

Possession and Delivery of Canadian Caught Salmon; rule-making briefing and public hearing

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Purpose of briefing

Describe to the public and members of the Commission, the purpose and need for this Rule-Making.

Public testimony

Overview

- Background Summary
- Need for Rule-Making
- Fiscal Implications
- Public Involvement – what was learned?
- Staff Recommendation – next steps

Background Summary

- WAC 220-310-210 requires a vessel operator to have “a valid Canadian customs clearance number” to deliver salmon legally harvested in Canadian waters to a Washington port.
- June 12, 2017; Canada’s Parliament amended their *Customs Act*, to no longer requires certain US boaters to report to Canada Border Services Agency for a day trip in Canadian waters.
- A Canadian Customs ‘clearance number’ is no longer available to recreational vessels not making landfall.

Background Summary – cont.

- Canadian Customs viewed the requirement to provide a “clearance number” as burdensome.
- June 12, 2017; Canada’s Parliament amended their *Customs Act*, to no longer requires certain US boaters to report to Canada Border Services Agency for a day trip in Canadian waters.
- A Canadian Customs ‘clearance number’ is no longer available to recreational vessels not making landfall.

Need for Rule-Making

- Address change in Canadian customs law and allow anglers to pass a dockside inspection upon their return to Washington.
- Allows anglers to complete a simple form on the WDFW website notifying the department of their plans to fish for salmon in Canadian waters.
- Provides anglers with email confirmation that their trip information has been received, and a number that will take the place of the Canadian Customs clearance number.

Fiscal Implication

- Cost to public is minimal;
 - Current rule requires vessel operator to contact Canadian Customs via VHF radio or phone.
 - Proposed rule would require vessel operator to complete short online form.
- Cost to Department is minimal;
 - Current website design will support the rule going forward,
 - Staff have had only a few questions on this subject
 - Most inquiries came shortly after the emergency rule was filed in August of 2017.

Public Involvement – what was learned?

- CR101 proposing rule was filed in March 2017.
- Enforcement and Fish Program staff have spoken with various key constituents including the Puget Sound recreation salmon advisory group.
- August 15, 2017 emergency rule filed.
- Department staff completed the form for a handful of anglers via phone and provided conformation numbers.
- Staff believe that the single online form is sufficient.

Staff Recommendation – next steps

- Briefing today
- Hear from the public
- Staff will take input received from the Commission and public.
- Final action will be taken during the Commission's July conference call.

Questions and Comment?

Thank you

ADDITIONAL BACKGROUND SLIDES

Additional Background Slides

- Salmon returning to rivers of origin throughout the Salish Sea do not recognize geo-political boundaries.
- Conservation concerns exist for salmon stocks originating from both countries.
- Annual regulations to meet conservation goals (in response to forecasts);
 - co-manager agreed escapement goals,
 - federal limitations of ESA take prohibitions, and
 - international obligations (Pacific Salmon Treaty).
- Regulations differ between countries
 - unique sets of priorities,
 - make assumptions about expected exploitation rates occurring in fisheries of the other country to ensure that these obligations are achieved.

Additional Background Slides (cont.)

- Often times WDFW managed fisheries are quota based
- Fishery Managers monitor landing from marine catch areas to ensure conservation needs are met and for compliance with co-manager agreements.
- Estimates are based on counts of vessels exiting the port coupled with dock-side interviews.
- Unanticipated shifts in fishing effort can force early closures
- Ensure compliance with regulation for waters being fished.