



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Washington Department of Fish and Wildlife

**Subject of possible rule making:**

Amendments to the coastal commercial salmon fishing rules are needed to implement Guiding Principle #4 from the Washington Department of Fish and Wildlife (WDFW) Commission Policy C-3622, which states "investigate and promote the development and implementation of alternative selective gear" in order to achieve conservation objectives in Willapa Bay.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 77.12.047, RCW 77.50.030, and 77.65.400

**Reasons why rules on this subject may be needed and what they might accomplish:**

The WDFW is interested in designating a trial commercial fishery in Willapa Bay for the purpose of testing a new gear type and intends to issue a limited number of Trial Fishery Permits that set the permissible time, place, and manner of fishing using a newly designated gear type.

The gear type being considered is a floating fish trap. This fish trap uses non-permanent spuds to hold the trap in place; no permanent structures will be installed or used. This fish trap passively funnels adult salmon from the "lead", a net positioned at an angle from the shore, into a series of compartments leading to the final compartment or spiller. Fish are able to swim freely the entire time. Hatchery fish are then removed from the spiller and the natural-origin fish are released untouched through a door at the back of the fish trap to continue their trip upstream to spawn.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The**

The WDFW will be providing input on this process and subsequent recommendations for the specifics on permissible time, place, and manner of fishing using the designated gear type.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Contact Barbara McClellan, WDFW Fish Program, 48 Devonshire Road, Montesano, WA 98563  
Phone (360) 249-1213; fax (360) 249-1229 email at [Barbara.McClellan@dfw.wa.gov](mailto:Barbara.McClellan@dfw.wa.gov)

Contact by May 31, 2017. Expected proposal filing on or after June 2, 2017.

**DATE**  
April 19, 2017

**NAME (TYPE OR PRINT)**  
Scott Bird

**SIGNATURE**

**TITLE**  
Rules Coordinator

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**WSR 17-09-085**