

2017 Coastal Freshwater Recreational Salmon Regulations

Concise Explanatory Statement



September 5, 2017

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Introduction

This Concise Explanatory Statement (CES) relates to rules being adopted by the Washington Department of Fish and Wildlife (WDFW or Department) to amend Washington Administrative Code (WAC) 220-312-020.

The CES contains four 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 describes the changes from the proposed rule to the adopted rule. Section III discusses comments received during rulemaking and the agency's analysis and resolution of those comments. Section IV is the conclusion.

I. The Adopted Rules, Rule-making Process and WDFW's Resource Management Objectives

The rules being adopted provide a schedule to open the 2017 recreational salmon fisheries in coastal freshwater rivers. Without the proposed rules, recreational fishing for salmon would be open under the same regulations adopted in 2016.

Brief Summary of the Adopted Rules:

The rules being adopted amend existing permanent rules that opened the recreational salmon fisheries in coastal freshwater tributaries, including North Coast, Grays Harbor and Willapa Bay, as defined in WAC 220-312-020. These rules establish the time, place, and manner that salmon may be harvested while meeting conservation objectives.

Fishery mandates and Commission Policy:

The rules are being adopted pursuant to the authorities found in RCW Title 77, including those provisions in RCW 77.04.012 that 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." Where 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, those evaluations are made against a backdrop of historical Pacific Coast fishing opportunities throughout the year as discussed below.

The rules being adopted 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; 2015-16 North of Falcon Policy – C-3608). Furthermore, the planning process considered guidance expressed in C-3621 (Grays Harbor Basin Salmon Management), and C-3622 (Willapa Bay Salmon Management Policy).

The adopted rules also incorporate the recommendations from the North of Falcon (NOF)/Pacific Fishery Management Council (PFMC) process that included significant public input. WDFW's objectives for those processes are outlined in the 2016-2017 North of Falcon (NOF) Policy (C-3608) 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 the State of Oregon, tribal co-managers, federal fishery managers and stakeholder groups to plan for, and execute, fisheries of interest to state, tribal and federal entities. Through that process, the management entities identify the predicted abundance of fish, desired escapement objectives, the harvestable surplus, shares available to state and tribal harvesters, and sets the stage for subsequent development of Washington State's commercial and recreational fishing seasons, including time, manner and method regulations that will be used to implement those seasons.

Rule Development Process:

The CR-101 notice of intended rule-making was filed on January 7, 2017 (WSR 17-03-041). Thereafter, 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 that would be presented in the CR-102 filing for formal public review and comment.

State, federal and tribal fishery managers gather each year to plan the Northwest's recreational and commercial salmon fisheries. This pre-season planning process is generally known as the "North of Falcon" (NOF) process, and includes a series of public meetings with federal, state, and tribal fishery managers, together with citizens that have an interest in these fisheries, both recreational and commercial. The NOF planning process coincides with the March and April meetings of the PMFC, the federal authority responsible for setting ocean salmon seasons 3 to 200 miles off the Pacific coast. In addition to the two PFMC meetings, the states of Washington and 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 whose representatives represent a diverse range of user group

interests. For this rule making process, the Grays Harbor Salmon Advisory Group and the Willapa Bay Salmon Advisory Group were consulted.

The 2017 NOF process for developing salmon fishery regulation proposals, known as North of Falcon, began for Grays Harbor and Willapa Bay stakeholders when forecasts for stocks returning to these areas were presented and discussed on February 22, 2017 in Montesano. Forecasts for other areas were presented and discussed on February 28, 2017 in the Natural Resources Building in Olympia for state-wide fisheries. Resource utilization implications of the forecasts and 2017 season planning were discussed broadly in a statewide context. This was followed by regional break-out sessions for the Columbia River, Ocean, Puget Sound, and Coast/Grays Harbor/Willapa Bay (all). Additional public meetings to discuss regulation proposals were held March 16 (North Coast and Straits), March 17 (North of Falcon #1), March 28 (Grays Harbor), March 30 (Willapa Bay), and April 4 (North of Falcon #2).

