

## Public Input Humptulips Steelhead Regulation April 23, 2019

WDFW Staff: Kelly Cunningham, Larry Phillips, Annette Hoffmann, Curt Holt and Kim Figlar-Barnes  
Public: 13

### **Kelly:** Opening remarks and background of regulation issue

- Pre-2008 Humptulips closed in March
- 2008 forward opened in March 1-30<sup>th</sup> for SGR (Selective Gear Rules)
- 2015-17 Rule Simplification process rules adopted to align section of river above Hwy 101 with lower river - removed SGR
  - Public concerns voiced over change
- Petition received by commission Dec. 2018
  - Denied petition based on conservation concerns
  - Consider petition based on social values - if public wants rule changed to SGR
- Commission directed WDFW collect public input
  - Use NOF rule making process to possibly change rule

### **Annette:** Presentation

- Humptulips background
- Overview of petition/process
- Comments received to date
- Rule process

### **Questions regarding issue:**

Conservation concern more important than social concerns?

Kelly- Most situations conservation is a concern

- Conservation not a current concern
- If conservation concern for the month of March
  - Concern should be for the entire year and river

Larry-Conservation addressed

- No fishing past March
- Pressure mostly downstream
- If conservation issue
  - May be entire river system situation
  - Not a section of river closed to bait

Why SGR established in 2008?

Kelly - Based on data not a lot of spawning in March

- Allowed additional opportunity in March
- Searched available records
  - Could find no rationale for establishing SGR

Agency for or against SGR?

Kelly – state has no position

- Ensure not harming fish and providing opportunity
- If conservation concern need to address entire river, not a section or two

## Bait issue comment

Bait and treble hooks can be hard on fish and lead to mortalities

## Historic perspective of area

- Late 80's early 90's, conservation concern
  - Donkey Crk downstream people hooking fish on redds
  - Established no fishing above forks hole for few years
  - Population recovered - SGR established to open fishing

## Public Comments

### **Keep Current Rule**

#### Sports Constituent

- Bait and barbed hooks acceptable above Hwy 101

### **Return to SGR**

#### Recreational/Conservation Constituent

- Favor having restrictive fishing rules in place, SGR

#### Grays Harbor Sport Fishing Coalition Constituent

- Represent guides, businesses and recreational anglers in Grays Harbor
- Favor reestablishing SGR for this section of river March 1-31
  - Social benefit for larger sport fishing community
    - Critical when many at odds over regulation and management of wild steelhead
  - Broad based support for rule change from conservation groups to guide associations (Olympic Peninsula Guide Assoc., Wild Steelhead Coalition, North Olympic Peninsula Sport fishing Coalitional and Northwest Guides and Anglers Assoc.)

#### Sport Constituent

- Re-instated SGR for this section of river
  - Do not believe it should have been removed
  - Possibility will hook wild fish
    - Barbless and no bait important

#### Sport Constituent

- River closed from Feb 28<sup>th</sup> upstream
- If open to fishing need bait ban

### **Additional questions and comments:**

Curt – First season with new rule, notice any increased effort in this area?

- Increased effort not obvious due to low water year

Curt - Mortality issue?

- Presentation of bait can increase mortality due to fish swallowing bait

Constituent Comment: When SGR were in effect

- Worked well
  - Consistent with the north Peninsula Rivers (Quinault River north)

**Constituent Comment: When steelhead runs were low**

- Department approached anglers for advice
- SGR established to protect and build runs

**Constituent Comment: Grays Harbor historic perspective April steelhead fishing**

- Years ago Wynoochee and Satsop were open in April

**Constituent Comment: Conservation**

- Opposed WF Humptulips open in March

**Annette – reminder**

- Meeting is to discuss if March should have SGR through this process

**Constituent Question: What is source for steelhead numbers? (QIN tribal data is not accurate)**

**Curt - worked in this area for over 20 years and familiar with data**

- QIN have 5 main stem indexes along with 5-6 tributary indexes
- Data suggests
  - 80% spawners in main stem
  - 20% spawners in tributaries
- QIN cover about 90% of spawning habitat in Humptulips for escapement surveys

**Larry – redd base escapement**

- Relative estimate of abundance
- Not absolute estimate of spawning fish

**Constituent Question: Why do numbers fall?**

**Larry - steelhead marathon ocean migrants**

- Ocean conditions can effect survival of steelhead
  - Salish Sea Project
    - Effort find out why steelhead dying in marine environment

**Constituent Question: What is the redd counts this year?**

**Curt – Current counts**

- Wynoochee trap lower by about 100 fish
- Counts at Skookumchuck down
- Everything has been down this year

**Constituent Comment: Need to have NOF type meeting just for Grays Harbor steelhead**

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# Petition: Humptulips Steelhead Regulation

WDFW

# OUTLINE

- ▶ Background information
- ▶ Petition Received
- ▶ Petition process
- ▶ Public comments received
- ▶ Public input tonight
- ▶ Next steps

# Background

- ▶ Humptulips wild steelhead population is healthy and stable
- ▶ The escapement goal (1 600) is met in most years
- ▶ Prior to 2008 fishing with bait was allowed
- ▶ In 2008, the Department extended the season through March and implemented selective gear rules (SGR) in this river section
- ▶ Beginning in 2018, Rule simplification aligned the rules in different river sections, which eliminated the SGR restriction in March







# Commission Petition Process

## RCW 34.05.330

- ▶ Process is prescribed by the Office of Financial Management
- ▶ Anyone may petition an agency Rule
- ▶ The agency must respond within 60 days
  - ▶ Initiate Rule Making procedures to consider changes
  - ▶ Deny petition
    - ▶ Reason for denial
    - ▶ Alternative means to address concerns
- ▶ Appeals process


# Current Petition Process

- ▶ December 10, 2018: Petition was received to reinstate the SGR
- ▶ January 25, 2019: The FWC
  - ▶ denied the petition based on conservation concerns
  - ▶ recognized there may be a reason to consider the petition based on social values
  - ▶ directed the Department to address the petitions request, collect public input, and utilize the Nof Rule Making process for potential implementation in 2020.
- ▶ April 9, 2019: News Release directing public input to [GraysHarbor@dfw.wa.gov](mailto:GraysHarbor@dfw.wa.gov)
- ▶ April 23, 2019: Collecting public input

# Public Comments

- ▶ For maintaining current rule (no SGR restrictions)
  - ▶ The reason for the Rule change still exists
  - ▶ Rescinding the rule indicates lack of a clear plan
  - ▶ Preference for barbed hooks and bait
  - ▶ Barbless hooks create more encounters and wears fish out more
  - ▶ Bait is helpful to land hatchery fish
- ▶ For repealing current rule (reinstating SGR restrictions)
  - ▶ Reduces flossing, but needs more enforcement
  - ▶ Additional protections desired

# Public Input



Reinstate selective gear rules in March in the Humptulips from Hwy 101 to the confluence of the East and West forks and on the West fork to Donkey Creek.

STEELHEAD TROUT

MARKS 2017

1912-18-17



# Next Steps

- ▶ Collect public input tonight
- ▶ File CR102
- ▶ Conduct a formal public hearing prior to adoption
- ▶ Director decision on or after public hearing date
- ▶ <https://wdfw.wa.gov/about/regulations/development>

