

# **Concise Explanatory Statement (CES)**

## **Amending Columbia River Fishing Rules**

### **A. Rules amended or repealed as part of this rulemaking:**

#### Amended:

WAC 220-359-010 Indian fishery—Area and qualification

WAC 220-359-020 Commercial seasons— Fish

WAC 220-359-040 Lawful fishing gear—Mesh

WAC 220-359-060 Off-reservation Indian subsistence fishing

WAC 220-359-070 Season and gear—Shad

WAC 220-359-080 Season—Sturgeon

WAC 220-359-090 Closed areas ((salmon))—River mouths

WAC 220-359-110 Columbia River—Columbia River off-reservation treaty Indian ceremonial fishing

#### Repealed:

WAC 220-359-030 Weekly open fishing periods—Salmon

WAC 220-359-050 Open area salmon—Lone Pine

WAC 220-359-100 Unlawful provision—Salmon

### **B. Reasons for adopting the rules:**

The current rulemaking project began on September 20, 2017 in order to make them the state's rules more consistent with Oregon rules concerning concurrent jurisdiction on the Columbia River. The department had previously agreed through the U.S. v. Oregon Fish Management Process and the Regulatory Consistency Committee to amend inconsistent rules to ensure uniformity, to provide clarity, and to increase enforceability of regulations in waters of concurrent jurisdiction. These changes clarify the rules in the area for the public and allow the rules to be more enforceable for the department.

The Department posted rules on the WDFW website for a 30-day review and comment period. The first comment period was before the November 1-2, 2018 Fish and Wildlife Commission meeting. The Department allowed interested parties to testify on the rule s changes at the hearing before the Commission on November 2, 2018.

**C. Difference between the text of the proposed rules and the text of the rules as adopted:**

None

**D. Summary of comments and WDFW response and consideration for the comments:**

The department did not receive any written comments from the public during the written comment period nor did anyone testify at the Commission hearing on November 2, 2018.