During these meetings WDFW gathered input on structuring fishing seasons, possible rule changes and provided the public with information on the status of the 2017 planning process. Fishing regulation proposals were shared at the public meetings and were available to receive additional public comments online on the North of Falcon WDFW website for those who could not attend the public meetings from February 28 through April 30.

In addition to the public input received for North Coast, Grays Harbor and Willapa Bay during meetings identified earlier in this section, input was also obtained from the Grays Harbor and Willapa Bay Salmon Advisory groups on several occasions. Additional meetings with each of the advisory groups were also held during the North of Falcon process. Meetings with Grays Harbor Advisory Group occurred on March 7, April 11 (conference call), and April 14, 2017. Meetings with the Willapa Bay Advisory Group occurred March 23 and April 17, 2017. These meetings were open to the public with an opportunity for public testimony at the end of each meeting.

During the 2017 North of Falcon season planning process, the tribal co-managers and WDFW conducted technical meetings and policy level discussions to agree on conservation objectives, run-size forecasts, and estimates of the allowable treaty and non-treaty catch shares for the various salmon runs considered in defining fishing levels. WDFW and the tribes also developed fishing schedules for both treaty- and non-treaty-managed salmon fisheries. Written and oral comments received during this process were considered in the development of WDFW's own package of rules. The recreational salmon fishing seasons proposed for adoption by WDFW in 2017 are a product of both the government-to-government, tribal-state negotiation component, and the open public process component of the annual North of Falcon process. The formal public rule-making process undertaken by WDFW is pursuant to the Administrative Procedures Act.

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 22, 2017 and published in WSR 17-11-109 provided WDFW's initial rule-making proposals for 2017. A CR-102 Supplemental was filed on July 13, 2017 and published in WSR 17-15-062. This proposal reflects an additional change to WAC 220-312-020 from what was proposed in WSR 17-11-109. The change requires the release of wild Chinook salmon in the Humptulips River from September 1 to October 31, 2017, from the mouth upstream to the confluence of the East and West forks. There was also an increase in the bag limit on hatchery-origin Coho to two fish in this area from November 1, 2017 to January 31, 2018. These changes were to address a harvest imbalance between co-managers. Information regarding the proposed rule changes was electronically and physically mailed out to participants in the North of Falcon process who provided their contact information at meetings as well as posting it on WDFW's website.

Fishing dates and locations were modeled to propose a meaningful recreational fishery that is consistent with conservation objectives considering that there will be non-directed harvest mortality arising from the incidental catch of non-target salmon. In addition, the season structure and areas open for fishing were shaped to reduce the interaction between sport and commercial fisheries. This furthers the objective of maintaining orderly fisheries. Sharing between commercial and recreational harvest groups was also considered to provide meaningful harvest opportunity for both groups within the general context of historic sharing patterns in this area of the Washington Coast, together with the revised policies in C-3621 and C-3622.

A formal rule-making public hearing for the CR-102 was held on June 27, 2017 to provide an opportunity for comments to be received on the proposed rules as published in the Washington State Register. No individuals attended the public hearing. No written comments were received through the Rules Coordinator during the rule-making period.

A second formal rule-making public hearing was held on August 22, 2017 for the CR-102 Supplemental to provide additional opportunity for comments to be received on the proposed rules that were published in the Washington State Register. One individual attended this hearing and provide comments for the Grays Harbor freshwater fishery.

No comments were received at either of the rule-making public hearings regarding the North Coastal or Willapa Bay fisheries.

Responses to those comments are summarized below in the "Response to Comments Received" section of this document. In addition to input provided during the formal rule-making period, comments received by letter, electronic mail, online on the WDFW website, and in person at our public meetings during the North of Falcon process were considered as part of the rule-making process.

WDFW carefully reviewed the information gathered during the rule development process together with all input (verbal and written) from fishing industry representatives, recreational anglers, advisory groups, and the general public. This includes all information obtained during

both the 2017 North of Falcon salmon season process and the state's formal rule making process. WDFW also considered and relied on technical and scientific expertise within the agency and as part of the PFMC planning process. This review included data and information available to the state's fishery management experts, including pre-season forecast abundance of salmon stocks and historic harvest data from fisheries.

