objectives for these fisheries.

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