



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

DETERMINATION OF NONSIGNIFICANCE (DNS)

Name of Proposal: DNS 22-034: RULE MAKING FOR EMERGING COMMERCIAL FISHERY

Description of Proposal:

WDFW has initiated a rulemaking process to designate an Emerging Commercial Fishery in the lower Columbia River non-treaty commercial fishery. This designation supports the Washington Fish and Wildlife Commission's Columbia River Policy (C-3630), which calls for the exploration of alternative commercial fishing gears. The goal of this designation is to investigate the feasibility and commercial viability of new mobile and fixed fishing gears (e.g., beach seines, purse seines, pound nets). As described in the SEPA checklist, the proposal undergoing SEPA review at this time is the rulemaking for the Emerging Commercial Fishery designation and not any subsequent actions.

Pursuant to RCW 77.65.400, the WDFW Director may designate an Emerging Commercial Fishery authorizing trial and/or experimental fishing with gears that are otherwise disallowed for commercial fishing. This designation allows information to be gathered for approximately five years, at which point findings will be presented to the Washington Legislature to determine whether or not to establish permanent fisheries using these additional gears (RCW 77.70.180). If the legislature decides to establish permanent fisheries, a rulemaking process will be undertaken (including SEPA) to legalize these new commercial gears.

Once the Emerging Commercial Fishery designation is effective, the required fishing licenses and permits will be issued on an annual basis (RCW 77.65.400). WDFW staff will then utilize these experimental gears within the existing Columbia River management framework. Columbia River salmon fisheries are managed through a Compact process with Oregon where regulations are established annually to specify the time, place and gears for commercial fishing. The experimental gears will essentially "plug into" this process and be utilized when, where and how they are appropriate (i.e., as run sizes and fishery conditions allow).

There are several new fishing gears being explored through this designation. Mobile gears, such as beach and purse seines, operate in a similar fashion to the currently authorized gears (gillnets and tanglenets). Fixed gears, such as pound nets, operate differently and may require fixed infrastructure such as pilings and docks to be constructed in or adjacent to the Columbia River.

The Emerging Commercial Fishery designation being pursued through this rule allows for the experimental use of new gears but will not change any other regulations or policies associated with Columbia River commercial fisheries.

Proponent/Applicant: Washington State Department of Fish and Wildlife (WDFW)
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Location of Proposal, including street, if any:

The Emerging Commercial Fishing designation will authorize the experimental use of new gears in the Columbia River non-treaty commercial fishery. This fishery is authorized to harvest salmon, sturgeon, eulachon, and shad on the lower Columbia River (from the mouth of the river to Bonneville Dam).

Washington State counties that border the lower Columbia River include Pacific County, Wahkiakum County, Cowlitz County, Clark County, Skamania County, and Klickitat County.

Lead Agency: Washington Department of Fish and Wildlife (WDFW)

WDFW has determined that this proposal will likely not have a significant adverse impact on the environment. Therefore, state law¹ does not require an environmental impact statement (EIS). WDFW made this determination of nonsignificance (DNS) after we reviewed the environmental checklist and other information on file with us.

We issued this DNS according to state rules.² Agencies, tribes, and members of the public are invited to comment on this proposal or DNS. We must receive your comments within 37 days of the date of this letter. The comment period will end at **11:59 pm on August 3, 2022.**

Method of Comment:

SEPA documents related to this proposal can be reviewed at the WDFW SEPA website at: <http://wdfw.wa.gov/licenses/environmental/sepa/open-comments>.

The following procedures shall govern the method to comment on agency SEPA proposals. Comments received through these procedures are part of the official SEPA record for this proposal. You can submit your comments through one of the following ways:

- Online at the Public Input comment portal for this proposal: <https://publicinput.com/ColumbiaRiverCommercial102>
- Email to: ColumbiaRiverCommercial102@PublicInput.com

Responsible Official: Lisa Wood

Position/Title: SEPA/NEPA Coordinator, WDFW Habitat Program, Protection Division

Address: P.O. Box 43200, Olympia, WA 98504-3200

After the comment period closes, applicants may view the updated status of this proposal on the WDFW SEPA website: <https://wdfw.wa.gov/licenses/environmental/sepa/closed-final>. Once the status is posted as final, applicants and permittees may take action on the proposal. When a proposal is modified or withdrawn, notice will be given in accordance with state law.¹

If you have questions about this DNS or the details of the proposal, or have difficulty with the Public Input comment portal, contact Lisa Wood at: SEPADesk2@dfw.wa.gov.

DATE OF ISSUE: June 27, 2022

SIGNATURE:



Footnotes

1. RCW 43.21C.030(2)(c)
2. WAC 197-11-340(2).

SEPA Log Number: 22-034.dns

Individuals who need to receive this information in an alternative format or language, or who need reasonable accommodations to participate in WDFW-sponsored public meetings or other activities may contact the Title VI/ADA Compliance Coordinator by phone at 360-902-2349, TTY (711), or email (Title6@dfw.wa.gov).