Overview of WDFW's Consideration of Management Objectives:

Regulations for the 2017 recreational salmon fisheries were considered with respect to established objectives. These objectives include generally applied statewide objectives, together with detailed regional specific objectives described within regional sections below. These objectives were shared with recreational angler representatives during the 2017 North of Falcon process and are listed below in order of priority:

- 1) Conserve the wildlife and food fish, game fish, and shellfish resources in a manner that does not impair the resource (RCW 77.04.012) by achieving conservation objectives for all species and stocks.
 - a) Ensure primary stocks meet escapement goals and/or management objectives (e.g., an exploitation rate).
 - b) Manage fisheries consistent with Fish and Wildlife Commission Policies C-3608 (2014-15 North of Falcon), C-3619 (Hatchery and Fishery Reform), C-3621 (Grays Harbor Basin Salmon Management), and C-3622 (Willapa Bay Salmon Management Policy).
 - c) Monitor fisheries to ensure a & b are met.
- 2) Provide opportunity to harvest the non-treaty share of harvestable salmon.
- 3) WDFW shall promote orderly fisheries and shall enhance and improve recreational and commercial fishing in this state.
- 4) WDFW shall seek to maintain the economic well-being and stability of the fishing industry in the state.

Regional Specific Objectives:

Willapa Bay

The Washington Fish and Wildlife Commission adopted a new Willapa Bay Salmon Management policy (C-3622) in June of 2015. This action followed an extensive public process with multiple public comment periods. The policy provides general management guidance to WDFW in terms of sharing between the recreational and commercial sectors, and achievement of conservation objectives.

Regulations for the 2017 Willapa Bay recreational salmon fisheries were evaluated with respect to objectives in the policy. These objectives were shared with industry representatives, members of the Advisory Group, and the general public during the North of Falcon process. General or recreational specific pre-season planning objectives are:

1. The recreational fishery management objectives for fall Chinook salmon in 2017, in priority order, are to:
 - Not exceed a 20% impact rate during Willapa Bay fisheries on Willapa and Naselle river natural-origin fall Chinook. Within the impact rate cap, the priority shall be to maintain a full season of recreational fisheries for Chinook salmon in the Willapa Bay Basin;
 - Provide enhanced recreational fishing opportunities.
 - Increase participation and/or catch including consideration of increased daily limits, earlier openings, and use of multiple rods;
 - Conservation actions, as necessary, shall be shared equally between marine and freshwater fisheries; and
2. The recreational fishery management objectives for Coho and Chum salmon, in priority order, are to:
 - Achieve spawner goals;
 - Provide recreational fishing opportunities.

The rules, as originally noticed in the CR-102, were proposed based upon a conclusion that they would produce fisheries consistent with conservation objectives, with the guidance identified above, and with the Commission policy direction to provide “enhanced” opportunities for recreational fisheries anglers.

Commercial fishing season regulations are not yet finalized, but are part of the overall impact on fish stocks and affect whether objectives are achieved. A proposed schedule of commercial fisheries was modeled to account for their potential impacts and allow evaluation of compliance with Commission policy and objectives.

WDFW concludes that the final adopted 2017 Willapa Bay recreational fishing regulations are consistent with these management objectives based on the following rationale:

1. The recreational fishery management objectives for fall Chinook salmon in 2017, in priority order, are to:

- Not exceed a 20% impact rate during Willapa Bay fisheries on Willapa and Naselle river natural-origin fall Chinook. Within the impact rate cap, the priority shall be to maintain a full season of recreational fisheries for Chinook salmon in the Willapa Bay Basin; The predicted impact rate for Willapa River natural-origin Chinook during Willapa Bay basin combined fisheries is 20%.
- Provide enhanced recreational fishing opportunities.
 - Increase participation and/or catch including consideration of increased daily limits, earlier openings, and use of multiple rods;

