



# 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 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 77.50.030, 77.50.120, 77.65.400, and 77.70.160.

**Reasons why rules on this subject may be needed and what they might accomplish:** The Washington Department of Fish and Wildlife is interested in designating an experimental commercial fishery in Willapa Bay for the purpose of testing a new gear type and intends to issue a limited number of Experimental 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 anchors 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:** 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 July 28, 2017. Expected proposal filing on or after July 31, 2017.

**DATE**  
June 14, 2017

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

**SIGNATURE**

**TITLE**  
Rules Coordinator

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