

Concise Explanatory Statement
Fishing guide logbook rule revision

Rules amended as part of this rulemaking:

WAC 220-352-245 Reporting required of licensed food fish, game fish and combination fishing guides.

Rules repealed as part of this rulemaking:

NA

Rules created as part of this rulemaking:

NA

1. Background/Summary of Project:

The Washington Fish & Wildlife Commission passed WAC 220-352-245 in 2019 and it went into effect January of 2020. This rule requires Fishing Guides operating with a Washington Food Fish, Game Fish or Combination Guide License to log their guided fishing trips to help inform the agency on guide demographics, use and trends statewide.

2. Reasons for adopting the rule:

After three years of implementation of this rule, compliance has remained low, with less than 50 percent of licensed guides reporting their trips. In implementing this rule, the Washington Department of Fish & Wildlife (WDFW) enforcement division deployed emphasis patrols making contact with guides and issuing tickets for non-compliance. Through these enforcement contacts they identified some challenges that could be address through revisions to the rule. This rule revision will address the enforcement challenges identified, allow the agency to more effectively implement the rule and will support increased compliance and improved data quality from fishing guide logbook reporting.

WDFW staff worked with our Fishing Guide Advisory Committee to develop the rule revisions and think through implementation of this revision to ensure the change is simple and easy for guides to adopt.

3. Differences between the text of the proposed rule and the rule as adopted:

Revisions to 220-352-245 adopted by the Fish & Wildlife Commission include:

- Requiring certain trip information (date, location and guide license number) to be entered at the start of fishing day so enforcement can make compliance contacts on the water or at the end of the day.

- Removing the reference to vessel and boat launch to clarify that reporting is required by all guides, not just those fishing out of a boat.
- Removing the web reporting option which is underutilized, to simplify down to just a mobile and paper logbook.
- Increasing the frequency at which paper logbooks need to be returned to WDFW from once a month to twice a month.

4. Public comments, response to comments, and consideration of comments

The Fish & Wildlife received four comments through the online public input portal, three of which were supportive of the rule change proposal and one which was concerned with the additional time it would take guides who use the paper logbook to report. Two comments were also received during public comment on this rule revision proposal. One was the same person who also reported through the online portal and had concerns with the time it would take to report using the paper logbook. The other was concerned with increasing guide activity in the lower Columbia River, an issue outside of this rule proposal.

The Fish & Wildlife Commission did not adjust the rule proposal based on the concern voiced during rulemaking. The Commission acknowledged that fishing guides who take frequent trips and use the paper report, will be required to report twice a month vs. once a month and will need to hand-write “license number,” “date” and “water body” fields at the beginning of the trip vs. at the end of the trip. This change may increase the time spent entering paper logs at the beginning of the trip by one to five minutes and may reduce the time spent on logbooks at the end of the trip by one to five minutes. As such this change will result in little to no additional time spent by guides reporting trip data over the course of the fishing day. The rule revision will increase postage costs for those submitting paper logbook reports by requiring them to be submitted twice a month as opposed to once a month, but all guides will continue to have the option of reporting for free through the mobile reporting application. This change will result in less than \$10 in additional postage per guide over the course of the year. The Commission encouraged staff to work to move as many users to the mobile reporting platform as possible which is not only free, but also auto-populates the fields being required at the beginning of the day “name”, “license number” and “date.” The only field that will not auto-populated is the “waterbody” field, but entering that takes less than 30 seconds.