Regulation changes in the adopted regulation that will continue to increase participation and/or catch during the 2017 season include increased bag limits, opening areas earlier, opening more areas, and the expansion of areas for two-pole endorsements. The adult salmon bag limit for the 2017 recreational salmon freshwater fisheries throughout Willapa Bay remains at four adult salmon. All other freshwater regulations from 2016 will remain in effect for 2017; earlier openings in a section in both the Naselle and Willapa rivers, sections of the Nemah River are open for salmon fisheries to seniors only (70 years +), expanded area that allows the use of two fishing rods in the lower section of the Naselle River and in the lower section of the Willapa River, and increased harvest opportunities in the South Fork Willapa and Niawiakum rivers and Smith Creek, providing the retention of wild Coho and allowing the retention of Chum when salmon seasons are open. However due to increased enforcement issues on a section of the Naselle River, additional language was added regarding the use of a float below the bait or lure.

The 2017 commercial season in catch area 2T and 2U opens September 18th, areas 2M and 2R open September 5th, area 2N opens September 11, 2017. Previous analysis of recreational catch rates suggests that a later start for the commercial sector will result in an increased recreational catch rate. Therefore, the later start for the commercial sector is also expected to enhance the recreational fishery.

- Conservation actions, as necessary, shall be shared equally between marine and freshwater fisheries.

Additional conservation for wild Chinook is needed in Willapa Bay. To address this concern, all recreational fisheries, both marine and freshwater, require the release of wild Chinook. Marine Area 2.1 regulations are the same as 2016 with a start date of August 1, 2017. The rules for Ocean Area 2 do not begin until July 1, 2017.

2. The fishery management objectives for Coho and Chum salmon, in priority order, are to:

- Achieve spawner goals;

Combined fisheries modeled in Willapa Bay are expected to result in achievement of escapement goals for both Willapa Bay Coho and Chum stocks. The Willapa Bay escapement goal for natural-origin Coho is 13,600 fish. The modeled fisheries allow the escapement to spawning areas of 20,719 natural-origin Coho. This predicted escapement also exceeds the 17,200 naturally spawning Coho goal established by the Pacific Fishery Management Council. The number of Willapa Bay Chum predicted to escape in the proposed fishery is 51,932, exceeding the goal of 35,400.

- Provide recreational fishing opportunities. Recreational fisheries will be allowed to retain Chum salmon.

Recreational fisheries will be allowed to retain Chum salmon.

North Coast

Modifications to North Coastal sport fishing regulations adopted for 2017 through this rule-making process were:

- The Hoh River will close to all recreational fishing from May through June 30, and September 1 – 15 to protect depressed spring/summer Chinook salmon.
- The fall salmon season will open for the traditional September 1 through November 30 season in the Quillayute System. In the Hoh River the season will be September 16th through November 30, and the usual October 16 through November 30 in the section of the Hoh from the oxbow boat ramp upstream to Morgan's Crossing. The Clearwater and Salmon rivers in the Queets system will open September 1 and close early, on October 1 because of a low wild coho forecast. While season lengths vary, daily bag limits in all the North Coast rivers will still reflect a somewhat conservative approach for wild salmon, as detailed below.
 - The rivers in the Quillayute System:
Where returning hatchery salmon are expected to be present (Quillayute River and Sol Duc River below the hatchery), the daily bag limit will be 6 salmon, of which only three may be adults, and only one adult may be wild.

The other three tributaries of the Quillayute System (Bogachiel, Calawah, and Dickey rivers) will open with daily bag limits of 3 salmon, only one of which may be an adult.

- The daily bag limit in the Hoh River will be 6 salmon, 2 adults, of which only one may be a Chinook.
- Clearwater River, a tributary to the Queets River, will have a daily bag limit of 3 salmon, only one adult, and release wild coho. Salmon River, tributary to the Queets River, will have a daily bag limit of 6 salmon, 2 adults, only one of which may be a Chinook. Release wild coho.

The wild coho stocks and the Hoh River spring/summer Chinook stock were the focus on the North Coast for the 2017 season planning process. The management objective for Hoh River spring/summer Chinook is an escapement rate of 69% with an escapement floor of 900 fish. The 2017 return to the river is expected to be near this floor, with the run forecast at 1,018. In response to the low forecast, and to address Objectives 1a, 1b, and 2 above, the adopted rules have the sport fishery in the Hoh River closed to all fishing through June 30, 2017, opening to trout and other game fish July 1 through August 31, then closing again September 1 – 15 out of concern for the spring/summer Chinook stock. In 2015 and 2016 the river was also closed during some or all of the summer period to all recreational fishing in response to the low spring/summer Chinook numbers. Since the 2008 season anglers have been required to release wild (unclipped) Hoh spring/summer Chinook. The Hoh Tribe's fishery in 2017 is targeting hatchery dip-in Chinook in May and early June with an anticipated catch of 49 wild Chinook, and then is limited to 10 wild Chinook for ceremonial and subsistence use during the rest of the summer period. Like the sport fishery, the Tribe is also closing for two weeks in early September to allow the remaining spring/summer Chinook to move up the river.

Grays Harbor

The Washington Fish and Wildlife Commission adopted a new Grays Harbor Basin Salmon Management Policy (C-3621) in February of 2014. This action followed an extensive public process with multiple public comment periods. The policy provides management direction to WDFW in terms of sharing between the recreational and commercial sectors, and achievement of conservation objectives.

Regulations for the 2017 Grays Harbor recreational salmon fisheries were evaluated with respect to objectives in the policy. These objectives were shared with industry representatives, members of the Advisory Group, and the general public during the North of Falcon public process. General or recreational specific pre-season planning objectives are:

1. Fisheries will be managed with the intent of achieving escapement goals for natural origin salmon.
2. For spring Chinook, prioritize freshwater recreational fisheries, with an objective of opening freshwater areas no later than May 1.
3. The fishery management objectives for fall Chinook salmon, in priority order, are to:
 - 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.
4. For Chehalis River basin natural-origin fall Chinook, the predicted fishery impact in WDFW-managed fisheries will not exceed 5% of those adults returning to Grays Harbor because the number of natural-origin spawners was less than the goal in 3 out of the last 5 years.
5. For Chehalis River basin Coho and Humptulips River Chinook, the WDFW-managed fisheries will be managed with the intent of achieving escapement goals.
6. For Humptulips natural-origin Coho, the predicted fishery impact in WDFW-managed fisheries will not exceed 5% of those adults returning to Grays Harbor because the number of natural-origin spawners was less than the goal in 3 out of the last 5 years.
7. Fisheries will be managed with the intent of achieving escapement goals for wild and hatchery 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 rules, as noticed in the CR-102, were proposed based upon a conclusion that they would produce fisheries consistent with the overriding conservation objectives identified above, and with the Commission policy direction to provide “meaningful” opportunities for both recreational anglers and commercial harvesters.

WDFW concludes that the final adopted 2017 Grays Harbor recreational fishing regulations are consistent with these management objectives based on the following rationale:

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

Fisheries modeled in Grays Harbor (including treaty harvest) are expected to result in achievement of escapement goals for Chehalis River natural-origin Coho and Humptulips River natural-origin Chinook. Chehalis River natural-origin Chinook are forecast to return at a level that is less than 10 percent above the goal. The adopted rules do not allow any directed fisheries on Chehalis River natural-origin Chinook. Thus a low level of incidental bycatch mortality due to catch and release will occur while targeting healthy stocks, but are less than the criteria in Objective 4. Humptulips River natural-origin Coho are forecast to return at a level that is below the escapement goal. That is, the Coho are not expected to meet the goal regardless of whether fisheries occur or not. The adopted rules do not have any directed fisheries on Humptulips River natural-origin Coho and anglers must release them unharmed. Thus a low level of incidental bycatch mortality due to catch and release will occur while targeting healthy stocks, but it is less than the criteria in objective 6.

Grays Harbor Chum are forecasted to return 31,300 fish. Fisheries managed by WDFW in the adopted rules will impact 797 Grays Harbor Chum. The total WDFW managed fisheries in Grays Harbor will impact 4,755 Grays Harbor Chum.

Stock	Objective Type	Objective Criteria	Modeled Results
Chehalis Natural-origin Chinook	Harvest Impact Rate	< 5.0%	4.4
Chehalis Natural-origin Coho	Escapement Goal	28,506	29,616
Humptulips Natural-origin Chinook	Escapement Goal	3,573	4,591
Humptulips Natural-origin Coho	Harvest Impact Rate	< 5.0%	3.52%
Grays Harbor Chum	Escapement Goal	21,000	17,444

2. For spring Chinook, prioritize freshwater recreational fisheries, with an objective of opening freshwater areas no later than May 1.

The adopted rules do not include a fishery directed on Chehalis River spring Chinook. Forecasted return is below the escapement goal.

3. The fishery management objectives for fall Chinook salmon, in priority order, are to:

- Achieve spawner goals;

The scheduled fisheries in the adopted rule are expected to result in 4,591 Humptulips River natural-origin spawners compared to a spawning goal of 3,573.

- Provide meaningful recreational fishing opportunities;

Within the constraints of the policy, recreational fishing opportunities have been provided for Humptulips River Chinook in both the marine area and the Humptulips River.

4. For Chehalis River basin natural-origin fall Chinook, the predicted fishery impact in WDFW-managed fisheries will not exceed 5% of the adult return to Grays Harbor because the number of natural-origin spawners was less than the goal in 3 out of the last 5 years.

The predicted impact on Chehalis River natural-origin fall Chinook during the scheduled fisheries in the adopted rule is 4.4%.

5. For Chehalis River basin natural-origin Coho and Humptulips River natural-origin fall Chinook, the WDFW-managed fisheries will be managed with the intent of achieving escapement goals.

The scheduled fisheries in the adopted rule are expected to result in 29,616 Chehalis River natural-origin spawners compared to a spawning goal of 28,506, and 4,591 Humptulips River natural-origin spawners compared to a spawning goal of 3,573.

6. For Humptulips natural-origin Coho, the predicted fishery impact in WDFW-managed fisheries will not exceed 5% of the adult return to Grays Harbor because the number of natural-origin spawners was less than the goal in 3 out of the last 5 years.

The total predicted impact on Humptulips River natural-origin Coho during the scheduled fisheries in the adopted rule is 3.52%.

7. Fisheries will be managed with the intent of achieving escapement goals for wild and hatchery 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 adopted rule are expected to result in an impact of 767 Grays Harbor Chum. This impact is far less than half the available surplus. The forecasted return of Grays Harbor chum is 31,300 compared to the goal of 21,000.

To address the second part of the objective, scheduled fisheries in the adopted rule achieve the policy objective guidelines, including achieving the escapement goal for Chehalis River natural-origin Coho and minimizing total WDFW-managed fisheries to 5 percent or less impact on

Humptulips River natural-origin Coho, and therefore Coho impacts remain allowing for directed Chum fisheries to occur.

II. Changes to WSR 17-15-062

The adopted rule filed as supplemental CR-102 on July 13, 2017 and published in WSR 17-15-062 has a few minor changes from the proposed rule filed in the original CR 102 on May 22, 2017 and published in WSR 17-11-109. The following summary briefly describes any changes and the principal reasons for adopting those changes.

1. Require the release of all wild Chinook in the Humptulips River from the mouth to the confluence with the East and West forks from September 1 to October 31, 2017.
2. Adjust the adult salmon bag limit to two fish with a requirement to release all Chinook and wild Coho.

Both of these changes are to address harvest imbalance between co-managers.

There were no substantial or technical changes made to the adopted rules from the rules noticed in the CR-102 Supplemental WSR 17-15-062 for North Coastal or Willapa Bay. The proposed regulations were adopted without modification.

III. Response to Comments Received During Comment Period for WSR 17-15-062

North Coast

No formal written or verbal testimony was received on the CR-102 or the CR-102 Supplemental regarding North Coast freshwater recreational seasons.

Willapa Bay

Comment #1: The commenter expressed concern that in-season management should be required and needs to continue being applied for all fisheries within Willapa Bay.

The Commission policy for Willapa Bay (C-3622) does require the Department to take action 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. WDFW will use the best available data to make in-season adjustments to both the recreational and commercial fisheries as mandated by the Willapa Bay Salmon Management Policy (C-3622 Guiding Principle #8). Creel survey data, in-season spawning ground counts, on-board observation data, and Quick Reporting data will be analyzed to determine if any in-season actions would be necessary for either the

commercial or recreational fisheries to meet conservation objectives. The Department will continue to develop methods for assessing both the commercial and recreational fisheries for future fisheries, especially those with Chinook retention. On the other hand, commercial fisheries are monitored in-season with catch estimates available within a few days of the fishery. Ultimately, in-season management will be used consistent with the Commission policy in appropriate circumstances based upon information and analysis obtained during the fishing season.

Comment #2: Commenter opposes opening the Naselle River above the Hwy 4 Bridge to the hatchery weir prior to October 16.

During the North of Falcon process, there were comments and discussions about this section of the Naselle River. Historically, this section has not opened to salmon fishing until mid-October for two reasons: 1) the need to obtain Chinook broodstock for hatchery production goals; and 2) disorderly fisheries were common requiring a significant enforcement presence.

The adopted rule does provide additional opportunity by opening this section of the Naselle River four weeks earlier than previous years. WDFW evaluated the operation of the temporary weir, the efficiency in obtaining broodstock needs at the Naselle Hatchery, and requirements in the Hatchery and Fishery Reform Policy and determined that salmon fisheries in the section can be opened earlier. WDFW will review the earlier opening with respect to whether this fishery remains orderly. This section of the Naselle River garnered significant discussion during the 2015 and 2016 North of Falcon processes. Similar evaluation was done in 2015 as was done in 2016 using the items referenced above. In the 2015 CES document for WAC 220-310-180, WDFW states “if the fishery remains orderly, WDFW will consider additional time in 2016”. After discussion with WDFW enforcement personnel, the determination was made that the fishery did not remain orderly in 2016. Therefore, WDFW has added the following language, “bait or lure must be suspended below a float” to fishery regulations for 2017 freshwater fisheries in order to promote orderly fisheries.

Comment #3: Commenter suggests considering a mark selective recreational dip net fishery on the Naselle River for hatchery Chinook retention.

The suggestion of an alternative means of recreational harvest that could potentially increase harvest of hatchery origin Chinook Salmon and possibly reduce impacts (mortalities) to natural origin Chinook Salmon is worthy of a thorough vetting. Therefore, WDFW will include this fishery suggestion as a topic for discussion in the 2018 North of Falcon process in order to gather stakeholder input.

Grays Harbor

Comment #1: Commenter expressed concern that with restrictions on Chinook fishing in Grays Harbor this year, the recreational jack salmon fishery opened in the Chehalis River August 1 through September 15 from the mouth to the South Elma Bridge impacts too many adult Chinook and shouldn't be allowed.

WDFW developed the proposed rules with the guidance of the Grays Harbor Salmon Management Policy. The Policy guides the WDFW to be transparent and involve the public, provide fishing opportunities that are fairly distributed across fishing areas and reflect the diverse interests of WDFW-managed fisheries, and develop recreational fisheries with sharing between fishing sectors. In an effort to accomplish these and the other principles of the Policy, WDFW held several public and Advisory meetings to share resource abundances and receive input on how those resources could be used.

As a result of these meetings and the public input received, the proposed rules were developed. These rules provide opportunity for all sectors in WDFW-managed fisheries in Grays Harbor, while achieving the management objectives within the Policy. While WDFW understands that any fishery conducted when salmon are present will impact adult Chinook, all fisheries in Grays Harbor and the Chehalis River basin were evaluated and all impacts were taken into consideration.

IV. Conclusion

WDFW has considered all the facts and circumstances surrounding the 2017 recreational salmon season schedule. The agency carefully reviewed all input from the public during the North of Falcon public meetings and the state's rule making process. The agency's 2017 coastal freshwater recreational salmon fishing regulations comply with its statutory mandate and are consistent with WDFW's management objectives for these fisheries.